

NINTH REGULAR SESSION

Johnstown, NY

September 9, 2019

Roll Call – Quorum Present

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

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

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

Chairman Wilson introduced Senator James Tedisco and asked him to speak in regards to Late Resolution No. 1. (*Resolution Opposing Governor Cuomo's Proposed Regulations Requiring New License Plates and Fees*)

Senator Tedisco stated that Governor Cuomo announced plans to require new license plates that will force millions of motorists to pay a \$25.00 per plate fee and another \$20.00 if they want to keep their current plate number. He expressed that this is a “cash grab” for all of the constituents in New York State. He thanked the Fulton County Board of Supervisors for making history as the first governing body to oppose this regulation. He stated that for the first time in a long time, there is opposition from both parties in Albany to the Governor's policies.

He advised that there is no law in the State of New York that requires a fee of \$25.00 per plate. He did state that however, there is a law stating that constituents can be charged from \$0.00 up to \$25.00 for new license plates. He also said that there is no law that states constituents must be charged \$20.00 to keep the current license plate number. He stated that former Governor Paterson chose to charge nothing when the yellow and blue license plates came out.

He expressed his appreciation for all that Fulton County does. He stated he is happy to represent this area and is grateful to have a district office here.

PUBLIC HEARINGS/SCHEDULED SPEAKERS

1:30 P.M. PUBLIC HEARING TO RECEIVE COMMENTS ON PROPOSED LOCAL LAW “D” OF 2019 ENTITLED “A LOCAL LAW OPTING OUT OF SECTION 487 NYS REAL PROPERTY TAX LAW EXEMPTIONS FOR SOLAR FARM PROJECTS”

2:00 P.M. PUBLIC HEARING TO RECEIVE COMMENTS ON PROPOSED LOCAL LAW “C” OF 2019 ENTITLED “A LOCAL LAW CREATING THE OFFICE OF ASSIGNED COUNSEL ADMINISTRATOR

REPORTS OF SPECIAL COMMITTEES

Soil and Water Conservation District: Supervisor Greene advised that the Committee met on Aug 20, 2019 and stated that he was unable to attend due to 2020 County Budget Review meetings.

CHAIRMAN'S REPORT

Chairman Wilson stated that the 2020 Budget Review meetings have started and he expressed that September is looking to be another busy month.

RESOLUTIONS (TITLES ATTACHED)

Resolution No. 3 (Resolution Creating a SIPP Caseworker Position for the School Intervention Partnership Program in the Gloversville Enlarged School District (Social Services Department): Supervisor Lauria stated that the School Intervention Partnership Program is helpful because kids are missing too many days of school. He expressed that it is the parents' fault. He stated that it is important that the County work with the Gloversville Enlarged School District to make sure kids are getting the education they need. Supervisor Young agreed that this is crucial to have a program like this.

Chairman Wilson opened the Public Hearing to receive comments regarding proposed Local Law "D" of 2019 entitled "A Local Law Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Farm Projects" at 1:31 p.m.

Mr. Matthew Vertucci, Gloversville, NY - He advised that he is in favor of solar power. He expressed that his understanding is that the County thinks they are "unaesthetic". He expressed that solar and wind energy is our "salvation" and it can run most of the country. He thanked the Board of Supervisors members for their time.

Joe and Rosemary Shepard - 2 W. Third Ave Johnstown, NY – Mr. Shepard expressed that he was in favor of solar and wind energy systems. He advised that he and his wife, Rosemary met with Mayor Vernon Jackson, City of Johnstown to discuss a Climate Awareness Rally. He urged the Board of Supervisors to oppose proposed Local Law "D". He expressed that wind and solar farms should get tax incentives. Ms. Shepard stated that she was very happy that Johnstown was a part of the solar system. She stated that this is a non-partisan issue and the climate is important to the world. They thanked the Board of Supervisors for its time.

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

Late Resolution No. 1 (Resolution Opposing Governor Cuomo's Proposed Regulations Requiring New License Plates And Fees): Supervisor Lauria stated that he is a Democrat and he strongly opposes the Governor's License plate fee plan. He stated that if the state regulation goes through, the money that constituents have to pay for a new plate should go to the unfunded mandates the Governor imposes on local governments.

Supervisor Young stated that people who live around here depend on their vehicles and are struggling to get by. He stated that these fees are “outrageous” and will be difficult for some people to pay.

Chairman Wilson called for a Recess at 1:43 p.m.

Chairman Wilson again asked if there were any members of the public who wished to make comments regarding proposed Local Law “D” of 2019 entitled “A Local Law Opting out of Section 487 NYS Real Property Tax Law Exemptions for Solar Farm Projects”. There being no interested speakers, Chairman Wilson closed the Public Hearing at 2:01 p.m. and moved forward with consideration of Resolutions.

Resolution No. 27 (Resolution Adopting Local Law “D” of 2019 “Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Farm Projects”): Supervisor Fagan stated that this Resolution will not stop solar farms from being developed in Fulton County; however, it does “level the playing field” and requires the business to pay property tax the same as other commercial property. He stated that it is no different than paying property tax on other businesses’ capital investments.

Supervisor Young added that solar companies have been doing a poor job with landscaping. He also stated that solar companies in Fulton County have started the construction process before completing the required PILOT process which is wrong; however, he would like to see more being done with local planning boards to make sure that PILOT agreements are in place. He expressed that passing this Resolution isn't the way to take care of the problem.

Chairman Wilson opened the Public Hearing to receive comments regarding Local Law “C” of 2019 entitled “A Local Law Creating the Office of Assigned Counsel Administrator” at 2:05 p.m. and called for any interested speakers to come forward. He explained that he would hold the Public Hearing open for awhile.

At 2:09 p.m., Chairman Wilson again asked if there were any members of the public who wished to make comments regarding proposed Local Law “C” of 2019 entitled “A Local Law Creating the Office of Assigned Counsel Administrator”. There being no interested speakers, Chairman Wilson closed the Public Hearing at 2:10 p.m. and moved forward with consideration of Resolutions.

NEW BUSINESS

Supervisor Young stated that he and Supervisor Blackmon attended the Townsend Leather Jubilee building grand opening which was the former Diana Knitting Mill. He encouraged everyone to take a tour. He stated that they kept the historic architecture and also have office space available. Chairman Wilson stated he attended a tour there as well and it is incredible what they have done with the renovation. He also advised that Townsend Leather has rented out the available office space.

Supervisor Blackmon stated that it is the best re-use of an old building in Fulton County.

Supervisor Fagan stated that Townsend General Manager Tim Beckett should be recognized for all of his work re-developing the Townsend Leather building and in community work.

Supervisor Born added that Ronald Peters, President, Fulton County Center for Regional Growth, has worked very hard to help people with microenterprise loans to support local businesses.

Supervisor Callery added that the old Johnstown Hotel is also a great building and that has office space available for rent.

Upon a motion by Supervisor Callery, seconded by Supervisor Greene and unanimously carried, the Board adjourned at 2:11 p.m.

Certified by:

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

Resolution No. 314

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING THE 2019 YOUTH BUREAU
RESOURCE ALLOCATION PLAN**

RESOLVED, That the Annual Resource Allocation Plan for State Aid from the NYS Office of Children and Family Services for 2019 be and hereby is approved for various programs, at total costs not to exceed \$87,353.00 as follows:

<u>Vendor</u>	<u>Program</u>	<u>Amount</u>
Catholic Charities	Youth Substance Abuse Prev.	\$ 5,500.00
Citizens in Community Service	Community Restitution	5,500.00
	Youth	6,500.00
City of Gloversville	Citywide Recreation	1,000.00
Family Counseling Center	Youth Services	7,000.00
Johnstown Public Library	Summer Reading Program	7,000.00
HFM Prevention Council	Adventure Based Counseling/Choices	5,000.00
HFM Prevention Council	Youth Day Event	1,000.00
HFM Prevention Council	Too Good for Drugs	3,500.00
HFM Prevention Council	Drug Quiz Event (funded w/ Tobacco funds)	1,000.00
Town of Perth	Summer Youth Program	1,950.00
Mental Health Association	Youth Services	2,500.00
Mental Health Association	Sexually Exploited Youth	29,000.00
YMCA	Day Camp	1,500.00
	Teen Center	3,000.00
Fulton Co. Youth Bureau	Administration Costs	<u>7,403.00</u>
		\$87,353.00

and, be it further

RESOLVED, That the Chairman of the Board be authorized to sign the necessary State Aid applications and Resource Allocation Agreement; and, be it further

RESOLVED, That the Youth Bureau Director and County Treasurer do each and every other thing necessary to obtain the appropriate State aid reimbursement from said programs; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Youth Bureau Director, NYS Office of Children and Family Services, 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 Absent: 1 (Supervisor Waldron)

Resolution No. 315

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

RESOLUTION AUTHORIZING PURCHASE OF CERTAIN DOOR ELECTRICAL FIXTURES FOR USE IN THE SOCIAL SERVICES DEPARTMENT

WHEREAS, Resolution 372 of 2018 Accepted a 2018 Supplemental Nutrition Assistance Program (SNAP) Award and authorized purchase of certain equipment for use in the Social Services Department; and

WHEREAS, Resolution 44 of 2019 Accepted Additional Supplemental Nutrition Assistance Program (SNAP) Award Funds and authorized certain purchases with said funds, including purchase of a Handicapped Accessible Door with an Automatic Opener; and

WHEREAS, the Social Services Commissioner has now notified the Human Services Committee that the door and opener purchase did not include the cost of associated electrical work; and

WHEREAS, the Commissioner of Social Services has proposed to use said 2018 SNAP Award funds to include the cost of associated electrical work for said door; now, therefore be it

RESOLVED, That the Commissioner of Social Services be and hereby is authorized to use additional SNAP funds in the amount not to exceed \$2,152.00, 50 percent of the total cost to be reimbursed by the federal SNAP grant; and, be it further

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

Revenue:

Increase A.6010.6010-4610 – REV – Federal Aid – DSS – Administration	\$1,076.00
Increase A.6010.6010-3610 – REV – State Aid – Social Services Administration	\$1,076.00

Appropriation:

Increase A.6010.6010-4180 – EXP – Renovations	\$2,152.00
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and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

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

Resolution No. 316

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

RESOLUTION CREATING A SIPP CASEWORKER POSITION FOR THE SCHOOL INTERVENTION PARTNERSHIP PROGRAM IN THE GLOVERSVILLE ENLARGED SCHOOL DISTRICT (SOCIAL SERVICES DEPARTMENT)

WHEREAS, Resolution 343 of 2018 Created a Caseworker position for the School Intervention Partnership Program in the Gloversville Enlarged School District; and

WHEREAS, the Gloversville Enlarged School District has requested that the Board of Supervisors create a second School Intervention Partnership Program (SIPP) Caseworker to benefit the District with the primary focus of providing early intervention into the lives of at-risk children to prevent entry into foster care; and

WHEREAS, the Commissioner of Social Services proposes to assign one (1) additional SIPP Caseworker to the Gloversville Enlarged School District; and

WHEREAS, Gloversville Enlarged School District will pay the local share of the cost of said additional Caseworker for the School District; now, therefore be it

RESOLVED, That one (1) Caseworker position (Union Job Group A-17, 2019 permanent rate: \$23.28 per hour) be and hereby is created in the Department of Social Services; and, be it further

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

Revenue:

Increase A.6010.6010-1810 – REV – Administration Repayments	\$ 6,692.00
Increase A.6010.6010-3610 – REV – DSS – Administration	6,692.00
Increase A.6010.6010-4610 – REV – Federal Aid – DSS-Administration	13,383.00

Appropriation:

Increase A.6010.6012-1000 – EXP – Services-Payroll	\$26,767.00
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and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized and empowered to sign a contract, on behalf of the Department of Social Services, with the Gloversville Enlarged School District for an additional prevention caseworker services (SIPP), effective October 1, 2019 through June 30, 2020, said contract subject to the approval of the County Attorney; and, be it further

Resolution No. 316 (Continued)

RESOLVED, That this Resolution and continuation of said position, is 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; 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, Commissioner of Social Services, Personnel Director, CSEA Local 818, Gloversville Enlarged School District, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

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

Resolution No. 317

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION SETTING FEE FOR FLU VACCINE IN THE
PUBLIC HEALTH DEPARTMENT**

WHEREAS, Resolution 338 of 2018 set the immunization fee for flu vaccines administered by the Public Health department at \$34.00 per vaccination; and

WHEREAS, the Public Health Director recommends revising the flu vaccine fee structure for person age 19 and over who are at risk for Influenza who do not have Medicare Part B or private insurance coverage; and

WHEREAS, the Director also recommends that the fee for flu vaccinations be waived for all employees of the Public Health Department in accordance with U.S. Centers for Disease Control recommendations that healthcare workers receive annual vaccinations against Influenza; now, therefore be it

RESOLVED, That the charge for administering the seasonal flu vaccine provided by the Fulton County Public Health Department to qualifying Fulton County residents without Medicare coverage or private insurance shall be \$34.00; no cost to Fulton County Public Health Department employees; and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

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

Resolution No. 318

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION WAIVING THE RESIDENCY RULE FOR THE HIRE OF CASEWORKERS

WHEREAS, the Commissioner of Social Services and Office for Aging Director are experiencing difficulty filling Caseworker positions in the Department of Social Services and Office for Aging; and

WHEREAS, the Personnel Director is reporting that there is low Civil Service examination participation and high turnover rate with this title and recommends that applicants who are not residents of Fulton County be considered; and

WHEREAS, after careful review of the hiring procedure utilized, the Committee on Personnel recommends waiving the County's "Residency Rule" to allow the hiring of Caseworkers from Fulton County and/or contiguous counties; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for the hire of Caseworkers in the Department of Social Services and Office for Aging until the next holding of said examination and for the duration of the resulting eligible list; and, be it further

RESOLVED, That the Personnel Director, Commissioner of Social Services and Office for Aging 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, Commissioner of Social Services, Office for Aging 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 Absent: 1 (Supervisor Waldron)

Resolution No. 319

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

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF NYS OFFICE OF INDIGENT LEGAL SERVICES GRANT DISTRIBUTION NO. 9 (2019-2021)

WHEREAS, the Public Defender has received notification from the NYS Office of Indigent Legal Services that Fulton County has been awarded a grant to improve the quality of legal services provided to indigent individuals in Fulton County; and

WHEREAS, the grant will be a three-year distribution from the Indigent Legal Services Fund in the amount of \$110,124.00 (\$36,708.00 per year) for the period January 1, 2019 through December 31, 2021; and

WHEREAS, said grant funds cannot be used to supplant existing local funding; and

WHEREAS, the Public Defender recommends the following Work Plan for utilization of said grant proceeds:

1. Reimburse Salary of Sixth Assistant Public Defender
2. Reimburse portions of Salary and Fringe Benefits of Fifth and Sixth Assistant Public Defender
3. Supplement investigations, subscriptions and supplies

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement with the NYS Office of Indigent Legal Services for an Upstate Quality Improvement Grant in the amount of \$110,124.00 for the period January 1, 2019 through December 31, 2021; and, be it further

RESOLVED, That said 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 revenues, in order to make necessary budget amendments and/or contract amendments; and, be it further

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

Resolution No. 319 (Continued)

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 BRADT and adopted by the following vote:

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

Resolution No. 320

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

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF THE 2019-20 STATE AID TO PROSECUTION GRANT FROM THE NYS DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DISTRICT ATTORNEY)

WHEREAS, the District Attorney has requested permission to apply for and accept 2019-2020 "State Aid to Prosecution" Grant funds, in the amount of \$29,091.00; and

WHEREAS, "State Aid to Prosecution" Grant funds will be identified and budgeted as a grant supporting DA operations as general Department revenue on an annual basis and allocated to the permanent re-setting of the base salaries for the First, Second and Third Assistant District Attorneys and Confidential Secretary, as approved by Resolution 313 of 2016; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for, and authorize acceptance from, the NYS Department of Criminal Justice Services for State Aid to Prosecution funding, in an amount of \$29,091.00, effective October 1, 2019 through September 30, 2020; and, be it further

RESOLVED, That the staffing structure for all positions within the District Attorney's Office shall be reviewed by the District Attorney with the Board of Supervisors if and when these specific grant funds are reduced or discontinued; and, be it further

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

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

Seconded by Supervisor PERRY and adopted by the following vote:

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

Resolution No. 321

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

RESOLUTION ABOLISHING THE CRIME VICTIM SERVICES COORDINATOR POSITION AND CRIME VICTIM SERVICES ASSISTANT POSITION IN THE DISTRICT ATTORNEY'S OFFICE

WHEREAS, grant funding from the NYS Office of Crime Victim Services has lapsed for the County Crime Victim Advocacy positions; and

WHEREAS, said Crime Victim Advocacy positions were established contingent upon State grant funding being available or said positions would end; and

WHEREAS, the District Attorney has reviewed current staffing in the District Attorney's Office and has recommended that the Crime Victim Services Coordinator and Crime Victim Services Assistant positions be abolished in accordance with the foregoing; now, therefore be is

RESOLVED, That upon the recommendation of the District Attorney and Committees on Public Safety, Personnel and Finance, effective September 31, 2019, the Crime Victim Services Coordinator and Crime Victim Services Assistant positions in the District Attorney's Office be and hereby are abolished; and, be it further

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

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

Seconded by Supervisor HOWARD and adopted by the following vote:

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

Resolution No. 322

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION TO THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR HOUSEHOLD HAZARDOUS WASTE ASSISTANCE PROGRAM FUNDS

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the County of Fulton, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; now, therefore be it

RESOLVED ,

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Chairman of the Board of Supervisors is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required, to sign the resulting contract if said application is approved by the STATE.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said Household Hazardous Waste Program and will be reimbursed by the State for share of such costs.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

and, be it further

Resolution No. 322 (Continued)

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

Seconded by Supervisor SELMSER and adopted by the following vote:

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

Resolution No. 323

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A GRANT AGREEMENT WITH NYS DEPARTMENT OF
TRANSPORTATION FOR THE RUNWAY 10-28 REHABILITATION AND CONNECTOR
TAXIWAY CONSTRUCTION PROJECT AT THE FULTON COUNTY AIRPORT
(2019 CAPITAL PLAN)**

WHEREAS, Fulton County has received a grant from the Federal Aviation Administration (FAA) to pay 90% of the allowable costs incurred in accomplishing the following project for Fulton County Airport:

- Runway 10-28 Rehabilitation and Connector Taxiway Reconstruction Project
- FAA AIP Project Number 3-36-0049-023-2019

and

WHEREAS, the NYSDOT has offered a matching grant to the federal grant for 50% of the non-federal share of eligible costs; and

WHEREAS, Fulton County has committed funds for the local share of the project cost. Funding shares for project costs are as follows:

Total Project Cost	:	\$1,051,021
Federal Share	:	\$ 945,919
State Share	:	\$ 52,551
Local Share	:	\$ 52,551

now, therefore be it

RESOLVED, that Fulton County enter into an Agreement with the State of New York for financial assistance for the project described above for the Fulton County Airport, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be authorized to execute all the necessary documents on behalf of Fulton County with New York State in connection with the project, and be it further

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

Resolution No. 323 (Continued)

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

Seconded by Supervisor BORN and adopted by the following vote:

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

Resolution No. 324

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A GRANT AGREEMENT WITH NYS DEPARTMENT OF
TRANSPORTATION FOR THE MAIN APRON RECONSTRUCTION DESIGN PROJECT
AT THE FULTON COUNTY AIRPORT (2019 CAPITAL PLAN)**

WHEREAS, Fulton County has received a grant from the Federal Aviation Administration (FAA) to pay 90% of the allowable costs incurred in accomplishing the following project for Fulton County Airport:

- Main Apron Reconstruction Design Project
- FAA AIP Project Number 3-36-0049-024-2019

and

WHEREAS, the NYSDOT has offered a matching grant to the federal grant for 50% of the non-federal share of eligible costs, and

WHEREAS, Fulton County has committed funds for the local share of the project cost. Funding shares for project costs are as follows:

Total Project Cost	:	\$ 100,000
Federal Share	:	\$ 90,000
State Share	:	\$ 5,000
Local Share	:	\$ 5,000

now, therefore be it

RESOLVED, that Fulton County enter into an Agreement with the State of New York for financial assistance for the project described above for the Fulton County Airport, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be authorized to execute all the necessary documents on behalf of Fulton County with New York State in connection with the project, and be it further

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

Resolution No. 324 (Continued)

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

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

Resolution No. 325

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A DISADVANTAGED BUSINESS ENTERPRISE (DBE)
PROGRAM FOR THE FULTON COUNTY AIRPORT**

WHEREAS, Fulton County has been notified that it must have a Disadvantaged Business Enterprise (DBE) Program for the Fulton County Airport in accordance with regulations of the U.S. Department of Transportation; and

WHEREAS, \$250,000 or more of federal funding will be drawn down in 2019 for federally-funded projects at the Fulton County Airport triggering the aforementioned DBE Program requirements; and

WHEREAS, Airport consultant Passero Associates has prepared a draft DBE Program for the Airport that meets the guidelines outlined in 49CFR Part 26; now, therefore be it

RESOLVED, That the Board of Supervisors hereby designates the Fulton County Planning Director to serve as the Disadvantaged Business Enterprise (DBE) Liaison for the Disadvantaged Business Enterprise (DBE) Program for Fulton County in accordance with U.S. Department of Transportation Regulations 49CFR Part 26; and; be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Federal Aviation Administration, NYS Department of Transportation, Passero Associates, Planning Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor SELMSER and adopted by the following vote:

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

Resolution No. 326

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CUSTODIAL SERVICES AT THE FULTON COUNTY OFFICE BUILDING (2020)

WHEREAS, the current contract for custodial services at the County Office Building will expire December 31, 2019; and

WHEREAS, the Committee on Public Works and Superintendent of Highways and Facilities recommend soliciting bids to clean the entire County Office Building; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for custodial services for the County Office Building, 223 West Main Street, Johnstown, NY, (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, October 16, 2019, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor BRADT and adopted by the following vote:

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

Resolution No. 327

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR DIESEL FUEL IN THE CENTRAL FUEL DEPOTS AT THE COUNTY SERVICES COMPLEX AND SOLID WASTE DEPARTMENT (2019)

WHEREAS, Resolution 262 of 2019 authorized advertisement for bids for diesel 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 Shephard Oil Co., Inc. of, Johnstown, NY, for the purchase and delivery of diesel to the Central Fuel Depots at the County Complex and at the Solid Waste Department be and hereby is awarded for the period January 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. 2019-82-05:

County Complex (90,000 gallons)	\$1.891 Rack price <u>.03</u> Margin \$1.921 Per gallon
Solid Waste Dept. (83,000 gallons)	\$1.891 Rack price <u>.12</u> Margin \$2.011 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 KINOWSKI and adopted by the following vote:

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

Resolution No. 328

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

WHEREAS, Resolution 261 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 Buell Fuel, LLC of, Deansboro, 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 October 1, 2019 through December 31, 2019, 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. 2019-82-04:

County Complex (95,000 gallons)	\$1.7403	Rack price
	<u>.0125</u>	Margin
	\$1.7528	Per gallon
Solid Waste Dept. (3,500 gallons)	\$1.7403	Rack price
	<u>.1625</u>	Margin
	\$1.9028	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 PERRY and adopted by the following vote:

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

Resolution No. 329

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

RESOLUTION AUTHORIZING EXTENSION TO THE CONTRACT WITH BREZZY
CLEANING SERVICES FOR CUSTODIAL SERVICES IN COUNTY
COMPLEX I AND II BUILDINGS (2020)

WHEREAS, Resolution 384 of 2017 awarded a bid to Brezzy Cleaning Services for Cleaning Services in the County Complex I and II Buildings for 2018; and

WHEREAS, Resolution 354 of 2018 authorized an extension to the contract with Brezzy Cleaning Services for Custodial Services in County Complex I and II Buildings for 2019;

WHEREAS, the Superintendent of Highways and Facilities requests said contract be extended for another year; 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 extension to the contract with Brezzy Cleaning Service, of Gloversville, NY, for custodial services in the County Complex I and II Buildings, effective January 1, 2020 through December 31, 2020, at a cost not to exceed \$39,600.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That said contract amendment is contingent upon approval by the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Elections, Civil Defense Director/Fire Coordinator, Information Technology Director, Public Health Director, Sheriff, Weights and Measures, Superintendent of Highways & Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

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

Resolution No. 330

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

RESOLUTION AUTHORIZING EXTENSION TO THE CONTRACT WITH BREZZY
CLEANING SERVICES FOR CUSTODIAL SERVICES IN THE
DSS COOPER BUILDING (2020)

WHEREAS, Resolution 383 of 2017 awarded a contract to Brezzy Cleaning service for custodial services in the DSS Cooper Building, at a cost of \$34,800.00, with the County option to extend said contract in 2018 and 2019; and

WHEREAS, Resolution 353 of 2018 authorized an extension to the contract with Brezzy Cleaning Services for Custodial Services in the DSS Cooper Building for 2018; and

WHEREAS, the Superintendent of Highways and Facilities requests said contract be extended for another year; 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 extension to the contract with Brezzy Cleaning Service, of Gloversville, NY, for custodial services in the DSS Cooper Building, effective January 1, 2020 through December 31, 2020, at a cost not to exceed \$36,000.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That said contract amendment is contingent upon approval by the County Attorney; and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

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

Resolution No. 331

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

RESOLUTION AUTHORIZING EXTENSION TO THE CONTRACT WITH BREZZY CLEANING SERVICE FOR CUSTODIAL SERVICES AT THE FORT JOHNSTOWN BUILDING AND OFFICE FOR AGING BUILDING (2020)

WHEREAS, Resolution 429 of 2018 awarded a bid to Brezzy Cleaning Services for Cleaning Services in the Fulton County Office for Aging Building and Fort Johnstown Building for 2019; and

WHEREAS, the Superintendent of Highways and Facilities requests said contract be extended for another year; 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 extension to the contract with Brezzy Cleaning Service, of Gloversville, NY, for custodial services in the Fort Johnstown and Office for Aging Building, effective January 1, 2020 through December 31, 2020, at a cost not to exceed \$16,000.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That said contract amendment is contingent upon approval by the County Attorney; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

Resolution No. 332

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

RESOLUTION AUTHORIZING EXTENSION TO THE CONTRACT WITH CENTURY LINEN & UNIFORM FOR UNIFORM SERVICE FOR THE DEPARTMENTS OF SOLID WASTE AND HIGHWAYS AND FACILITIES (2020)

WHEREAS, Resolution 353 of 2018 awarded a contract to Century Linen & Uniform, of Johnstown, NY for Uniform Services for the Departments of Highways and Facilities and Solid Waste, effective January 1, 2017 through December 31, 2018, at a cost of \$3.50 per employee per week, with the County option to extend said contract for an additional year; and

WHEREAS, Resolution 356 of 2018 authorized an extension to the contract with Century Linen & Uniform for Uniform Service for the Departments of Solid Waste and Highways and Facilities; now, therefore be it

RESOLVED, That upon the recommendation of the Purchasing Agent and Committee on Public Works, the Chairman of the Board be and hereby is authorized to sign an amendment to the contract with Century Linen & Uniform of Johnstown, NY, to extend Uniform Service for the Departments of Highways and Facilities and Solid Waste, effective January 1, 2020 through December 31, 2020 at a cost of \$3.50 per employee per week; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That said contract amendment is contingent upon approval by the County Attorney; and, be it further

RESOLVED, That the cost for said services be a charge against applicable Department accounts; 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, Century Linen, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

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

Resolution No. 333

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR HEATING OIL AND
50/50 BLEND FOR COUNTY BUILDINGS (2020)

WHEREAS, the current bid for No. 2 heating oil and 50/50 blend expires on December 31, 2019; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is directed to advertise for sealed bids from responsible petroleum dealers for Heating Oil No. 2 and Special Blend of No. 2 for the year 2018 (and according to further specifications which may be obtained at the Office of the Purchasing Agent); said price to identify origin and posted tank wagon price in effect on the date of bid (to be further identified at each instance of delivery), plus vendor margin. Successful bidder must make provisions for emergency delivery on a local basis (within a 20-mile radius of the City of Johnstown), in the event that one of the identified facilities runs out of fuel; and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, October 16, 2019 at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor BREH and adopted by the following vote:

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

Resolution No. 334

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR WASTE REMOVAL SERVICES FOR THE FULTON COUNTY CORRECTIONAL FACILITY (2020)

WHEREAS, the current bid for waste removal services expires on December 31, 2019; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for bids from waste disposal vendors for the pickup of general office type waste materials at the Fulton County Correctional Facility (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, October 16, 2019, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor RICE and adopted by the following vote:

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

Resolution No. 335

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PURCHASE OF CERTAIN EQUIPMENT AND SERVICES
AS A COMPONENT OF THE SHERIFF CAD/RMS SYSTEM PROJECT
(2019 CAPITAL PLAN)**

WHEREAS, Resolution 299 of 2019 amended the 2019 Capital Plan to include a Sheriff CAD/RMS Upgrade Project in the amount of \$850,000.00; and

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

WHEREAS, the Information Technology Director has identified other equipment and services necessary to complete said CAD/RMS Upgrade Project; now, therefore be it

RESOLVED, That the Information Technology Director be and hereby is authorized to purchase certain equipment and services to complete said Project as follows:

<u>Quan</u>	<u>Description</u>	<u>Unit \$</u>	<u>Total \$</u>
2	HPE Vmware hosts (DL360 Gen10)	\$ 7,900	\$ 15,800
2	Memory for Vmware servers	\$ 1,200	\$ 2,400
1	HPE Veeam server	\$ 12,000	\$ 12,000
1	Nimble SAN (20TB)	\$ 35,000	\$ 35,000
20	Sierra Wireless MP70 modems	\$ 681	\$ 13,623
6	Veeam licenses (Enterprise Plus - 1 year)	\$ 1,760	\$ 10,562
6	Vmware licenses (1 year)	\$ 1,211	\$ 7,267
3	Microsoft Server licenses	\$ 3,912	\$ 11,736
	Total		\$ 108,387

RESOLVED, That the Information Technology Director be, and hereby is, directed to reduce other work tasks within the implementation of said Project to ensure that the total project cost at completion does not exceed \$850,000.00; and, be it further

RESOLVED, That said cost be a charge against H.1680.3020-2100.0950 - EXP - CAD/RMS Upgrade; and, be it further

Resolution No. 335 (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 GROFF and adopted by the following vote:

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

Resolution No. 336

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING THE DISASTER RECOVERY/BUSINESS CONTINUITY
PROJECT (2019 CAPITAL PLAN)

WHEREAS, the 2019 Capital Plan identifies the following project for the Information Technology Department:

Disaster Recovery/Business Continuity Plan – Phase II \$20,000.00

and,

WHEREAS, it is necessary to transfer funds into the appropriate Information Technology account; now, therefore be it

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

From: A.1000.9950-9000.1200 – EXP – Capital Improvements Reserve
To: H.1680.1680-2100.0850 – EXP – Disaster Recovery Plan
Sum: \$20,000.00

and, be it further

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 HOWARD and adopted by the following vote:

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

Resolution No. 337

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION RECLASSIFYING GRAPHICS AND WEB SPECIALIST/MAIL CLERK TO
WEB, GRAPHICS AND COMPUTER SUPPORT SPECIALIST IN THE INFORMATION
TECHNOLOGY DEPARTMENT**

WHEREAS, to promote efficient operation of the Department, the Information Technology Director recommends reclassification of a Graphics and Web Specialist/Mail Clerk position to Web, Graphics and Computer Support Specialist; and

WHEREAS, based upon the Job Duties Statement prepared by the Information Technology Director, the Personnel Director recommends reclassification of said position to Web, Graphics and Computer Support Specialist; now, therefore be it

RESOLVED, That upon the recommendation of the Information Technology Director, Personnel Director and Committee on Finance, effective September 9, 2019, one (1) Graphics and Web Specialist/Mail Clerk position (Union Job Group A-14, 2019 Start Rate: \$18.50; 2019 permanent rate: \$21.77 per hour) be and hereby is reclassified to Web, Graphics and Computer Support Specialist position (Union Job Group A-14, 2019 Start Rate: \$18.50; 2019 permanent rate: \$21.77 per hour) in the Information Technology Department; and, be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

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

Resolution No. 338

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 WITH HAROLD R. CLUNE FOR
THE FMCC CAMPUS LABS AND CLASSROOMS PHASE II PROJECT
(2019 CAPITAL PLAN)**

WHEREAS, the 2019 Capital Plan includes a FMCC Campus Labs and Classrooms Phase II Project; and

WHEREAS, Resolution 115 of 2019 awarded bids for Prime Contracts for the FMCC Campus Labs and Classrooms Phase II Project (2019 Capital Plan); and

WHEREAS, Resolution 200 of 2019 authorized Change Order No. 1 with Harold R. Clune for FMCC Campus Labs and Classrooms Phase II Project; and

WHEREAS, the Planning Director and Fulton-Montgomery Community College recommends authorizing Change Order No. 2 to add additional outlets, at a cost not to exceed \$3,995.00; now therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 2 to the contract with Harold R. Clune to add additional outlets, as part of the FMCC Campus Labs and Classrooms Phase II Project as follows:

Original Contract Amount:	\$ 101,200.00
Change Order No. 1 (Fire Alarm Fiber)	33,298.00
Change Order No. 2 (Additional Outlets)	+ 1,438.75
Revised Contract Amount:	\$ 135,936.75

and, be it further

RESOLVED, That said cost be a charge against H.8020.2497-2100.0870 – EXP – FMCC Campus Labs and Classrooms Renovations; and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 1 (Supervisor Waldron)

Resolution No. 339

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION TERMINATING JAVAC COVERAGE UNDER THE FULTON COUNTY
WORKERS COMPENSATION SELF-INSURANCE PLAN**

WHEREAS, the Johnstown Area Volunteer Ambulance Corps (JAVAC) has now transitioned to a non-volunteer organization with no sponsorship by the City of Johnstown; and

WHEREAS, the City of Johnstown has notified the Board of Supervisors that it has formed its own emergency ambulance service and no longer sponsors JAVAC; and

WHEREAS, JAVAC no longer meets the requirement of being a municipality or municipal agency for membership in the Fulton County self-insured Workers Compensation Plan; and

RESOLVED, That in accordance with Chapter 62 of the Fulton County Code, as amended, the Board of Supervisors, as administrator of the Fulton County Workers Compensation Self-Insurance Plan, hereby terminates Plan cover for the Johnstown Area Volunteer Ambulance Corps; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, City of Johnstown, JAVAC, NYS Workers Compensation Board, Benetech, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

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

Resolution No. 340

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:

Planning Department:

(1) HP Office Jet 7110 (No Number)

Probation Department:

(1) Desk (737)

(1) Desk (743)

(1) File Cabinet (736)

(1) Desk (No Number)

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, Planning Director, Probation Director, Superintendent of Highways and Facilities, Solid Waste Department, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

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

Resolution No. 341

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:

Planning

From: A.8020.8020-1000 – EXP – Payroll
To: A.8020.8020-4130 – EXP – Contractual
Sum: \$12,750.00

Highways and Facilities

From: DM.9950.9950-5000 – EXP – Transfer to Reserve
To: DM-0882.0883 – Road Machinery Fuel System Reserve
Sum: \$1,500.00

and, be it further

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

Solid Waste

Revenue

Increase CL.8160.8160-2701 – REV – Refunds of Prior Year \$225,000.00
(Legal Settlement proceeds)

Appropriation

Increase CL.9901.9901-5000.0001 –EXP– Transfer to Reserve – Post Closure Care \$225,000.00

and, be it further

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

Seconded by Supervisor PERRY and adopted by the following vote:

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

Resolution No. 342

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION OPPOSING GOVERNOR CUOMO'S PROPOSED REGULATIONS
REQUIRING NEW LICENSE PLATES AND FEES**

WHEREAS, Governor Cuomo and the New York State Department of Motor Vehicles has announced plans to require new license plates that will force millions of motorists to pay a \$25.00 per plate fee and another \$20.00 if they want to keep their current plate number; and

WHEREAS, an analysis by Senator James Tedisco, indicates that the license plates cost \$2.3 million per year and project that the state will reap more than a \$70 million dollar revenue windfall from the \$25.00 per plate fee; and

WHEREAS, according to Part H of NYS Budget Bill A.159B of 2009, the State can charge up to \$25.00 for a license plate, but is not required to levy such a fee, and over the past decade has not imposed that cost; and

WHEREAS, the current license plates are satisfactory for cashless tolling and red light cameras according to the Thruway Authority and law enforcement; and

WHEREAS, nowhere in the law does it state that license plate design replacement is mandatory, and while some plates may be peeling or fading, motorists should not be forced to pay additional fees because of the inferior product that the state purchased; and

WHEREAS, Senator James Tedisco, Assemblyman Robert Smullen and many County Clerks, including Fulton County Clerk Linda Kollar, and many consumer groups have spoken out in opposition to the Governor's License Plate Fee proposal; and be it further

RESOLVED, That the Board of Supervisors, hereby expresses its strong opposition to the Governor's License Plate Tax hike proposal and urges him to reverse his plan to charge millions of motorists \$25.00 for new plates and \$20.00 to keep their current plate numbers; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senator James Tedisco, Assemblyman Robert Smullen, County Clerk, All Counties, New York State Association of Counties, Commissioner of NYS DMV, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

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

Resolution No. 343

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW 3 OF 2019 “OPTING OUT OF SECTION 487 NYS REAL PROPERTY TAX LAW EXEMPTIONS FOR SOLAR FARM PROJECTS”

WHEREAS, proposed Local Law “D” of 2019 entitled, “OPTING OUT OF SECTION 487 NYS REAL PROPERTY TAX LAW EXEMPTIONS FOR SOLAR FARM PROJECTS” has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on September 9, 2019, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law 3, hereinabove referenced, be and hereby is approved; and, be it further

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

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, NYS Secretary of State, Fulton County Code Book, NYS Department of Taxation and Finance, NYSEDA, Fulton County Planning Board, All Towns, All Cities, All Villages, Fulton County IDA, Fulton-Montgomery Chamber of Commerce, 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: 492 (17) Nays: 37 (2) (Supervisors Rice and Young)
Absent: 22 (1) (Supervisor Waldron)

**LOCAL LAW 3 – 2019 OPTING OUT OF SECTION 487 NYS REAL PROPERTY TAX
LAW EXEMPTIONS FOR SOLAR ENERGY SYSTEM, WIND ENERGY SYSTEM AND
FARM WASTE ENERGY SYSTEM PROJECTS**

Be it enacted by the Board of Supervisors of the County of Fulton as follows:

Section 1. The purpose of this local law is to opt out of Real Property Tax Law § 487 to capture tax revenues from the development of solar energy facilities and to ensure that such facilities are treated equally with other commercial properties within the county.

Section 2.

- A. No exemption under Real Property Tax Law § 487 shall be applicable to Fulton County taxes with respect to any solar or wind energy system or farm waste energy system.
- B. No exemption under Real Property Tax Law § 487 shall be applicable to Fulton County taxes with respect to any micro-hydroelectric energy system, fuel electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system.

Section 3.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 4.

To the extent that this local law is inconsistent with Real Property Tax Law § 487 it shall supersede those laws.

Section 5.

- A. This law shall be effective immediately upon filing with the Secretary of State.
- B. In accordance with RPTL 487 (8) a., the County shall file this local law with the Commissioner of the New York State Department of Tax and Finance and with the president of the New York State Energy Research and Development Authority.

Resolution No. 344

Supervisor BREH offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW 4 OF 2019 “A LOCAL LAW CREATING THE OFFICE OF ASSIGNED COUNSEL ADMINISTRATOR”

WHEREAS, proposed Local Law “C” of 2019 entitled, “A LOCAL LAW CREATING THE OFFICE OF ASSIGNED COUNSEL ADMINISTRATOR” has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on September 9, 2019, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law 4, hereinabove referenced, be and hereby is approved; and, be it further

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

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, NYS Secretary of State, Fulton County Code Book, Public Defender, Personnel Director, 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 GROFF and adopted by the following vote:

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

**COUNTY OF FULTON
LOCAL LAW 4 OF 2019**

**A LOCAL LAW TO CREATE THE OFFICE OF ASSIGNED COUNSEL
ADMINISTRATOR**

Be it enacted, by the Board of Supervisors of the County of Fulton, New York as follows:

Section 1. Appointment of Assigned Counsel Administrator.

The Assigned Counsel Administrator shall be appointed by the Fulton County Board of Supervisors.

Section 2. Term of Office.

The term of office of the Assigned Counsel Administrator shall begin on January 1, 2020 and thereafter shall be a term of two (2) years, and each term shall be coextensive with the term of the Fulton County Board of Supervisors.

Section 3. Authority to Appoint Assistants; term.

The Assigned Counsel Administrator shall appoint as many office staff and/or assistants as the Fulton County Board of Supervisors may, from time to time, deem necessary.

Section 4. Compensation.

The compensation for the Assigned Counsel Administrator and any appropriated office staff shall be fixed by Resolution of the Fulton County Board of Supervisors.

Section 5. Powers and Duties.

The Assigned Counsel Administrator shall have responsibility and authority in respect to managing the Fulton County assigned counsel program to provide public defense clients with quality legal representation in accordance with state and local law. He/she shall act in accordance with policies and procedures promulgated by the Fulton County Board of Supervisors.

Section 6. Inconsistent Provisions Superseded.

To the extent that this Article is inconsistent with any law of the State of New York, it shall supersede those sections of that law.