

## **THIRD DAY OF ANNUAL SESSION**

Johnstown, NY

November 25, 2019

Roll Call – Quorum Present

Supervisors: Argotsinger, Blackmon, Bradt, Breh, Callery, Fagan, Greene, Groff, Handy, Howard, Kinowski, Lauria, Perry, Potter, Rice, Selmsler, Young

TOTAL: Present: 17 Absent: 3 (Supervisors Born, Waldron, Wilson)

In the absence of Chairman Wilson, Vice-Chairman Greene called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, Vice-Chairman Greene asked if there was anyone from the public who wished to address the Board. No one from the public came forward.

### **UPDATES FROM STANDING COMMITTEES**

(No Reports)

### **REPORTS OF SPECIAL COMMITTEES**

***Inter-County Legislative Committee:*** Supervisor Perry advised that the Inter-County Committee met on November 21 in Saratoga County and the group took a tour of the Public Safety Building being constructed. Chairman Wilson also attended the meeting. Supervisor Perry further advised that it was an “amazing tour”.

***Soil and Water Conservation District Board:*** Supervisor Greene advised that National Grid has finally responded and they will be working on the overhead electrical lines at Tryon Technology Park the second week in December.

### **CHAIRMAN’S REPORT**

(No report)

### **RESOLUTIONS**

***No. 445 (Resolution Endorsing a One-Year Moratorium on New Bail and Discovery Reform Laws):*** Mr. Stead, Administrative Officer, advised that he recently attended a Town Hall Meeting on new Discovery Laws and Bail Reform, that was held at FMCC with Sheriff Giardino, and other officials from area police agencies, judges, and Montgomery County officials.

Mr. Stead further advised that he provided a handout on each Supervisor’s desk summarizing the Discovery Laws and Bail Reform impacts. Mr. Stead explained that there is legislation currently being worked on to delay the implementation of the new Discovery Laws and Bail Reform.

Supervisor Rice advised that she initially had some reservations about the Resolution being proposed after reading the title, but because the last “Whereas” on the proposed Resolution states “Senate Bill S.6853, enacting a one-year moratorium on said bail reforms and discovery reforms, is one viable option to ensure that mistakes are not made in implementing necessary reform”, she is satisfied.

Supervisor Young agreed with Supervisor Rice and advised that the Resolutions includes some of his concerns. He further advised that Judge Sise, who attended the forum, explained that other states have already enacted discovery reforms.

***No. 446 (Resolution Creating an Account Clerk/Typist Position in the Emergency Management Office (2020):*** Supervisor Lauria advised that Mr. Souza, Mr. Santa Maria and Ms. Beth Whitman-Putman do a lot of work and emergency management services is running very smoothly. He further advised that this position is greatly needed.

### **Other Business**

Supervisor Callery asked about a letter that was put in his mailbox from Industrial Development Agency Executive Director James Mraz regarding property across from Tryon Technology Park

in the Town of Perth that is up for sale. He asked that County Attorney Brott look into the fact that the property is in a “Business Technology Zone”. Does that mean residential housing is not allowed? County Attorney Brott said that he would have to look into it.

Supervisor Fagan advised that there is water there but no operating sewer service. He further advised that his town has been working with Sean Geraghty, Senior Planner, from the Planning Department related to the zoning for these areas.

Vice-Chairman Greene called for a recess at 1:22 p.m.

Vice-Chairman Greene called the meeting back to order at 1:29 p.m.

Vice-Chairman Greene opened the Public Hearing to receive comments regarding the Tentative Budget for the County of Fulton for Fiscal Year Beginning January 1, 2020 at 1:30 p.m. No one present came forward to speak on the matter.

Vice-Chairman Greene then commented that the Public Hearing on the Tentative Budget for the County of Fulton for Fiscal Year Beginning January 1, 2020 would remain open for a portion of the meeting.

Because all pending Resolutions were dependent on the Public Hearing, Vice-Chairman Greene called for a second recess to the meeting at 1:32 p.m.

Vice-Chairman Greene called the meeting back to order at 1:40 p.m.

Vice-Chairman Greene again asked if there were any public speakers who wished to comment on the Tentative Budget for the County of Fulton for Fiscal Year Beginning January 1, 2020. Seeing none, Vice-Chairman Greene closed the Public Hearing at 1:40 p.m.

Resolutions on the Regular Agenda continued to be deliberated upon.

**No. 462 (Resolution Adopting the 2020 Fulton County Budget):** Supervisor Fagan advised that he could not support a tax increase, particularly because of the amount of fund balance estimated. The Board has worked diligently along with staff and the County has made investments with positives in building infrastructure, economic development and making communities safer. He continued that the majority of taxpayers do not see an increase in their incomes, so they should be able to keep their money to use.

**Supervisor Fagan made a motion to amend the Resolution to dictate a 2020 Tax Levy of \$30,054,244.00 by applying an additional \$340,000.00 from fund balance. This would achieve a 10.76 average county tax rate per thousand, seconded by Supervisor Callery.**

Vice-Chairman Greene called for debate on the amendment.

Supervisor Rice asked if this would negate what was done in the workshop last week. Mr. Stead explained that it would add to the fund balance that is proposed being used. The vote on the Resolution itself will be the final decision.

Supervisor Groff advised that the County needs to increase taxes a little each year, because there are a lot of projects upcoming and using more fund balance was the wrong way to go. He further advised that there are too many unknowns out there, so using more fund balance is not advised.

Supervisor Lauria advised that it is not a lot of money either way, but it would help senior citizens. A “zero tax increase” should be supported because the County can afford it.

Vice-Chairman Greene advised that he agrees with Mr. Groff that there are several things on the horizon such as criminal reforms and it is unknown where that is going in the future and he thinks it will deplete funding in the future. He further advised that ambulance service in the county also needs to be addressed and this will cost money. The County reserve funds are being depleted and a 1.2 percent tax increase is the way to go.

Supervisor Fagan commented that it was unfortunate that “Governor Cuomo has won on the tax cap issue and it is not okay to raise taxes”. There will always be unknowns in the future. He further commented “Let the people keep their money as long as they can.”

Supervisor Callery advised that it was taxpayers’ money and he feels the same way as Supervisor Fagan.

Vice-Chairman Greene then called for a roll call vote to amend the Resolution with the lower Tax Levy of \$30,054,244.00. **MOTION DEFEATED 199 in favor, 237 opposed. (Supervisors Argotsinger, Breh, Greene, Groff, Kinowski, Perry and Young were opposed)**

It was noted that the Average County Tax Rate for 2020 would be 10.89 per \$1,000.00, which is a 13 cent increase from last year.

Mr. Stead advised that the next Board Meeting is going to be held on December 9 at 1:00 p.m. There would be a Finance Committee Meeting held that morning. Meeting notices will be mailed out.

Supervisor Callery reminded the Personnel Committee members that they had a meeting at 3:00 p.m. today.

The Board recessed at 2:00 p.m. until Monday, December 9 at 1:00 p.m.

*Certified by:*

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

**Resolution No. 445**

Supervisor BREH offered the following Resolution and moved its adoption:

**RESOLUTION ENDORSING A ONE-YEAR MORATORIUM ON NEW BAIL AND  
DISCOVERY REFORM LAWS**

WHEREAS, in the final stages of adopting its FY 2020 budget, the State of New York enacted sweeping criminal justice reforms including the elimination of cash bail for many specific enumerated crimes and the imposition of stringent discovery mandates on police and prosecutors; and

WHEREAS, beginning January 1, 2020, under said new bail reform laws, judges will no longer have discretion to set bail for many specific enumerated crimes; and

WHEREAS, these crimes include those that result in the deaths of innocent people, including several subcategories of homicide and manslaughter, resulting in those responsible for these deaths being released back into the community of grieving families; and

WHEREAS, some of the crimes for which bail will no longer be an option include:

- Making a Terroristic Threat
- Possessing an Obscene Sexual Performance by a Child
- Money Laundering in Support of Terrorism in the 3rd and 4th degree
- Failure to Register as a Sex Offender
- Promoting an Obscene Sexual Performance by a Child
- Patronizing a Person for Prostitution in a School Zone
- Aggravated Assault Upon a Person Less than Eleven Years old
- Reckless Assault of a Child by a Daycare Provider
- Criminal Sale of a Controlled Substance to a Child
- Abandonment of a Child
- Criminal Possession of a Weapon on School Grounds
- Female Genital Mutilation
- Stalking in the Second Degree
- Aggravated Harassment
- Endangering Welfare of Elderly Person/Incompetent/Physically Disabled Person
- Aggravated Cruelty to Animals, Torturing and Injuring Animals
- Assault in the Third Degree
- Aggravated Vehicular Assault
- Burglary of a Residence
- Bail Jumping and Unlawfully Fleeing a Police Officer in a Motor Vehicle

; and

**Resolution No. 445 (Continued)**

WHEREAS, discovery reform will also result in an opportunity for defendants to gain access to crime scenes that may include a victim's residence, thereby giving defendants accused of burglaries, assaults, rapes and other crimes committed in victims' homes the right to return to those same homes; and

WHEREAS, the issues mentioned heretofore will undeniably impact past, present and future victims of crime in a negative manner, and in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocent individuals; and

WHEREAS, these bail and discovery reform laws, in their current form, represent a clear and present danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crime; and

WHEREAS, Senate Bill S.6853, enacting a one-year moratorium on said bail reforms and discovery reforms, is one viable option to ensure that mistakes are not made in implementing necessary reform; now, therefore be it

RESOLVED, That the Board of Supervisors hereby strongly endorses a one-year moratorium on implementation of new Bail and Discovery Reform Laws scheduled to take effect January 1, 2020 to protect the rights and safety of crime victims and ensure the integrity of the criminal justice system by providing additional time for advisement from the law enforcement community; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator James Tedisco, Assemblyman Robert Smullen, Sheriff, District Attorney, NYSAC, Fulton Montgomery Regional Chamber of Commerce 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 Born, Waldron and Wilson)

**Resolution No. 446**

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

RESOLUTION CREATING AN ACCOUNT CLERK/TYPIST POSITION IN THE  
EMERGENCY MANAGEMENT OFFICE (2020)

WHEREAS, the Civil Defense Director/Fire Coordinator recommends creating an Account Clerk/Typist position in the Emergency Management Office; and

WHEREAS, the Committees on Public Safety, Personnel and Finance has reviewed the current department structure and recommends creating an Account Clerk/Typist position in the Emergency Management Office in this instance; effective January 1, 2020; now, therefore be it

RESOLVED, That one (1) Account Clerk/Typist position (Union Job Group A-3; 2020 start rate: \$15.14 per hour and permanent one-year rate: \$17.81 per hour), be and hereby is created effective January 1, 2020; and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator and Personnel Director does 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, Emergency Management Office, Personnel Director, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**Resolution No. 447**

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

RESOLUTION CREATING A LEGAL SECRETARY POSITION IN THE PUBLIC DEFENDER'S OFFICE (2020)

WHEREAS, the Public Defender has requested a position of Legal Secretary for the Public Defender's Office; and

WHEREAS, the Committees on Public Safety, Personnel and Finance have endorsed the need for a Legal Secretary for the Public Defender's Office commencing January 1, 2020; and

WHEREAS, the Total 2020 cost of said position, including benefits, resulting from said creation will be \$62,825.00; and

WHEREAS, the Public Defender has indicated that the entire cost for said position will be covered by NYS Office of Indigent Legal Services (OILS) grants related to implementation of the Hurrell-Harring Lawsuit Settlement by NYS; now, therefore be it

RESOLVED, That there be, and hereby is, created one (1) Legal Secretary position (Union Gen A-5; 2020 Start Rate: \$15.76 per hour, permanent One-Year Rate: \$18.54 per hour) in the Public Defender's Office; effective January 1, 2020; and, be it further

RESOLVED, That said position shall be subject to further review by the appropriate committee of this Board of Supervisors in the event of any changes/reductions to State and/or Federal revenues, in order to make necessary budget adjustments; and, be it further

RESOLVED, That the Personnel Director and Public Defender do each and every 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, Public Defender, Personnel Director, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**Resolution No. 448**

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

RESOLUTION CREATING AN ASSISTANT PUBLIC DEFENDER FOR THE  
PUBLIC DEFENDER'S OFFICE (2020)

WHEREAS, the Public Defender has requested an additional Assistant Public Defender for the Public Defender's Office; and

WHEREAS, the Committees on Public Safety, Personnel and Finance have endorsed the need for an additional full-time Assistant Public Defender for the Public Defender's Office commencing January 1, 2020; and

WHEREAS, the Total 2020 cost of said position, including benefits, resulting from said creation will be \$126,625.00; now, therefore be it

WHEREAS, the Public Defender has indicated that the entire cost for said position will be covered by NYS Office of Indigent Legal Services (OILS) grants related to implementation of the Hurrell-Harring Lawsuit Settlement by NYS; now, therefore be it

RESOLVED, That there be, and hereby is, created one (1) full-time Assistant Public Defender position (Non-Union A/T-12, 2020 Start Rate: \$75,154.00 per year, one year Permanent Rate: \$88,417.00 per year) in the Public Defender's Office; effective January 1, 2020; and, be it further

RESOLVED, That said position shall be subject to further review by the appropriate committee of this Board of Supervisors in the event of any changes/reductions to State and/or Federal revenues, in order to make necessary budget adjustments; and, be it further

RESOLVED, That the Personnel Director and Public Defender do each and everything 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, Public Defender, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**Resolution No. 449**

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

RESOLUTION RENAMING THE FOURTH DISTRICT ATTORNEY AND INCREASING THE BASE SALARIES OF THE FIRST ASSISTANT DISTRICT ATTORNEY AND ASSISTANT DISTRICT ATTORNEYS (2020)

WHEREAS, the District Attorney has submitted a proposal to increase Assistant District Attorney salaries to improve retention and promote salaries that are comparable to those of public defenders; and

WHEREAS, the District Attorney’s Office is responsible for prosecution of all felonies, all misdemeanors, all violations under Penal Law and all Traffic Offenses committed in Fulton County; and

WHEREAS, State mandates resulting from the Hurrell-Harring Lawsuit settlement have dramatically increased the resources available to Public Defender’s Offices and Assigned Counsel programs; and

WHEREAS, the Committees on Public Safety, Personnel and Finance have recommended that the District Attorney’s salary restructuring be implemented effective January 1, 2020; and

WHEREAS, the Total 2020 Tax Levy Increase, including benefits, resulting from said increase will be \$59,698.00; now, therefore be it

RESOLVED, That the Fourth Assistant District Attorney be and hereby is re-titled “Assistant District Attorney” effective January 1, 2020, and, be it further

RESOLVED, That, effective January 1, 2020, the one-year permanent salary rates of the Assistant District Attorneys in the District Attorney’s Office be revised as follows:

	<u>Current Salary</u>	<u>New Salary</u>
First Assistant DA	\$88,539.00	\$95,000.00
Assistant DA (2)	\$64,337.00	\$75,000.00
Assistant DA (formerly 4 <sup>th</sup> ADA)	\$51,872.00	\$75,000.00

and, be it further

**Resolution No. 449 (Continued)**

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

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

Seconded by Supervisor GROFF and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**Resolution No. 450**

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

RESOLUTION CREATING A LEGAL SECRETARY POSITION IN THE  
DISTRICT ATTORNEY'S OFFICE (2020)

WHEREAS, the District Attorney has requested a position of Legal Secretary for the District Attorney's Office as part of new state mandates; and

WHEREAS, the Committees on Public Safety, Personnel and Finance have endorsed the need for a Legal Secretary for the District Attorney's Office commencing January 1, 2020; and

WHEREAS, the Total 2020 Tax Levy Increase, including benefits, resulting from said creation will be \$62,825.00; now, therefore be it

RESOLVED, That there be, and hereby is, created one (1) Legal Secretary position (Union Gen A-5; 2020 Start Rate: \$15.76 per hour, Permanent One-Year Rate: \$18.54 per year) in the District Attorney's Office; effective January 1, 2020; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Personnel Director, 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 Born, Waldron and Wilson)

**Resolution No. 451**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID FOR UNLEADED GASOLINE FOR THE CENTRAL FUEL DEPOTS LOCATED AT THE COUNTY SERVICES COMPLEX AND SOLID WASTE DEPARTMENT (2020)**

WHEREAS, Resolution 360 of 2019 authorized advertisement for bids for unleaded gasoline for the Central Fuel Depots at the County Complex and Solid Waste Department and three (3) bids were received; now, therefore be it

RESOLVED, That the net bid, as submitted by Mirabito Energy Products of, Binghamton, NY, for the purchase and delivery of unleaded gasoline to the Central Fuel Depots at the County Complex and at the Solid Waste Department be and hereby is awarded for the period January 1, 2020 through December 31, 2020, as reviewed and recommended by the Superintendent of Highways and Facilities, Solid Waste Director, Committee on Public Works and Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2019-82-06:

County Complex (100,000 gallons)	\$1.788 Rack price <u>.005</u> Margin \$1.793 Per gallon
Solid Waste Dept. (6,000 gallons)	\$1.788 Rack price <u>.155</u> Margin \$1.943 Per gallon

(with the stipulation that any increase or decrease in prices will be passed on at the time of delivery, based on current rack prices); 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, All Bidders, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**Resolution No. 452**

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

RESOLUTION CREATING A GIS COORDINATOR POSITION IN THE  
INFORMATION TECHNOLOGY DEPARTMENT (2020)

WHEREAS, the Information Technology Director has requested the creation of a Geographic Information System (GIS) Coordinator position in the Information Technology Department to assist County Departments with mapping functions in support of emergency management, land use planning, public health planning and law enforcement; and

WHEREAS, the Committees on Personnel and Finance has reviewed the current department structure and recommends creating a GIS Coordinator position in the Information Technology Department; and

WHEREAS, the total 2020 Tax Levy increase, including benefits, resulting from said increase will be \$79,360.00; now, therefore be it

RESOLVED, That a full-time GIS Coordinator position (Union Gen P-5, 2020 start rate: \$22.30 per hour, permanent one-year rate: \$26.23 per hour) be and hereby is created effective January 1, 2020; and, be it further

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

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

Seconded by Supervisor BREH and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**Resolution No. 453**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION APPROPRIATING MONIES FOR FULTON-MONTGOMERY  
COMMUNITY COLLEGE**

RESOLVED, That there be appropriated for Fulton County's fiscal year 2020 for the Fulton-Montgomery Community College the sum of \$1,545,821.00 for its operating expenses; and, be it further

RESOLVED, That said appropriation represents the approved Sponsor contribution for College fiscal year September 1, 2019 – August 31, 2020 and an anticipated payment for September 2019; and, be it further

RESOLVED, That in accordance with Resolution 267 of 2019, the County Treasurer be and hereby is authorized and directed to pay said total sum in four (4) installments, as follows:

Installment 1 (September 2019)	\$ 386,455.25
Installment 2 (January 2020)	386,455.25
Installment 3 (March 2020)	386,455.25
Installment 4 (June 2020)	<u>386,455.25</u>
	\$1,545,821.00

and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

Total: Ayes: 411 (16) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 115 (3) (Supervisors Born, Waldron and Wilson)

**Resolution No. 454**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION SETTING DATE OF 2020 ORGANIZATIONAL MEETING**

RESOLVED, That this Board of Supervisors hereby fixes Thursday, January 2, 2020, at 10:00 a.m., in the Supervisors' Chambers, County Office Building, Johnstown, NY, as the date, time and place of a meeting to organize the Board and to select a Chairman for the year 2020, and for the election of officers and the transaction of other business relative to organization; and, be it further

RESOLVED, That the Clerk of the Board be and hereby is directed to serve, by mail, a notice, in writing, to each member of his/her last known post office address, at least 48 hours before said meeting, stating the date, place and purpose of said meeting.

Seconded by Supervisor GROFF and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**Resolution No. 455**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING REPORT ON RETURNED SCHOOL TAXES**

WHEREAS, the County Treasurer has duly filed this day with the Board of Supervisors a certified Report of Returned School Taxes; now, therefore be it

RESOLVED, That the taxes mentioned in said Report be levied and assessed against the properties described in the Report; and, be it further

RESOLVED, That a certified copy of this Resolution be forwarded to the County Treasurer, 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 Born, Waldron and Wilson)

REPORT OF COMMITTEE ON RETURNED SCHOOL TAXES

2019-2020

Your Committee on Returned School Taxes, to whom was referred the returns of the several school districts herein, reports the same to be in conformity with New York State Education Law. Your Committee presents the following lists of districts, attached hereto, with the amount of taxes remaining due and unpaid, etc. and recommends that the amount of such unpaid taxes with seven per centum of the amount of addition thereto be levied upon the lands upon which the same remain unpaid and when collected, the same to be paid to the County Treasurer to reimburse the County for the amount advanced with expenses of collection. And, your Committee further recommends that out of any monies of the County treasury raised for contingent expenses or for the purpose of paying the amount of such taxes so returned, the County Treasurer pay to the respective district treasurer, if there be such officer, otherwise to the collector, the amount of taxes so returned herewith.

<u>TOWN</u>	<u>SCHOOL DISTRICT</u>	<u>SCHOOL COLLECTOR</u>	<u>TOTAL FOR TOWN</u>
Bleecker	Northville	Kim Abrams	1,611.86
Broadalbin	Broadalbin-Perth	Therese Buyce	438,276.68
	Galway	Barbara Sleight	0.00
	Mayfield	Leta Aldous	<u>0.00</u>
			438,276.68
Caroga	Wheelerville	Lori Western	168,584.92
Ephratah	Dolgeville	Jennifer Winkler	2,699.33
	Fort Plain	Jessica Sanders	37.21
	Opp/Eph/St. Johns	Karen Mettler	<u>118,717.93</u>
			121,454.47
Johnstown	Broadalbin-Perth	Therese Buyce	55,426.47
	Fonda-Fultonville	Patricia Prill	14,682.20
	Mayfield	Leta Aldous	52,608.64
	Opp/Eph/St. Johns	Karen Mettler	13,960.52
	Wheelerville	Lori Western	<u>5,856.83</u>
			142,534.66
Mayfield	Broadalbin-Perth	Therese Buyce	136,937.22
	Mayfield	Leta Aldous	359,223.80
	Northville	Kim Abrams	<u>13,655.86</u>
			509,816.88
Northampton	Broadalbin-Perth	Therese Buyce	30,449.75
	Northville	Kim Abrams	239,324.20
	Edinburg	Meaghan Cherry	85.31
	Mayfield	Leta Aldous	<u>6,882.27</u>
			276,741.53
Oppenheim	Opp/Eph/St. Johns	Karen Mettler	152,632.35
	Dolgeville	Jennifer Winkler	<u>20,710.29</u>
			173,342.64
Perth	Broadalbin-Perth	Therese Buyce	236,052.00
	Galway	Barbara Sleight	<u>19,688.74</u>
			255,740.74
Stratford	Dolgeville	Jennifer Winkler	117,795.38
	Opp/Eph/St. Johns	Karen Mettler	<u>0.00</u>
			117,795.38
TOTAL			\$ 2,205,899.76

Submitted this 25th day of November, 2019

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(Committee on Returned School Taxes)

**Resolution No. 456**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING REPORT ON TOWN AND CITY ACCOUNTS**

RESOLVED, That the Budget Director/County Auditor be and hereby is directed to debit or credit the sums as shown in the report of the Committee on Finance - Town and City Accounts, dated November 25, 2019 to the respective municipalities of the County and to include same in their 2020 tax levies; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, 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 Born, Waldron and Wilson)

REPORT ON TOWN AND CITY ACCOUNTS

**2019-2020**

<u>MUNICIPALITY</u>	<u>DEBIT</u>	<u>CREDIT</u>
Bleecker	0.00	1,082.27
Broadalbin	0.00	6,964.57
Caroga	0.00	191.59
Ephratah	0.00	369.43
Johnstown	0.00	3,679.40
Mayfield	0.00	3,066.27
Northampton	0.00	572.50
Oppenheim	300.99	0.00
Perth	0.00	156.01
Stratford	0.00	902.57
City of Gloversville	0.00	16,044.21
City of Johnstown	0.00	758.54
TOTAL.....	\$ 300.99	\$ 33,787.36

Submitted by Finance Committee, November 25, 2019

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Richard Argotsinger, Chairman

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David Howard

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John Callery

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Gregory Fagan

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G. Michael Kinowski

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Warren Greene

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James Groff

**Resolution No. 457**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING REPORT ON RETURNED VILLAGE TAXES IN  
BROADALBIN, MAYFIELD, NORTHVILLE AND DOLGEVILLE**

WHEREAS, the County Treasurer has duly filed this day with the Board of Supervisors a certified Report of Returned Village Taxes for the Villages of Broadalbin, Mayfield, Northville and Dolgeville; now, therefore be it

RESOLVED, That the taxes mentioned in said Report be levied and assessed against the properties described in the Report; and, be it further

RESOLVED, That the Report be filed in the Office of the Clerk of the Board, where it will be available for public inspection; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**REPORT OF COMMITTEE ON RETURNED VILLAGE TAX**

**2019-2020**

Your Committee on Returned Village Taxes, to whom was referred the returns of several villages herein, reports the same to be in conformity with NYS Education Laws.

Your Committee presents the following lists of villages, attached hereto, with the amount of taxes remaining due and unpaid, etc. and recommends that the amount of such unpaid taxes with seven per centum of the amount of addition thereto be levied upon the lands upon which the same remain unpaid and when collected, the same to be paid to the County Treasurer to reimburse the County for the amount advanced with expenses of collection. And, your Committee further recommends that out of any monies of the County treasury raised for contingent expenses or for the purpose of paying the amount of such taxes so returned, the County Treasurer pay to the respective village officer the amount of taxes so returned, in compliance herewith.

<u>TOWN</u>	<u>VILLAGE</u>	<u>VILLAGE COLLECTOR</u>	<u>TOTAL FOR TOWN</u>
Broadalbin	Broadalbin	Sheila P. Bleyl	\$ 22,803.93
Mayfield	Mayfield	Terry Brubaker	27,486.44
Northampton	Northville	Wendy Reu	25,240.35
Oppenheim	Dolgeville	Tammy Chimielewski	15,840.75
TOTAL.....			\$ 91,371.47

Submitted this 25th day of November, 2019

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(Committee on Returned Village Taxes)

**Resolution No. 458**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING REPORT OF COMMITTEE ON FOOTING  
OF ASSESSMENT ROLLS**

RESOLVED, That the Report of the Committee on Footing of Assessment Rolls, dated November 25, 2019, be accepted as the act and determination of the Board; and, be it further

RESOLVED, That a certified copy of this Resolution be forwarded to the County Treasurer, 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 Born, Waldron and Wilson)

**Report of Committee on Footing Assessment Rolls**  
**(Finance and Administration)**  
**COUNTY PURPOSES ONLY**

MUNICIPALITY	TOTAL TAXABLE REAL PROPERTY EXCLUSIVE OF ALL EXEMPT PROPERTIES	MANDATED PARTIAL EXEMPTIONS (TITLE 2, ARTICLE 8)	TOTAL TAXABLE REAL PROPERTY (INCLUDING MANDATED" PARTIALLY EXEMPT PROPERTIES)	OPTIONAL PARTIALLY EXEMPT PROPERTIES	TOTAL TAXABLE REAL PROPERTY (INCLUDING ALL EXEMPTIONS)
Bleecker	\$ 100,544,530	\$ 1,129,250	\$ 101,673,780	\$ 1,714,310	\$ 103,388,090
Broadalbin	\$ 342,368,998	\$ 6,930,959	\$ 349,299,957	\$ 4,595,233	\$ 353,895,190
Caroga	\$ 155,578,826	\$ 1,618,813	\$ 157,197,639	\$ 447,874	\$ 157,645,513
Ephratah	\$ 65,575,409	\$ 1,540,097	\$ 67,115,506	\$ 1,085,632	\$ 68,201,138
Johnstown	\$ 311,350,804	\$ 6,388,871	\$ 317,739,675	\$ 17,580,944	\$ 335,320,619
Mayfield	\$ 339,993,620	\$ 5,659,931	\$ 345,653,551	\$ 4,018,004	\$ 349,671,555
Northampton	\$ 257,195,780	\$ 3,006,530	\$ 260,202,310	\$ 860,207	\$ 261,062,517
Openheim	\$ 53,433,277	\$ 1,002,912	\$ 54,436,189	\$ 5,972,384	\$ 60,408,573
Perth	\$ 122,518,202	\$ 2,746,859	\$ 125,265,061	\$ 6,785,554	\$ 132,050,615
Stratford	\$ 108,384,403	\$ 955,110	\$ 109,339,513	\$ 853,936	\$ 110,193,449
Gloversville (C)	\$ 377,436,933	\$ 9,447,794	\$ 386,884,727	\$ 13,033,311	\$ 399,918,038
Johnstown (C)	\$ 451,976,401	\$ 7,258,476	\$ 459,234,877	\$ 2,576,443	\$ 461,811,320
	\$ 2,686,357,183	\$ 47,685,602	\$ 2,734,042,785	\$ 59,523,832	\$ 2,793,566,617

**Report of Committee on Footing Assessment Rolls**  
**(Finance and Administration)**  
**TOWN AND CITY PURPOSES ONLY**

MUNICIPALITY	TOTAL TAXABLE REAL, PERSONAL AND FRANCHISES WITHIN VILLAGES AND CITIES	TOTAL TAXABLE REAL, PERSONAL & FRANCHISES OUTSIDE OF VILLAGES	STATE WILD OR FOREST LANDS		SPECIAL DISTRICT (ALL TYPES)	LAND VALUES (ALL PURPOSES-CITY, TOWN VILLAGE-INCLUDING WHOLLY EXEMPT)
			HRRD	(TOTAL TAXABLE)		
Bleeker	-- \$	100,468,669 \$	13,606,620 \$	103,387,590 (FIRE)	\$	58,427,600
Broadalbin	55,535,049 \$	286,813,949 \$	9,038,378 \$	296,109,623 (F21)	\$	140,458,659
Caroga	-- \$	155,142,155 \$	12,076,215 \$	157,479,704 (FIRE)	\$	73,357,069
Ephratah	-- \$	65,777,558 \$	383,190 \$	33,203,905 (F21) 34,932,493 (F22)	\$	11,169,351
Johnstown	-- \$	316,741,315	-- \$	344,432,173 (ALL FD)	\$	105,357,580
Mayfield	30,888,184 \$	309,687,536 \$	17,018,640 \$	71,973,371 (F21) 281,161,492 (F22)	\$	125,805,329
Northampton	58,730,094 \$	198,465,686 \$	29,035,550 \$	198,143,010 (FIRE) 42,947,040 (LIGHTING)	\$	89,353,409
Openheim	2,264,768 \$	52,083,611 \$	1,083,106 \$	57,828,190 (FIRE) 2,347,813 (FIRE)	\$	16,446,567
Berth	-- \$	123,074,278	-- \$	127,635,751 (FIRE)	\$	35,032,730
Stratford	-- \$	108,836,162 \$	30,880,230 \$	110,193,449 (FIRE)	\$	61,620,053
Gloversville (C)	376,718,908	--	--	--	\$	64,080,550
Johnstown (C)	451,976,401	--	--	--	\$	84,447,210
	\$ 976,113,404	\$ 1,717,090,919	\$ 113,121,929	\$ 1,818,828,564 (FIRE) \$ 42,947,040 (LIGHTING)	\$	865,556,107
	\$2,693,204,323.00			\$ 1,861,775,604		

Submitted this  
25th day of November, 2019

Richard Argotsinger, Chairman

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**Resolution No. 459**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING REPORT OF COMMITTEE ON EQUALIZATION**

RESOLVED, That the Report of the Committee on Equalization, dated November 25, 2019, be adopted as the act and determination of the Board, that the rates of percentages, as determined by the NYS Board of Real Property Services, which the assessed value of real property bears to the full value as computed by the Committee, be and they hereby are adopted as to the act and determination of the Board and that same be reported forthwith to the Department of Taxation and Finance and printed in the minutes; and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

REPORT OF EQUALIZATION COMMITTEE  
(FINANCE)

Your Committee on Equalization (Finance) reports they have examined the assessment roll of the several towns and cities and have ascertained the following in accordance with Law:

TOWN/CITY	* TOTAL REAL PROPERTY ASSESSED	PERCENTAGE USED ON ASSESSMENT OF REAL PROPERTY	FULL VALUE OF REAL PROPERTY, AS DETER- MINED FROM & ADOPTED	EQUALIZED VALUE OF REAL PROPERTY	DIFFERENCE BETWEEN ASSESSED VALUE & EQUALIZED VALUE
Bleeker	\$ 103,388,090.00	100.00	\$103,388,090.00	\$78,060,171.00	25,327,919
Broadalbin	353,895,190.00	83.05	\$426,123,046.36	321,731,817.00	104,391,229
Caroga	157,645,513.00	61.00	\$258,435,267.21	195,124,035.00	63,311,232
Ephratah	68,201,138.00	69.00	\$98,842,228.99	74,627,951.00	24,214,278
Johnstown	335,320,619.00	66.00	\$508,061,543.94	383,597,097.00	124,464,447
Mayfield	349,671,555.00	66.00	\$529,805,386.36	400,014,153.00	129,791,233
Northampton	261,062,517.00	65.00	\$401,634,641.54	303,242,559.00	98,392,083
Openheim	60,408,573.00	51.42	\$117,480,694.28	88,700,383.00	28,780,311
Perth	132,050,615.00	50.47	\$261,641,797.11	197,545,032.00	64,096,765
Stratford	110,193,449.00	97.00	\$113,601,493.81	85,771,505.00	27,829,989
Gloversville (City)	399,918,038.00	100.00	\$399,918,038.00	301,946,487.00	97,971,551
Johnstown (City)	461,811,320.00	96.00	\$481,053,458.33	363,205,427.00	117,848,031
TOTALS	\$ 2,793,566,617.00		\$3,699,985,685.93	\$2,793,566,617.00	

\*Column 5 Footing of Assessment Rolls

Average County Rate:  
0.755020926

DATED: November 25, 2019

Richard Argotsinger, Chairman

(Committee on Finance)



**Resolution No. 460 (Continued)**

From: A.3110.3645-2000 – EXP – Equipment – Fixed Asset  
To: A.3110.3645-4530 – EXP – Supplies  
Sum: \$1,430.00

Emergency Management Office

From: A.3640.3410-4210 – EXP – Training & Conferences  
To: A.3640.3640-4210 – EXP – Training & Conferences  
Sum: \$200.00

Highway

From: DM.1000.0990-0990 – EXP – Unappropriated Revenues  
To: DM.5130.5130-4540 – EXP – Vehicle Maintenance  
Sum: \$5,700.00

and, be it further

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

Sheriff

Revenue

Increase A.3110.3110-2680 – REV – Insurance Recoveries \$ 9,840.00

Appropriation

Increase A.3110.3110-4540 – EXP – Vehicle Maintenance \$ 9,840.00

Revenue

Increase A.3110.3110-2770 – REV – Other Unclassified Revenues \$ 880.00

Appropriation

Increase A.3110.3110-2000 – EXP – Equipment - Fixed Asset \$ 880.00

**Resolution No. 460 (Continued)**

Corrections

Revenue

Increase A.3110.3150-2260 – REV – Public Safety Services	\$65,000.00
- Other Governments	

Appropriation

Increase A.3110.3150-1100 – EXP – Overtime	\$45,000.00
Increase A.3110.3150-4530 – EXP – Supplies	20,000.00

and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Waldron and Wilson)

**Resolution No. 461**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION FIXING 2020 SALARIES FOR THE BOARD OF SUPERVISORS**

RESOLVED, That pursuant to Article F, Section 200 of the County Law, on and after January 1, 2020, the salary of the Supervisors of the County of Fulton shall be fixed at an annual salary of \$8,529.00; and, be it further

RESOLVED, That on and after January 1, 2020, the salary of the Chairman of the Board of Supervisors be and hereby is fixed at an annual salary of \$11,226.00; and, be it further

RESOLVED, That the County Treasurer be authorized and directed to pay salaries of Supervisors and the Chairman as hereby fixed in bi-weekly installments; and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: Ayes: 332 (13) Nays: 104 (4) (Supervisors Blackmon, Handy, Potter and Young)  
Absent: 115 (3) (Supervisors Born, Waldron and Wilson)

**Resolution No. 462**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ADOPTING THE 2020 FULTON COUNTY BUDGET**

RESOLVED, That the Report of the Committee on Budget Review and Finance, as presented herewith, be approved and that the several amounts specified therein (or as much thereof as may be necessary) be and hereby are appropriated for the purposes enumerated; and, be it further

RESOLVED, That upon prior written certification of the necessity therefor, and written approval thereof, by the appropriate committee of the Board of Supervisors having jurisdiction of such department, emergency employees may be employed within the limits of appropriation therefor; and, be it further

RESOLVED, That all moneys received by the County Treasurer from State and/or Federal relief and all revenues attributable to functions be credited by him to the proper estimated revenues of the department according to the 2020 Budget; and, be it further

RESOLVED, That there be levied, assessed and collected upon the taxable property of the County of Fulton the sum of \$30,394,244.00 for County purposes, and the Budget Director/County Auditor be and hereby is directed to apportion the various amounts for the current year for the several towns and Cities of Johnstown and Gloversville for presentation to the Clerk of the Board; and, be it further

RESOLVED, That the Clerk of the Board utilize said apportionment for the preparation and issuance of the warrants, in accordance with law; and, be it further

RESOLVED, That the line item budget be and hereby is eliminated in favor of a summarized version, with all transfers to be screened and categorized by the Committee on Finance, unless directed by the Administrative Officer/Clerk of the Board to the oversight committee; and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

Total: Ayes: 265 (10) Nays: 171 (7) (Supervisors Blackmon, Callery, Fagan, Handy  
Lauria, Potter and Selmser) Absent: 115 (3) (Supervisors Born, Waldron and Wilson)

**Resolution No. 463**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING REPORT OF COMMITTEE ON APPORTIONMENT

RESOLVED, That the Report of the Committee on Apportionment dated November 25, 2019, be accepted and adopted as the basis of apportionment for the respective taxes to be levied; and, be it further

RESOLVED, That a certified copy of this Resolution be forwarded to the County Treasurer, 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 Born, Waldron and Wilson)

**REPORT OF COMMITTEE ON APPORTIONMENT**

Your Committee on Apportionment of State and County taxes reports that they have apportioned the same including an apportionment of the stenographer tax required to be paid to the State in accordance with the total equalized valuation as herein state below.

<u>TOWNS</u>	<u>EQUALIZED VALUATION, EXCEPT PENSION PROPERTY MARKED "EXEMPT"</u>	<u>GENERAL LEVY FOR COUNTY PURPOSES</u>
Bleecker	\$ 78,060,171.00	\$ 849,301.34
Broadalbin	\$ 321,731,817.00	\$ 3,500,469.72
Caroga	\$ 195,124,035.00	\$ 2,122,966.21
Ephratah	\$ 74,627,951.00	\$ 811,958.50
Johnstown	\$ 383,597,097.00	\$ 4,173,569.26
Mayfield	\$ 400,014,153.00	\$ 4,352,188.24
Northampton	\$ 303,242,559.00	\$ 3,299,305.01
Oppenheim	\$ 88,700,383.00	\$ 965,067.76
Perth	\$ 197,545,032.00	\$ 2,149,306.86
Stratford	\$ 85,771,505.00	\$ 933,201.32
Gloversville (City)	\$ 301,946,487.00	\$ 3,285,203.63
Johnstown (City)	\$ 363,205,427.00	\$ 3,951,706.15
Total	\$ 2,793,566,617.00	\$ 30,394,244.00

Submitted this 25th day of November, 2019

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Richard Argotsinger, Chairman

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