

**SEVENTH REGULAR SESSION**

Johnstown, NY

July 13, 2020

***CONDUCTED VIA VIDEO TELECONFERENCE***

Roll Call – Quorum Present

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

TOTAL: Present: 19 Vacant: 1 (City of Johnstown - Ward 1)

Chairman Greene called the meeting to order at 1:07 p.m. and asked everyone to stand for the Pledge of Allegiance.

**SCHEDULED SPEAKER**

Chairmen Greene introduced Congresswoman Elise Stefanik who joined the teleconference.

Ms. Stefanik advised that she wanted to provide an update on federal efforts regarding COVID-19 with state and local relief. Congresswoman Stefanik was in support of the SMART Act (State Municipal Assistance for Response and Transition). She said it is important for rural districts and for our community. In addition, she said that she was working on funding for hospitals and health centers, such as Nathan Littauer Hospital. She anticipates that there will be additional federal COVID relief funds for hospitals. Last week she had a “Zoom round table” with tourist advocates and small businesses, such as the Fulton Montgomery Chamber of Commerce. She is also working with families and individuals to help locate their stimulus checks. She is in close contact with state and local officials throughout the crisis working to promote USDA programs. She will be working with rural libraries and school superintendents later this week through zoom meetings. She then asked if there were any questions from Board members.

Supervisor Blackmon asked about Governor Cuomo shuffling money and withholding FMAP funds due to local counties. Congresswoman Stefanik stated that direct funding would be better in the future so that the Governor can’t intercept such funds intended for local governments. She added that higher education funding was provided to colleges; however, the funds did not go through to SUNY schools because the state “sat on the funds”.

Chairman of the Board Warren Greene thanked Congresswoman Stefanik for her recent efforts in getting the State to release the FMAP monies for Fulton County.

Supervisor Young asked Ms. Stefanik why she did not support the “HEROES Act” (Health and Economic Recovery Omnibus Emergency Solutions) Act because the passage of the Act would have resulted in a 3 trillion-dollar package with Fulton County receiving \$20 million and the City of Gloversville receiving \$5 million.

Congresswoman Stefanik stated that she did not support it because it was not negotiated with the Senate and it was not bi-partisan. It also included some extreme proposals that she could not vote for. The HEROES Act would have included stimulus checks to illegal immigrants, for example, and she did not support this. She added that she was very disappointed with House Speaker Nancy Pelosi and the fact that the bill was drafted behind closed doors. Ms. Stefanik said that she expected that a new bill would be passed in July that will be bi-partisan and that she will continue to work closely with local counties.

## **COMMUNICATIONS**

### 1. Resolutions from the Adirondack Park Local Government Review Board

Subj: Resolution recommending actions to strengthen the Clean Drained and Dry Aquatic Invasive Species (AIS) Spread Prevention Law and a Resolution requesting review and change of APA Policy on Agency Review of Proposals for New Telecommunications Towers and other Tall Structures in the Adirondack Park. (Supervisors Howard, Lauria, Perry Wilson Vandenburg and Young requested copies)

## **UPDATES FROM STANDING COMMITTEES**

(No reports)

## **REPORTS OF SPECIAL COMMITTEES**

***Adirondack Government Committee:*** Supervisor Horton encouraged all Supervisors to support the two (2) initiatives listed in the above communications.

Mr. Stead, Administrative Officer, advised that there was a proposed Resolution that would be voted on today requesting the APA to change its policy for siting of Telecommunication Towers in the Adirondack area.

***Soil and Water Conservation District Board:*** Supervisor Horton advised that the Board did not meet last month, but would be having a meeting next week to be held outside.

Supervisor Lauria advised that the Board did meet on June 16. He further advised that Soil and Water received funds in the amount of \$54,000.00 in 2019. So far in 2020, they have received \$67,000.00.

## **CHAIRMAN'S REPORT**

This past month saw some movement in a positive direction. Our Mohawk Valley Region including Fulton County transitioned from Phase 2 to Phase 3 to Phase 4 a couple of weeks ago. Most of the county's employees came back to work as of July 6 after their temporary layoffs. With the exception of the County building offices, all other Departments/buildings are open for business. The County Building itself is in the middle of a "soft opening" where

people are required to make an appointment to have access to the building. This was requested by DMV and is scheduled to end in early August at which time we will be open.

With that being said....we are in a good holding pattern. Our COVID-19 statistics have flattened out much like the rest of the state. However...as Fulton Centers and Keymark has shown us, it doesn't take much to ignite the virus from further spreading. Mr. Stead and I continue to engage with the Mohawk Valley Control Group every day at 3:00 p.m. to ask questions and hear present guidance from State officials. In addition, the Fulton County Task Group continues to meet on a bit more limited, but ongoing basis.

This next cycle of committee meetings will be held here in the Supervisors' Chambers with Supervisors in attendance. We will have to abide by social-distancing requirements, need to change seating arrangements in order to be in state and CDC requirements and to ensure everyone's safety.

The Board Office will be sending out guidance in advance of these committee meetings.

One thing I would like to emphasize is that the one predictable thing throughout the past 5 months ordeal is how unpredictable things have become...and the need to be flexible. As the summer moves forward we will begin ramping up our budget meetings including Capital Projects. As a small, pay as you go county, we have taken pride in avoiding falling into debt by only taking on projects that appear worthy and sustainable. We are in the midst of a medical crisis that has spilled over on to the economy. As such there is no time for a county such as ours to be taking risks. As a former Department Head for over 22 years, I always hoped I would hear from the county that this was a great fiscal year. If ever there was a time to expand your department with new programs or buy new furnishings...this is the year. That year never came!!! I can assure you....THIS IS NOT THAT YEAR. With the State in a financially bad position before the virus and now in deeper financial debt it does not bode well for counties and we need to keep that in the front of our minds while planning this year's budget.

In closing, I want to personally wish Richard Handy's family well. I enjoyed my time serving with Supervisor Handy and getting to know him well. I will miss him. I'm sure that the city officials in Johnstown will be looking towards filling the Ward 1 seat which is important in order that Johnstown is appropriately represented in our weighted voting system of county government. I wish them well in choosing a successor to Supervisor Handy.

## **RESOLUTIONS**

Resolutions on the Agenda were then deliberated upon.

## **PROCLAMATION**

### **SUPPORTING THE IMPORTANT ROLE OF POLICE ACROSS THE NATION**

WHEREAS, police forces and other first responder agencies across the nation play a vital role in safeguarding the health and welfare of its citizens; and

WHEREAS, local communities rely on the dedicated work of police officers who often put themselves in harm's way to protect the lives of others; and

WHEREAS, the men and women of the Fulton County Sheriff's Department, Gloversville Police Department, Johnstown Police Department, New York State Police and other local agencies have a longstanding tradition of providing selfless service and countless acts of heroism when called upon; now, therefore be it

RESOLVED, That the Board of Supervisors hereby expresses its strong support for the important role of police across the United States upholding law and order and protecting their fellow citizens in times of need; and, be it further

RESOLVED, That the Board expresses its gratitude to those law enforcement officers serving within the boundaries of Fulton County for their dedication and ongoing service.

## **NEW BUSINESS**

Mr. Stead explained that he had recently been notified by the Chamber of Commerce, the County's Tourism Promotion Agent, that the State-reimbursement process to access "I Love NY" Matching Funds has been suspended, effective with 2020 Quarter 2 claims. He further explained that something similar like this happened approximately 10 years ago.

Mr. Stead explained that not too much tourism advertising has been done during the first quarter regarding tourism due to the COVID-19 pandemic.

Mr. Stead added that Fulton County is now in the middle of tourism season and now is the time to get advertising out there because it is tourist season. He asked the Board if it would like to entertain

using the 2020 tourism funds that the County previously budgeted, knowing that the state will perhaps not provide the matching funds.

Supervisor Fagan made a motion to approve that the Fulton County Tourism Program, under the direction of the Chamber of Commerce, be authorized to spend the \$61,807.00 County match allocated in the 2020 Budget, seconded by Supervisor Wilson.

Supervisor Horton asked the Chairman of the Finance Committee Richard Argotsinger his opinion about spending the funds. Mr. Argotsinger said it is already in the budget for 2020, so he would be in favor of spending the funds; however, he is disappointed with the State of New York in withholding its match at this point.

Mr. Stead advised that the local match for the tourism budget is revenue from the Occupancy Tax. He also advised that the Occupancy Tax revenue will probably not be high this year due to the COVID-19 pandemic.

Supervisor Fagan added that “if the State keeps playing games, maybe the County should withhold Medicaid payments to the state”.

Supervisor Groff said tourism in Northville was great for the 4<sup>th</sup> of July and it was very busy there all weekend.

Supervisor Lauria asked if the Occupancy Tax revenue is short, where would the rest of the money come from? Mr. Stead explained that it would be an impact on the County’s fund balance.

Supervisor Young advised that Mr. Stead and Supervisor Groff brought up good points, but out of caution, the County should reduce the funding this year and perhaps spend the money in 2021.

Supervisor Callery advised that the funding is in the budget for 2020 and the County should “keep the money in the budget” and should move forward with the program.

**Supervisor Fagan made motion to approve that the Fulton County Tourism Program, under the direction of the Chamber of Commerce, be authorized to spend the \$61,807.00 allocated in the 2020 Budget on I Love NY tourism promotion advertising regardless of whether the State provides the match it is currently withholding, seconded by Supervisor Wilson and carried. (Supervisor Young opposed)**

Upon a motion by Supervisor Groff, seconded by Supervisor Fagan and unanimously carried, the Committee adjourned at 2:12 p.m.

*Certified by:*

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

**Resolution No. 160**

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION IN MEMORY OF SUPERVISOR RICHARD HANDY

WHEREAS, Supervisor Richard Handy passed away on Wednesday, June 24, 2020; and

WHEREAS, the people of Fulton County and the City of Johnstown were saddened by the loss of a good friend and benefactor in public service; and

WHEREAS, Supervisor Handy served the people of Fulton County for 22 years as a member of this Board of Supervisors from 1998 through 2020; and

WHEREAS, over the years Supervisor Handy served as Chairman of the Standing Committee on Health Services and as a member of most Standing Committees of the Board of Supervisors; and

WHEREAS, Mr. Handy served on the Gloversville-Johnstown Joint Sewer Board, Youth Bureau Advisory Board and Office for Aging Advisory Board for many years; and

WHEREAS, Dick served his country in the U.S. Air Force for four years; and

WHEREAS, Dick was proud of his time as President of Local #1712 Amalgamated Clothing and Textile Workers Union (ACTWU); and

WHEREAS, Supervisor Handy earned a reputation as an adamant defender of workers' rights, as an advocate on issues important to senior citizens and as a public servant committed to his meeting attendance; now, therefore be it

RESOLVED, That the Board of Supervisors hereby joins with all the people of Fulton County to posthumously express its gratitude to Richard Handy for his dedicated public service; and, be it further

RESOLVED, That the Board of Supervisors hereby conveys its expression of deepest sympathy to his entire family, including his wife Dolly, sons Richard and Matthew Handy, his sister Janice Intelisano, brothers Donald and James Handy, his two grandchildren and three great-grandchildren; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to Richard Handy's family and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by SILENT STANDING and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 161**

Supervisor KINOWSKI offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING VISITOR CENTER USAGE FOR “OUTDOOR-PALOOZA”**

WHEREAS, a Facilities Use Application has been received from the Fulton Montgomery Regional Chamber of Commerce, as Fulton County’s Tourism Promotion Agent, requesting permission to sponsor an “Outdoor-Palooza” event for 2020 at the Fulton County Visitor Center; and

WHEREAS, said event is an approved component of the County’s 2020 Tourism Program that will partner with area businesses to celebrate the Region’s wonderful outdoor recreation activities such as hunting, fishing, boating, hiking, biking, kayaking and many others; 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 Economic Development and Environment, the Fulton Montgomery Regional Chamber of Commerce be and hereby is authorized to utilize the Fulton County Visitor Center for the “Outdoor-Palooza” event on September 26, 2020, 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 FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 162**

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

RESOLUTION AUTHORIZING ACCEPTANCE OF COVID-19 FUNDING FOR USE IN THE OFFICE FOR THE AGING

WHEREAS, the Office for Aging has been notified that it has been awarded up to \$191,626.00 in funds via federal Families First Grant Program and the U.S. CARES Act; and

WHEREAS, the Office for Aging Director requests that a portion of said funding be used for reimbursement of certain Office for Aging expenses during the period of COVID-19 Emergency Declaration; and

WHEREAS, the Committees on Human Services and Finance have reviewed the request and concur to use said grant funds to offset allowable expenses incurred for personnel costs, postage, home-delivered meals, social adult daycare services and COVID-19 related supplies; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Office for Aging and the NYS Office for Aging to accept federal Families First and CARES Act grant awards in the amount of \$191,626.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2020 Adopted Budget be and hereby is amended as follows:

Decrease A.1000.0599-0599 - REV - Appropriated Fund Balance	\$126,036.00
Increase A.7610.7610-4772 - REV- Federal Aid - Programs for the Aging	\$126,036.00

and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 163**

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

RESOLUTION AUTHORIZING PURCHASE OF CERTAIN SUPPLIES AND EQUIPMENT FOR USE IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, Resolution 125 of 2020 authorized acceptance of COVID-19 funding via a Health Research Incorporated Public Health Emergency Preparedness Grant for use in the Public Health Department in the amount of \$95,373.00 and authorized related purchases totaling \$8,400.00; and

WHEREAS, Resolution 143 of 2020 authorized the purchase of additional supplies and equipment for use in the Public Health Department with said COVID-19 grant funds in the amount of \$53,769.00; and

WHEREAS, the NYS Department of Health has approved eligibility for purchase of the following with said grant:

- (4) Laptop Computers
- (2) Portable Wireless Printers
- (2) Pelican Cases
- (2) Mobikeys
- COVID-19 Advertising

now, therefore be it

RESOLVED, That the Public Health Director is hereby authorized to purchase the items listed above in an amount not to exceed \$8,000.00; and, be it further

RESOLVED, That the 2020 Adopted Budget be and hereby is amended as follows:

Revenue

Increase A.4010.4010-3450-State Aid-Public Health Other \$8,000.00

Appropriation

Increase A.4010.4189-2000-EXP-Equipment-Fixed Asset \$6,000.00  
Increase A.4010.4189-4100-EXP-Advertising \$2,000.00

and, be it further

**Resolution No. 163 (Continued)**

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 164**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE LEASE OF TWO  
MINIVANS FOR USE IN THE PUBLIC HEALTH DEPARTMENT**

WHEREAS, the current lease of three (3) sedans for use in the Department of Public Health will expire on November 29, 2020; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for bids from vendors for the lease of two (2) new minivans for use in the Department of Public Health (and according to further specification which may be obtained at the office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, September 23, 2020; and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 165**

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

RESOLUTION AUTHORIZING EXTENSION OF TWO CASEWORKER POSITIONS FOR  
THE SCHOOL INTERVENTION PARTNERSHIP PROGRAM  
(GLOVERSVILLE ENLARGED SCHOOL DISTRICT)

WHEREAS, the Department of Social Services currently provides caseworker services through the School Intervention Partnership Program (SIPP) in the Gloversville Enlarged School District, with the primary purpose of providing early intervention into the lives of at-risk children to prevent entry into foster care; and

WHEREAS, the Committee on Social Services recommends continuing two (2) SIPP Caseworker positions on the condition that the entire "local share" be funded by the host school district; and

WHEREAS, the Board of Supervisors agrees to continue said service, contingent upon the Gloversville Enlarged School District providing the entire local share of associated costs (estimated at 25 percent), with the remaining share (estimated at 75 percent) to be provided from State and Federal reimbursement; now, therefore be it

RESOLVED, That two (2) Caseworker positions (Union Job Group A-17) be and hereby are extended in the Department of Social Services, effective July 1, 2020 through June 30, 2021; and, be it further

RESOLVED, That this Resolution and continuation of said positions are contingent upon the Gloversville School District providing the entire 25 percent local share for both positions; and, be it further

RESOLVED, That said contract/agreement 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/or contract amendments; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Personnel Director, CSEA Local 818, Gloversville Enlarged School District, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 166**

Supervisor BREH offered the following Resolution and moved its adoption:

RESOLUTION REQUESTING APA TO CHANGE POLICY FOR SITING OF  
TELECOMMUNICATIONS TOWERS

WHEREAS, cell phone service is currently unavailable in many areas of the Adirondacks

WHEREAS, cell phones are an important tool used by emergency response personnel, including forest rangers, police, fire and ambulance services to receive reports of incidents, provide life-saving instructions, and to locate lost or injured people through triangulation or the location feature on their phones; and

WHEREAS, life threatening incidents have occurred in the Adirondacks during which the lack of cell phone and emergency radio service have led to delays in response, and to worse outcomes for the people involved, including deaths; and

WHEREAS, many communities are now calling for the Adirondack Park Agency (APA) cell tower policy to be amended to promote improved cell phone and emergency radio communications; and

WHEREAS, The Adirondack Local Government Review Board and Adirondack region communities have suggested a more flexible standard for tower siting rather than the current APA Standard of “substantially invisible”; now, therefore be it

RESOLVED, that the Board of Supervisors hereby requests that the APA Board of Directors review and modify its tower policy and adopt “not readily discernible” as the new standard required for siting, and also consider the following incentives and exceptions for specific sites:

- Encourage vertical collocation of carrier’s antennas, by offering a height incentive of 10 to 15 feet above the tree height.
- Offer general permits for cell carrier antennas on existing tall structures such as water towers, hotels, ski lift towers, church steeples and on government buildings, provided they meet certain specified conditions.

**Resolution No. 166 (Continued)**

- Allow cellular service carrier antennas of some height, such as 20 feet above existing structures within the APA Hamlet classification.
- Offer a height bonus of 10 to 20 feet above the tree canopy for new towers serving currently unserved areas.
- Add a requirement to its policy that staff and commissioners ask cell tower applicants for information, including a map, showing how a higher tower would expand coverage and benefit residents and travelers, which would enable APA commissioners to weigh the visibility cost against the public safety benefit.

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Adirondack Park Agency, Adirondack Local Government Review Board, All Adirondack counties, NYSAC, Inter-County Legislative Committee of the Adirondacks, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 167**

Supervisor BREH offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS INTERNATIONAL CORPORATION FOR SALE OF A SURPLUS VEHICLE (SHERIFF’S DEPARTMENT)**

WHEREAS, the Sheriff’s Department has recommended the public sale of a 2009 Chevy Impala automobile; and

WHEREAS, there is no cost to the County to utilize Auctions International Corporation because it charges purchases a “buyer premium” that is added to the price; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized and directed to sign a contract between the County of Fulton and Auctions International Corporation, of East Aurora, NY to sell the following item with compensation equaling a Buyer’s Premium of 10 percent;

<u>Year</u>	<u>Vehicle</u>	<u>VIN</u>	<u>Mileage</u>
2009	Chevy Impala	2G1WB57N991286797	142,203

and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 168**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SHERIFF’S OFFICE AND THE U.S. DRUG ENFORCEMENT ADMINISTRATION TO PARTICIPATE IN THE DEA ALBANY TACTICAL DIVERSION SQUAD TASK FORCE

WHEREAS, the Sheriff has requested permission for the Fulton County Sheriff’s Office to participate in the Albany Tactical Diversion Squad Task Force of the U.S. Drug Enforcement Administration (DEA) to share federal and local resources to combat illegal drug trafficking in the Upstate New York area; and

WHEREAS, said participation will involve a Sheriff’s Office Investigator detailed to the Task Force on an as needed basis; now, therefore be it

RESOLVED, That the Fulton County Sheriff be, and hereby is, delegated authority to sign an Agreement between the Sheriff’s Office and the U.S. Drug Enforcement Administration to participate in the DEA Albany Tactical Diversion Squad Task Force, effective October 1, 2020 through September 30, 2021; said Agreement subject to approval of the County Attorney; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 169**

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

RESOLUTION ACCEPTING FEDERAL TRANSIT ADMINISTRATION (FTA) 2020  
CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT GRANT  
FUNDS FOR I. PERSCH TRANSIT, INC.

WHEREAS, Fulton County contracts with I. Persch Transit, Inc. to operate Fulton County’s commuter run using Federal Section 5311 operating assistance money; and

WHEREAS, the Federal Transit Administration (FTA) has recommended Fulton County as eligible to receive supplemental funding under the Coronavirus Aid, Relief, and Economic Security Act (CARES) in an amount up to \$166,707.00; and

WHEREAS, I. Persch Transit, Inc. requests that the County apply to the NYS Department of Transportation for disbursement of grant funds as follows:

- Operating Assistance – Salaries - \$47,693.00
- Lost Revenue - 24,976.00
- Equipment – PPE - 80.98
- Other: COVID related - 106.83
- Maintenance/Cleaning - 28,443.00
- Operations – Facility Costs - 11,774.00
- \$113,073.81

now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is authorized to submit a CARES Act of 2020 Payment Request Form to the NYS Department of Transportation in the amount of \$113,073.81 for reimbursement of eligible expenses incurred by transit program operator I. Persch Transit; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 170**

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

RESOLUTION RECLASSIFYING A SENIOR MAINTENANCE MECHANIC/WATER  
SYSTEM OPERATOR TO SENIOR MAINTANENCE MECHANIC  
(HIGHWAY AND FACILITIES)

WHEREAS, Fulton County deeded the infrastructure of Fulton County Water District No. 1 to the City of Johnstown in 2018 and the City of Johnstown Water Department now services and maintains the district; and

WHEREAS, the Superintendent of Highways and Facilities and Personnel Director recommend reclassifying an existing Senior Maintenance Mechanic/Water System Operator position to Senior Maintenance Mechanic to better describe the position’s current responsibilities; and

WHEREAS, said reclassification request has been reviewed and recommended by the Committees on Public Works, Personnel and Finance; now, therefore be it

RESOLVED, That, effective July 14, 2020, said Senior Maintenance Mechanic/Water System Operator position (Union Job Group M-16; 2020 permanent rate: \$23.17 per hour) be, and hereby is, reclassified to Senior Maintenance Mechanic (Union Job Group M-15; 2020 permanent rate: \$22.55 per hour); and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 171**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING COUNTY ROADS FOR SNOW AND ICE CONTROL  
DURING WINTER OF 2020-2021

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

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

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

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

COUNTY ROADS OF FULTON COUNTY  
DESIGNATED FOR  
SNOW AND ICE CONTROL DURING WINTER OF  
2020/2021

<u>Rd. No.</u>		<u>Length</u>
101	St. Rte. 29A westerly to Co. Rd. 131	1.76
102	Phelps St.-G'ville City Line northeasterly to St. Rte. 30A (2.12 Tn. Johnstown; 1.32 Tn. Mayfield)	3.44
103	St. Rte. 67 southeasterly to Montgomery Co. Line	0.57
104	St. Rte. 29A southerly to Co. Rd. 119	2.35
105	St. Rte. 920J westerly to Gloversville City Line	0.27
106	St. Rte. 29 southeasterly to St. Rte. 30 (2.83 Tn. Mayfield; 1.42 Tn. Perth)	4.25
107	Johnstown City Line easterly to Co. Rd. 132 (3.23 Tn. Johnstown; 6.46 Tn. Perth; 4.87 Tn. Broadalbin)	14.56
108	St. Rte. 331 westerly to Herkimer Co. Line	4.02
109	Co. Rd. 110 southerly to Saratoga Co. Line (0.24Tn. Northampton; 1.43 Tn. Broadalbin)	1.67
110	Broadalbin Village Line northerly to Saratoga Co. Line (6.59 Tn. Broadalbin; 0.95 Tn. Northampton)	7.54
111	St. Rte. 29A northerly to Kasson Drive	1.37
112	St. Rte. 29A easterly to St. Rte. 309 (2.15 Tn. Caroga; 6.62 Tn. Bleecker)	8.77
113	Northville Village limits to Saratoga Co. Line	1.46
114	St. Rte. 29 southerly to Montgomery Co. Line	2.81
116	St. Rte. southerly to Sammons ville	4.37
116A	Montgomery Co. Line northerly to Co. Rd. 116 intersection	0.56
117	Road into Tryon Technology Park	1.29
119	St. Rte. 29 northwesterly to Herkimer Co. Line (5.00 Tn. Ephratah; 6.56 Tn. Stratford)	11.56

120	Co. Rd. 108 to Dolgeville Village limits	2.55
121	Gloversville City Line to Co. Rd. 122	0.51
122	Johnstown City Line northeasterly to Co. Rd. 102	5.42
123	St. Rte. 30 northeasterly to Co. Rd. 152 (4.28 Tn. Mayfield, 1.91 Tn. Northampton)	6.19
125	Co. Rd. 112 to Hamilton Co. Line	7.38
126	Co. Rd. 155 to Montgomery Co. Line (3.19 Tn. Broadalbin; 2.41 Tn. Perth)	5.59
130	St. Rte. 30 to St. Rte. 30	0.52
131	St. Rte. 29 northerly to Co. Rd. 101	2.06
131A	Johnstown City Line westerly to Co. Rd. 131 intersection	1.58
132	Co. Rd. 107 southerly to Montgomery Co. Line	3.02
137	St. Rte. 29A to Cape Horn Rd.	3.76
138	Co. Rd. 110 southerly to St. Rte. 29	4.61
140	St. Rte. 10 to Montgomery Co. Line	2.52
142	Co. Rd. 107 southerly to Montgomery Co. Line	2.61
142A	St. Rte. 67 northeasterly to Co. Rd. 142 intersection	0.97
143	Northville Village Limits to Hamilton Co. Line	1.56
145	Co. Rd. 112 northerly to Barlow Rd.	1.31
146	Co. Rd. 102 northeasterly to St. Rte. 30 (1.67 Tn. Mayfield; 1.75 Tn. J'town)	3.42
148	Johnstown City Line southerly to Montgomery Co. Line	0.64
149	Co. Rd. 113 northerly to Northville Village limits	1.16
150	Co. Rd. 108 easterly to St. Rte. 331	1.15
151	St. Rte. 29 south to Co. Rd. 108	2.18
152	St. Rte. 30 northerly to St. Rte. 920H	3.02
153	Airport Rd.-St. Rte. 67 northerly	0.32
154	G'ville City Line easterly to St. Rte. 30A & St. Rte. 349 northeasterly to St. Rte. 30A (0.65 Tn. J'town; 0.81 Tn. M'field)	1.49
155	St. Rte. 29 easterly to St. Rte. 30 easterly to St. Rte. 29 (0.02 Tn. Broadalbin; 1.29 Tn. Mayfield)	1.31

156	St. Rte. 67 northerly to St. Rte. 29	1.28
157	St. Rte. 349 northerly to Co. Rd. 154	0.87
158	St. Rte. 29 southerly to Co. Rd. 107	
	(0.32 Tn. Mayfield; 1.38 Tn. Perth)	<u>1.70</u>
	TOTAL	143.32

**Resolution No. 172**

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

RESOLUTION AUTHORIZING 2020-2021 AGREEMENTS FOR SNOW AND ICE CONTROL ON CERTAIN DESIGNATED ROADS

RESOLVED, That the Chairman of the Board of Supervisors and the County Highway Superintendent are hereby empowered and directed to enter a written agreement with the following towns in Fulton County for snow and ice control on certain designated County roads during the season of 2020-2021, at a cost of \$5,000.00 per mile:

<u>Town</u>	<u>Mileage</u>	<u>Cost</u>
Bleecker	2.11	\$ 10,550.00 (incl. contract for plowing Tower Rd.)
Caroga	5.13	\$ 25,650.00
Ephratah	7.52	\$ 37,600.00
Johnstown	6.80	\$ 34,000.00
Mayfield	5.95	\$ 29,750.00
Northampton	9.63	\$ 48,150.00
Perth	3.02	\$ 15,100.00
Stratford	<u>8.91</u>	<u>\$ 44,550.00</u>
TOTAL	49.07	\$245,350.00

and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 173**

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

RESOLUTION AUTHORIZING CONTRACT WITH THE TOWN OF BLEECKER  
FOR 2020-2021 WINTER MAINTENANCE OF THE COMMUNICATIONS TOWER ROAD

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

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

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with the Town of Bleecker to maintain the road leading to the Communications Tower during the winter months, at a cost not to exceed \$4,000.00 (pro-rated from \$5,000.00 per mile); said contract subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 174**

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

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

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

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

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

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

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign an Agreement with the City of Johnstown to provide snow and ice control during future winter seasons for County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line and for Maple Avenue from North Perry Street to the Johnstown City line as summarized herein; and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 175**

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

RESOLUTION AMENDING THE 2020 ADOPTED BUDGET TO REFLECT  
ACTUAL CHIPS AND PAVE NY REVENUE

WHEREAS, the Superintendent of Highways and Facilities estimated Consolidated Local Street and Highway Improvement Program (CHIPS) revenue of \$1,016,000.00 and PAVE NY revenue of \$231,000.00 for 2020; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$1,015,977.18 in CHIPS funding for 2020; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$231,906.90 in PAVE NY funding for 2020; now, therefore be it

RESOLVED, That the 2020 Adopted Budget be and hereby is amended, as follows:

Revenue:

Decrease D.5010.5112-3501 REV-State Aid-Consolidated Highway Aid	\$ 23.00
Increase D.5010.5112-3589 REV-State Aid-Other Transportation	\$907.00

Appropriation:

Increase D.5010.5112-4132.0143-EXP-Road Construction-143	\$884.00
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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 FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 176**

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

RESOLUTION ACCEPTING 2020-21 EXTREME WINTER RECOVERY FUNDS AND APPROVING CERTAIN HIGHWAY PROJECTS

WHEREAS, the Superintendent of Highways and Facilities has been notified that Fulton County will receive 2020-2021 Extreme Winter Recovery Funds in the amount of \$138,448.86 that were not anticipated in the Adopted Budget; and

WHEREAS, the Superintendent of Highways and Facilities has proposed to use said funds for additional work on the County Road 149 project; and

WHEREAS, the Committees on Public Works and Finance concur; now, therefore be it

RESOLVED, That the 2020 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase D.5010.5112-3589 REV-State Aid-Other Transportation \$138,449.00

Appropriation:

Increase D.5010.5112-4132.0149-EXP-Road Construction-149	\$113,449.00
Increase D.5010.5120-4030-EXP-Repairs	20,000.00
Increase D.5010.5120-4090-EXP-Professional Services	5,000.00

and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 177**

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

RESOLUTION AMENDING A CONTRACT WITH BELL ENGINEERING TO PROVIDE  
ADDITIONAL ENGINEERING SERVICES ON NORTH BUSH ROAD BRIDGE  
(2020 CAPITAL PLAN)

WHEREAS, the 2020 Capital Plan includes a North Bush Road Bridge over Pecks Creek Project in the amount of \$85,000.00; and

WHEREAS, Resolution 72 of 2020 authorized a Contract with Bell Engineering for Design Services for the North Bush Road Bridge over Pecks Creek Replacement Project; at a cost of \$10,000.00; and

WHEREAS, the Superintendent of Highways and Facilities recommends amending said contract to include additional design and inspection services for said bridge's north abutment in an amount not to exceed \$5,000.00; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committees on Public Works and Finance, the Chairman of the Board be and hereby is authorized to sign an amendment to the contract with Bell Engineering, of Albany, NY, for additional design and inspection services for the North Bush Road Bridge over Pecks Creek Replacement Project, at a cost not to exceed \$5,000.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

From: D.5010.5120-4030 – EXP – Repair  
To: D.5010.5120-4090 – EXP – Professional Services  
Sum: \$5,000.00

and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 178**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH THE MECO VOLUNTEER FIRE  
COMPANY INC. FOR USE OF THE FULTON COUNTY  
HIGHWAY COMPLEX I FUEL DEPOT

WHEREAS, the County of Fulton operates an automated fuel depot at its County Services Complex; and

WHEREAS, the Board of Supervisors has determined that it is in the best interest of all taxpayers in the County to encourage shared services that benefit other municipalities and political subdivisions; and

WHEREAS, the Meco Volunteer Fire Company Inc. has requested to purchase fuel from the Fulton County Fuel Depot; now, therefore be it,

RESOLVED, That upon the recommendation of the Committee on Public Works, the Chairman of the Board be and hereby is authorized to sign an agreement for the sale of fuel at the County fuel depot to the Meco Volunteer Fire Company Inc. at County cost, plus a 10 cent per gallon surcharge; and, be it further

RESOLVED, That a charge of \$5.50, or the actual cost of, whichever is greater, be levied for each fuel system “user key” required by Meco Volunteer Fire Company Inc.; and, be it further

RESOLVED, That this Resolution and Agreement are contingent upon approval of the County Attorney; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 179**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS INTERNATIONAL CORPORATION TO SELL CERTAIN SURPLUS COMPUTER EQUIPMENT (INFORMATION TECHNOLOGY)

WHEREAS, the Information Technology Director has recommended a contract with Auctions International Corporation to sell surplus items on behalf of the County; and

WHEREAS, there is no cost to the County to utilize Auctions International Corporation because it charges purchasers a “buyer premium” added to the bid price; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign a contract between the County of Fulton and Auctions International Corporation, of East Aurora, NY, to sell surplus equipment, with compensation equaling a Buyer’s Premium of 10 percent as follows:

<u>Asset #</u>	<u>Item Description</u>	<u>Acquisition Date</u>
1083	Multilith 1360 Offset Press	1/1/1988
6495	Pitney-Bowes DM1000 mailing system	1/21/2004
6764	SI-62 Folder Inserter System	11/21/2005
8420	HP Designjet T770 Plotter	1/28/2010
8421	HP Designjet T770 Postscript cartridge	1/28/2010
9404	HP Color Laserjet 9500mfp	7/1/2013

and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 180**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A MAINTENANCE CONTRACT WITH  
TYLER TECHNOLOGIES**

WHEREAS, the 2014 Capital Plan included a Software Replacement Project for a Finance and Human Resources Enterprise Software System at a cost of \$600,000.00; and

WHEREAS, Resolution 210 of 2014 authorized a contract with New World Systems (now Tyler Technologies) for purchase of a Finance and Human Resources Enterprise Software System; and

WHEREAS, Resolution 367 of 2019 authorized a Contract Amendment with Tyler Technologies for the Finance and Human Resources Enterprise Software System and this included maintenance services for 2019; and

WHEREAS, the Information Technology Director has requested to review said contract with Tyler Technologies for maintenance of the Finance and Human Resources Enterprise Software System; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Information Services Department and Tyler Technologies of Troy, Michigan for maintenance of said software at a cost of \$36,658.19, for the period July 11, 2020 through June 30, 2021; and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 181**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING RENEWAL OF SPECIFIC EXCESS EMPLOYERS LIABILITY INSURANCE POLICY FOR 2020-2021 (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, 2020 through August 31, 2021 with Jacksland Associates, of Johnstown, NY, at an annual estimated premium of \$14,348.00; 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 FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 182**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

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

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

Probation:

1 – Dell HFZJ1J1 (8023)

and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 183**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE OF PUBLIC HEARING REGARDING 2020-2021 FMCC  
BUDGET AND BUDGET PRESENTATION

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors' Chambers in the County Building, Johnstown, New York, on Monday, August 10, 2020, 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, 2020, 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 BREH and adopted by the following vote:

TOTAL: Ayes: 503 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Vacant: 23 (1) (City of Johnstown – Ward 1)

**Resolution No. 184**

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

**RESOLUTION AUTHORIZING A WAIVER OF VACATION ACCRUAL MAXIMUMS FOR ALL COUNTY EMPLOYEES DURING THE NOVEL CORONAVIRUS (COVID-19) STATE OF EMERGENCY**

WHEREAS, Resolution 123 of 2020 authorized a Waiver of Vacation Accrual Maximums for All County Employees During the Novel Coronavirus (COVID-19) State of Emergency through July 31, 2020; and

WHEREAS, due to State-mandated restrictions related to preventing spread of said virus, most County Departments had reduced staffing levels due to paid furloughs and temporary layoffs; and

WHEREAS, the Director of Personnel is recommending that the Waiver of Vacation Accrual Maximums for all County employees be extended through the end of the year to assist Department Heads in managing staffing levels, including pending employee leave requests; now, therefore be it

RESOLVED, That the Personnel Director be and hereby is authorized to waive vacation accrual maximums for all County employees through December 31, 2020; and, be it further

RESOLVED. That effective January 1, 2021, the Vacation Accrual Maximum Limits shall automatically revert to their normal level; 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 FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 185**

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE  
FULTON COUNTY DEPUTY SHERIFF'S POLICE BENEVOLENT  
ASSOCIATION ESTABLISHING A PILOT PROGRAM FOR  
10 HOUR WORK DAYS FOR CERTAIN EMPLOYEES

WHEREAS, the Sheriff has requested a Memorandum of Agreement with the Fulton County Sheriff's Deputy Police Benevolent Association to establish a 10-hour work day for Deputy Sheriff Investigators in the Sheriff's Department; and

WHEREAS, the Deputy Sheriff's Police Benevolent Association is in agreement with this proposal; and

WHEREAS, after review of said proposal, the Committee on Personnel recommends a trial period for said 10-hour work day for Deputy Sheriff Investigators, prior to making any such change permanent; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Memorandum of Agreement by and between the County of Fulton, Fulton County Sheriff and the Fulton County Deputy Sheriffs' Police Benevolent Association, to implement a 10-hour work day for Deputy Sheriff Investigator positions in the Sheriff's Department effective August 1, 2020 through December 31, 2020, as attached hereto and made a part hereof; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Deputy Sheriffs' Police Benevolent Association, Personnel Director, Roemer, Wallens, Gold & Mineaux, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HORTON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

## MEMORANDUM OF AGREEMENT

The County of Fulton (the “County”), the Fulton County Sheriff (the “Sheriff”) and the Fulton County Sheriffs’ Police Benevolent Association, Inc. (the “Association”) are parties to a Collective Bargaining Agreement for the term January 1, 2017 – December 31, 2020.

The County, Sheriff and Association wish to modify Article IV – Workday, Workweek, Overtime – and agree to the following modifications:

1. Section 1.E shall be amended, to add after the last sentence:

At the discretion of the Sheriff or his designee, Investigators may work four (4) ten (10) hour tours of duty/shifts Monday through Friday, with Saturday and Sundays off along with one other day being given off throughout the Monday through Friday work week which will be scheduled by the Sheriff or his designee.

2. Section 1.G shall be amended to add a new sentence to read as follows:

All leave for ten (10) hour tours of duty/shift employees shall be charged based on actual hours used.

3. Section 1 shall be amended to add a new subsection, “L” to read as follows:

All four (4) ten (10) hour tour of duty/shift Employee accruals will remain based on the eight (8) hour tour of duty/shifts.

4. Section 2.A shall be amended to add a new sentence to read as follows:

An employee assigned to and working the ten (10) hour tours of duty/shifts, shall be paid overtime for all time worked in excess of his/her regularly scheduled ten (10) hour tours of duty/shift.

The County, Sheriff and Association wish to modify Article V – Holiday Pay – and agree to the following modifications:

1. Section C shall be amended to add a new sentence to read as follows:

All Holidays are eight (8) hour holidays and any employees working four (4) ten (10) hour tour of duty/shifts will at the employees discretion use two (2) hours of either vacation or comp time to make up the difference.

Any four (4) ten (10) hour tour of duty/shifts employees that are scheduled to be off on a holiday as described herein shall be granted another day off within a reasonable timeframe with permission from the Sheriff or designee.

The parties hereto agree that this Memorandum of Agreement is temporary in nature and will sunset on December 31, 2020; the agreement may be extended upon mutual written agreement of all of the parties hereto.

Agreed the \_\_\_\_\_ day of July 2020.

**County of Fulton**

**FCDSPBA**

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**Fulton County Sheriff**

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**Resolution No. 186**

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

RESOLUTION AMENDING THE 2020 CAPITAL PLAN TO INCLUDE A V-CALL/V-TAC INTEROPERABLE COMMUNICATIONS PROJECT

WHEREAS, Resolution 146 of 2020 accepted 2019 NYS Interoperable Communications Grant and authorized the purchase of certain equipment with said funds; and

WHEREAS, Civil Defense Director/Fire Coordinator recommends additional engineering, design and installation services to implement a county-wide V-Call/V-Tac Interoperable Communications System at multiple communication tower sites as part of the County’s overall public safety radio network; and

WHEREAS, the Civil Defense Director/Fire Coordinator and Committees on Public Safety and Finance recommend that the V-Call/V-Tac Interoperable Communications Project be included in the 2020 Capital Plan so that it can proceed prior to the end of the year; now, therefore be it

RESOLVED, That the 2020 Capital Plan be and hereby is amended to include a V-Call/V-Tac Interoperable Communications Project at appropriate locations within the County network, in the amount of \$415,749.00; and, be it further

RESOLVED, That the 2020 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase H.3640.3097-3397.0956 – REV – VCALL/VTAC Interop Communications (New)	\$415,749.00
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Appropriation Account:

Increase H.3640.3097-2100.0956 – EXP – VCALL/VTAC Interop Communications (New)	\$415,749.00
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and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 187**

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

RESOLUTION AUTHORIZING A CONTRACT WITH MOTOROLA SOLUTIONS, INC.  
FOR THE V-CALL/V-TAC INTEROPERABLE COMMUNICATIONS PROJECT  
(2020 CAPITAL PLAN)

WHEREAS, Resolution 146 of 2020 accepted 2019 NYS Interoperable Communications Grant and authorized the purchase of certain equipment with said funds; and

WHEREAS, the Board of Supervisors, by Resolution, amended the 2020 Capital Plan to Include a V-Call/V-Tac Interoperable Communications Project; and

WHEREAS, the Civil Defense Director/Fire Coordinator recommends a contract with Motorola Solutions, Inc. for certain services related to installation of said V-Call/V-Tac System; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract between the Civil Defense Director/Fire Coordinator and Motorola Solutions, Inc., of Chicago, IL, for purchase and installation services for the V-Call/V-Tac Interoperable Communications Project, in an amount not to exceed \$415,749.00 as follows:

Project Management	\$ 35,000.00
Engineering	30,000.00
System Technologist	30,000.00
Installation Services	196,000.00
Equipment	178,961.00
System Discount	<u>(54,212.00)</u>
	\$415,749.00

and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 188**

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

RESOLUTION AUTHORIZING A CONTRACT WITH LORI BURNS FOR SECRETARY CONSULTING SERVICES IN THE SHERIFF’S DEPARTMENT

WHEREAS, Lori Burns will be retiring from her position as Secretary to the Sheriff in the Sheriff’s Department on July 31, 2020; and

WHEREAS, the Sheriff and the Committees on Public Safety, Personnel and Finance recommend contracting with Ms. Burns for Secretary Consulting Services for a period of up to 12 months, contingent upon review by the full Board of Supervisors after the first six (6) months; and

WHEREAS, said consulting services will include training of a new Secretary to the Sheriff; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Lori Burns, of Gloversville, NY, to provide Secretary Consulting Services to the Sheriff’s Department, at a rate of \$25.00 per hour, not to exceed 16 hours per week for the time period August 3, 2020 through February 2, 2021, subject to renewal approval by the full Board of Supervisors through August 2, 2021; and, be it further

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

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

From: A.3110.3110-1000 - EXP-Payroll  
To: A.3110.3110-4130 - EXP-Contractual  
Sum: \$7,750.00

and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 507 (18) Nays: 21 (1) (Supervisor Kinowski)  
Vacant: 23 (1) (City of Johnstown – Ward 1)

**Resolution No. 189**

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

RESOLUTION WAIVING THE START RATE FOR  
SECRETARY TO THE SHERIFF POSITION

WHEREAS, the Sheriff has requested that the Start Rate (\$34,509.00) for a vacant Secretary to the Sheriff position be waived; and

RESOLVED, That upon the recommendation of the Committees on Public Safety, Personnel and Finance, the Personnel Director be and hereby is directed to pay said Secretary to the Sheriff the permanent One-year Rate (\$40,599.00) as identified in the 2020 Non-Union Salary Schedule, in this instance only; and, be it further

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

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 190**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING THE 2020 CAPITAL PLAN TO MODIFY SCHEDULED EQUIPMENT PURCHASES IN THE INFORMATION TECHNOLOGY DEPARTMENT**

WHEREAS, the 2020 Capital Plan includes a “County PC Upgrade Plan” Project at a cost of \$42,659.00 for use in the Information Technology Department and a “Printer for Printshop” project at a cost of \$13,500.00; and

WHEREAS, the Committee on Finance has promulgated guidelines directing Department Heads to refrain from submitting 2021 Capital Project proposals unless they are necessary to address health and/or safety issues; and

WHEREAS, the Information Technology Director has advised that certain Software Licenses and Upgrades are essential for effective operation of County information processing systems; and

WHEREAS, in the spirit of complying with said guidelines, the Information Technology Director has proposed changes to the 2020 Capital Plan as follows:

<u>Existing 2020 Capital Plan:</u>	<u>Proposed Revised 2020 Capital Plan:</u>
Envelope Printer for Printshop	PC Upgrade Plan (25 PC’s & 10 Laptops)
PC Upgrade Plan (60 PC’s & 3 W.Stations)	New Microsoft Licenses & Upgrades

and

WHEREAS, the Committee on Finance reviewed said proposed substitution and concurs; now, therefore be it

RESOLVED, That the 2020 Capital Plan be and hereby is amended to modify the 2020 Capital Plan to reflect the following Capital projects for the Information Technology Department:

PC Upgrade Plan(25 PC’s & 10 Laptops)	\$24,600.00
New Microsoft Licenses & Upgrades	<u>30,559.00</u>
	\$55,159.00

and, be it further

**Resolution No. 190 (Continued)**

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 191**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION REQUIRING A PILOT AGREEMENT FOR THE BANTAM SOLAR, LLC  
ARRAY FARM (PARCELS 125.-1-22, 125.-1-23.12, 125.-1-19.22) IN THE  
TOWN OF OPPENHEIM

WHEREAS, Bantam Solar, LLC has constructed and operates a 5-Megawatt Solar Energy System on property at 457 County Highway 151 in the Town of Oppenheim (Parcels 125.-1-22, 125.-1-23.12, and 125.-1-19.22); and

WHEREAS, Bantam Solar, LLC has completed the local planning approval process with the Town of Oppenheim and signed a Payment in Lieu of Taxes (PILOT) Agreement with the Town and the Oppenheim-Ephratah-St. Johnsville School District; and

WHEREAS, the Finance Committee recommends a PILOT Agreement based on a pro-rated sharing of the Annual Total Tax Rate wherein the PILOT payment shall be based upon the amount of \$8,000.00 per Megawatt of capacity with a 2 percent escalator per year for 15 years, matching the tax exemption period in RPTL Section 487 for such energy projects; and

RESOLVED, That the annual PILOT payment to the County shall be calculated based upon a pro-rated share of \$8,000.00 per Megawatt and Bantam Solar, LLC shall pay the County of Fulton a 2 percent escalator per year for 15 years, matching the tax exemption period in RPTL Section 487; and, be it further

RESOLVED, That for purposes of example, pro-ration would be as follows for 15 years:

Year	Bantam Solar - Basis for County PILOT	Estimated Pro-Rated Share (2020 baseline)	Estimated Annual Payment to County
#1	\$40,000.00	30.05%	\$12,020.00
#2	\$40,800.00	30.05%	\$12,260.40
#3	\$41,616.00	30.05%	\$12,505.61
#4	\$42,448.32	30.05%	\$12,755.72
#5	\$43,297.29	30.05%	\$13,010.83
#6	\$44,163.23	30.05%	\$13,271.05
#7	\$45,046.50	30.05%	\$13,536.47
#8	\$45,947.43	30.05%	\$13,807.20
#9	\$46,866.38	30.05%	\$14,083.35
#10	\$47,803.70	30.05%	\$14,365.01
#11	\$48,759.78	30.05%	\$14,652.31
#12	\$49,734.97	30.05%	\$14,945.36
#13	\$50,729.67	30.05%	\$15,244.27
#14	\$51,744.27	30.05%	\$15,549.15
#15	\$52,779.15	30.05%	\$15,860.13

and, be it further

**Resolution No. 191 (Continued)**

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between Bantam Solar, LLC and the Board of Supervisors to enact a PILOT Agreement for a 5-Megawatt Solar Farm (Parcels 125.-1-22, 125.-1-23.12, and 125.-1-19.22) in the Town of Oppenheim; in accordance with the terms and conditions outlined herein; and, be it further

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

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 192**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION RESCINDING THE AWARD OF CONTRACTS RELATED TO THE  
CANCELED FMCC CAMPUS LABS AND CLASSROOMS PHASE III AND FINANCIAL  
TECHNOLOGY LAB RENOVATIONS PROJECTS

WHEREAS, the 2020 Capital Plan includes a “Campus Critical Maintenance Projects – Campus Labs & Classroom renovations – Phase III” project and a “Classroom Bldg – Financial Technology Lab – Phase III” project; and

WHEREAS, Resolution 109 of 2020 awarded bids for Prime Contracts for the FMCC Campus Labs & Classrooms Renovations Project as part of the 2020 Capital Plan; and

WHEREAS, Resolution 110 of 2020 awarded bids for Prime Contracts for the FMCC Classroom Bldg.-Financial Technology Lab Project as part of the 2020 Capital Plan; and

WHEREAS, Resolution 111 of 2020 authorized contracts for various supporting services related to the FMCC Campus Labs & Classroom Renovations Project and FMCC Classroom Bldg.-Financial Technology Lab Project; and

WHEREAS, the SUNY Office of Capital Facilities notified Fulton-Montgomery Community College that the New York State Division of Budget is now only approving capital projects that relate to immediate health and safety needs and will not continue to support the FMCC Campus Labs and Classrooms Phase III and Financial Technology Lab Renovations Projects; now, therefore be it

RESOLVED, That based upon the recommendation of the Planning Director and Committee on Finance, Resolution 109 of 2020 entitled “Resolution awarding bids for Prime Contracts for the FMCC Campus Labs & Classrooms Renovations Project” and Resolution 110 of 2020 entitled “Resolution awarding bids for Prime Contracts for the FMCC Classroom Bldg.-Financial Technology Lab Project” and Resolution 111 of 2020 entitled “Resolution authorizing contracts for various supporting services related to the FMCC Campus Labs & Classroom Renovations Project and FMCC Classroom Bldg.-Financial Technology Lab Project” be and hereby are rescinded; and, be it further

**Resolution No. 192 (Continued)**

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

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 503 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Vacant: 23 (1) (City of Johnstown – Ward 1)

**Resolution No. 193**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING THE 2020 CAPITAL PLAN TO SUBSTITUTE FOUR HEALTH AND SAFETY PROJECTS IN PLACE OF THE FMCC CLASSROOMS LABS AND CLASSROOMS PHASE III AND FINANCIAL TECHNOLOGY LAB RENOVATIONS PROJECTS**

WHEREAS, the 2020 Capital Plan includes the FMCC Classrooms Labs and Classrooms Phase III and Financial Technology Lab Renovations Projects totaling approximately \$1,000,000.00; and

WHEREAS, the New York State Division of Budget is now only approving capital projects that relate to immediate health and safety needs and will no longer provide funding for said Campus Labs and Classrooms Phase III and Financial Technology Lab Renovations Projects; and

WHEREAS, SUNY officials have indicated that capital projects that preserve the health and/or safety of College facilities or personnel may be eligible for State financial support as part of the SUNY Capital funding process; and

WHEREAS, FMCC officials have asked both Sponsor Counties to consider expending capital funds in 2020 by substituting four (4) health and safety projects in place of the FMCC Classrooms Labs and Classrooms Phase III and Financial Technology Lab Renovations Projects; and

WHEREAS, The Committee on Finance has reviewed said substitution request and concurs with the plan in accordance with the following not-to-exceed amounts:

Fulton County Share	\$125,000.00
Montgomery County Share	125,000.00
SUNY Share	<u>250,000.00</u>
	\$500,000.00

now, therefore be it

RESOLVED, That the 2020 Capital Plan be and hereby is amended to reflect the following health and safety projects for FMCC:

- Fire Alarm Obsolescence \$324,250.00
- Chiller Renewal – Central Cooling Plant 100,000.00
- Waste Water Treatment Plant Alarm System 60,000.00
- JMZ Reimbursement for Lab Design 15,750.00
- \$500,000.00

and, be it further

**Resolution No. 193 (Continued)**

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

From: A.1000.9950-9000.1000 – EXP – Other – Unrestricted  
To: H.8020.2497-2100.0870 – EXP – FMCC Campus Labs and Classroom Renovations  
Sum: \$125,000.00

and, be it further

RESOLVED, That the 2020 Adopted Budget be and here by is amended as follows:

Revenue Account:

Increase H.8020.2497-2397.0870 – REV – Montgomery Co-FMCC Campus Labs  
and Classroom Renovations \$125,000.00

Increase H.8020.2497-3285.0870 – REV – State Aid-FMCC Campus Labs  
and Classroom Renovations \$250,000.00

Appropriation Account:

Increase H.8020.2497-2100.0870 – EXP – FMCC Campus Labs and Classroom  
Renovations \$375,000.00

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

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 503 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Vacant: 23 (1) (City of Johnstown – Ward 1)

**Resolution No. 194**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AN AGREEMENT ALLOWING THE U.S.  
ENVIRONMENTAL PROTECTION AGENCY TO OBTAIN A PORTION OF AUCTION  
PROCEEDS FOR CERTAIN COUNTY-FORECLOSED PROPERTIES (DUDKA)

WHEREAS, the County Treasurer proceeded with property tax foreclosure and took title to certain parcels in the Town of Perth associated with the U.S. Environmental Protection Agency (EPA) “Dudka Auto Parts Superfund Site”; and

WHEREAS, the County of Fulton holds tax liens for delinquent property taxes on said parcels totaling \$104,988.74; and

WHEREAS, the EPA intervention to clean up environmental hazards at said “Dudka Auto Parts Superfund Site” resulted in substantial federal liens against the parcels exceeding \$732,000.00; and

WHEREAS, the NYS Department of Environmental Conservation (NYS DEC) also incurred certain costs related to said clean-up; and

WHEREAS, the County Attorney and County Treasurer recommend a Memorandum of Agreement wherein the EPA is granted rights to the portion of any auction proceeds that exceed the delinquent property tax liens owed to the County of Fulton; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a Memorandum of Agreement between the County and the U.S. Environmental Protection Agency, Region 2, New York, NY granting the EPA rights to the portion of any auction proceeds that exceed the amount of delinquent property tax liens owed to the County of Fulton for the following parcels:

- 4436 State Highway 30 (Parcel #178.-2-18)
- 4436 State Highway 30 (Parcel #178.-2-1-29)
- 4440 State Highway 30 (Parcel #178.-2-1-27)
- 4440 State Highway 30 (Parcel #178.-2-1-28)
- 583 McQueen Road (Parcel #178.-2-19)

and, be it further

**Resolution No. 194 (Continued)**

RESOLVED, That the County Treasurer is authorized to pay the sum of \$5,000.00 to NYS DEC to obtain a Release of its claims against said sale; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, U.S. Environmental Protection Agency, NYS DEC, Town of Perth, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)

**Resolution No. 195**

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:

Community Services

From: A-0691.0445 – Deferred Revenues-Mental Health

To: A.4310.4320-2701 - REV- Refunds of Prior Year

Sum: \$12,812.00

From: A.4310.4320-3489 - REV- State Aid - Other Health

To: A.4310.4320-4490 - REV- Federal Aid - Mental Health

Sum: \$12,815.00

From: A.4310.4230-4488 - REV- Federal Aid - Alcohol Programs

To: A.4310.4230-3485 - REV- State Aid - Alcohol Conts - OASAS

Sum: \$117,000.00

Personnel

From: A.1000.1990-4907 – EXP – Contingent Fund Expense

To: A.3110.3110-1000 – EXP – Payroll

Sum: \$140,500.00

(Collective Bargaining Agreement salary increase FCSDPBA)

Sheriff

From: A.3110.3110-2000 – EXP – Equipment – Fixed Asset

To: A.3110.3110-4130 – EXP – Contractual

Sum: \$1,327.00

RESOLVED, That the 2020 Adopted Budget be and hereby is amended as follows:

Social Services

Decrease A.1000.0599-0599 – REV – Appropriated Fund Balance \$25,000.00

Revenue

Increase A. 6010.6010-3610 – REV – State Aid – Social Services \$30,000.00  
Administration

Appropriation

Increase A.6010.6010-4170 – EXP – Programs \$ 5,000.00  
(Family First Transition Funds)

**Resolution No. 195 (Continued)**

Solid Waste

Revenue

Increase CL.8160.8162-2680 – REV – Insurance Recoveries \$5,793.00

Appropriation

Increase CL.8160.8162-4540 – EXP – Vehicle Maintenance \$5,793.00

and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (City of Johnstown – Ward 1)