

## **FOURTH REGULAR SESSION**

Johnstown, NY

April 13, 2020

### ***CONDUCTED VIA 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 Absent: (1) (Supervisor Handy)

Chairman Greene called the meeting to order at 1:00 p.m. and asked everyone to stand for the Pledge of Allegiance.

Chairman Greene read aloud a big “Thank You” Card that he presented for doctors, nurses, health care workers and first responders thanking them for their selfless dedication and heroism facing down this terrible and challenging COVID-19 Virus. The long hours and sacrifices that are being made to keep the community safe. On behalf of the Board of Supervisors and every citizen of our community, “I thank you”.

### **SCHEDULED SPEAKERS**

Chairmen Greene introduced Congresswoman Elise Stefanik who joined the teleconference.

Congresswoman Stefanik thanked all Supervisors and county employees and outlined what her office has been focused on during the COVID-19 pandemic. Her office has been getting out the most up-to-date information from the Centers for Disease Control. She has advocated for hundreds of millions of dollars for hospitals and health care centers. She has also spoken with several small businesses in her community. Congresswoman Stefanik advised that she voted for the Paycheck Protection Program. Her office has met with Chambers of Commerce to get that information out to small businesses. The Congresswoman is also urging congress to provide additional funding for these businesses. Ms. Stefanik advised that stimulus checks will be going out this week and will be direct deposited according to your most recent tax return. The checks will be \$1,200.00 per individual; \$2,400.00 for married couples and \$500.00 for each child. Her office has also been receiving several phone calls from seniors worried about filing additional tax information. She said she has reassured them that this does not have to be done. She has urged the Social Security Administration to use information they had for seniors.

She explained that she will continue to push for more upstate test kits and personal protective equipment supplies (PPE). She is concerned with little PPE supplies for upstate and she is proud to lead that effort.

Ms. Stefanik advised that she was happy that the Executive Order from Governor Cuomo that upstate hospitals had to send equipment downstate was watered down to a much more voluntary approach. She continued that her office is receiving 100’s of questions and calls each day and her

office will continue to push out the most up-to-date information. Congresswoman Stefanik also thanked health care workers for their hard work.

Supervisor Horton thanked Congresswoman Stefanik. He asked her about small business loans and people getting resistance from local banks. Ms. Stefanik explained that she has heard those concerns and is working with local banks and the Department of Treasury. Her office is also working with the Small Business Administration. She did state, however, that local lenders are the people that small business need to be going through.

Supervisor Young advised that he had a concern that upstate needs more drive through Coronavirus testing spots. Congresswoman Stefanik said that she would support an increase in drive through testing. She has made this request to Congress and will continue to work on this.

Supervisor Callery wanted to thank Congresswomen Stefanik for speaking to the Board during this very scary time. He asked her to please tell President Trump that Fulton County is thankful for his support and he is doing a fantastic job. She responded that she was pleased that the President is stepping up for New York State.

Mr. Stead, Administrative Officer, thanked Congresswoman Stefanik for taking time to meet with the Board and wished her “Good luck and God’s speed” with her efforts in Washington. She said that the Board can reach out to her and thanked Fulton County for their teamwork.

### **COMMUNICATIONS**

(No communications)

### **REPORTS**

(No reports)

### **UPDATES FROM STANDING COMMITTEES**

*Personnel Committee:* Supervisor Callery advised that the Personnel Department has been receiving calls on when retroactive checks for the employees in the Police Benevolent Association would be issued. He said that he spoke with Ms. Souza and her staff is working on them and the checks should be out by the end of May.

### **REPORTS OF SPECIAL COMMITTEES**

(No reports)

### **CHAIRMAN’S REPORT**

Chairman Greene advised that the last Board Meeting on March 9 seems like a lifetime ago. Towards the end of that week, things were ramping up with the intensity of COVID-19. Over the weekend, I received a call from Assemblyman

Smullen regarding the school perceiving the need for an Emergency Declaration in order for them to receive school aid after they chose to close. I called Mr. Stead over the weekend and this set in motion a very chaotic week as Governor Cuomo had one Executive Order after another which eventually led to our Emergency Declaration to furlough 50 percent of all non-essential workers to April 29 by state directive.

Over the course of the last several weeks I think this is good news, day to day operations of the county have kind of settled down for some of us, but not all of us. People in the front lines have continued daily to ensure that everyone had their needs met to continue the fight with COVID-19.

Make no mistake, I view this as a public health matter. All the supervisors of our County need to know that this will truly not go away until we have medications to end it. Until then, we must urge all of our constituents to practice social distancing and hand hygiene.

Remember the serious illness you prevent may not be to yourself, but may very well be the people you love the most.

A big thank you to all Department Heads for taking this seriously and acting accordingly. A special thank you to our “front line” folks, both Department Heads and their staff, in particular Laurel Headwell, Public Health Director, Terri Souza, Personnel Director, Scott Henze, Planning Director, Steve SantaMaria, Emergency Management Director, Perry Lovell, Information Technology Director, Anne Solar, DSS Commissioner and Sheriff Giardino.

Also, a special personal thank you to Jon Stead for the countless hours he has spent behind the scenes, reading, writing and listening and reacting to much of what is out there and working with me on a daily basis. Hopefully, the emails you continue to receive from Mr. Stead have been helpful and keeping you all up to date.

## **RESOLUTIONS**

Mr. Stead advised that he emailed Supervisors the NYSAC Summary on the 2020-21 State Budget. Any Board member can call him if they have any questions.

Resolutions were then deliberated upon.

Chairman Greene asked Supervisors for any further thoughts or comments.

Supervisor Callery thanked Chairman Greene, Jon Stead and Board staff for all the communications he has been receiving. He also wanted to thank County employees.

Supervisor Lauria thanked Mark Souza, EMS Coordinator, for all his work. He also wanted to thank Chairman Greene and Mr. Stead and the whole Board.

Supervisor Fagan echoed what Supervisor Callery and Supervisor Lauria commented. He also stated that he hoped we were at the end of this pandemic and not at the beginning. He thanked everyone for all that is being done and looks forward to seeing everyone again.

Supervisors Argotsinger and Kinowski said thanks.

Supervisor Breh thanked Public Health, the Sheriff and first responders.

Supervisor Groff thanked Chairman Greene, Mr. Stead, Department Heads and first responders.

Supervisor Blackmon expressed thanks for the communications that have been sent.

Supervisor Bowman thanked everyone in this trying and difficult time.

Supervisor Vandenburg thanked all County officials and Emergency Management for providing hand sanitizer for her Town. She is also pleased that the County is abiding by the health measures put in place by the CDC.

Supervisor Horton reiterated the same comments from prior Supervisors and that everybody needed to stay safe and get through this quickly.

Supervisor Wilson reiterated what everyone has said and added that a phenomenal job has been done. He also appreciated the communications that have been put out by the Board Office. He also thanked Ms. Stefanik for doing a “stellar” job for officials.

Supervisor Young commented that he was incredibly thankful and grateful for all essential officials. He wanted to thank local government and health people, people in the private sector at grocery stores and individuals doing food delivery. He reminded the Board that next week was National Crime Victims Week and although the whole world is on pause, crimes do not stop. Our thoughts should be with people who are hurt by crimes.

Supervisor Potter expressed to Chairman Greene to “keep up the good work”.

Supervisor Born advised that she echoed the comments on wonderful jobs everyone is doing. She said that it was nice to see yesterday on Easter and the holy season that people in our community have reached out to shut-in’s, etc. and that the church videotaped services. She further advised that all these things mean so much and that our country is resilient, and we will beat this.

Supervisor Howard expressed his thanks and said “God bless you all”.

Supervisor Bradt advised good job and stay safe and keep up the good work.

Supervisor Greene advised that it was very important to try to take a few minutes each day to call a loved one or a friend to stay in touch.

Mr. Stead thanked all Supervisors and said it was nice to see 19 out of 20 participate and this is a very dedicated group. There is always a quorum and overwhelming participation by this Board. He thanked everyone for that. If you have any questions, please give Mr. Stead a call.

Upon a motion by Supervisor Callery, seconded by Supervisor Bowman and unanimously carried, the Board adjourned at 1:48 p.m.

*Certified by:*

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

**Resolution No. 122**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO TRANSFER AND EXPEND MONIES FROM THE CONTINGENT FUND AS NEEDED FOR NOVEL CORONAVIRUS (COVID-19) RESPONSE AND MITIGATION EXPENSES**

WHEREAS, the spread of the Novel Coronavirus (COVID-19) pandemic has caused a public health emergency throughout the United States and indeed the world; and

WHEREAS, said pandemic has resulted in the declaration of State of Emergencies by the President of the United States and by the Governor of New York State (NYS Executive Order 202, dated March 7, 2020); and

WHEREAS, said COVID-19 pandemic has also required the Chairman of the Board of Supervisors to declare a commensurate State of Emergency in Fulton County (SOE Declaration, dated March 16, 2020) in accordance with NYS Executive Law Article 2-B; and

WHEREAS, it is necessary for the Chairman of the Board to have certain authority related to emergency spending during the period of said Novel Coronavirus (COVID-19) pandemic as it presents itself in the Fulton County region; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to transfer and expend monies from A.1000.1990-4907 – EXP - Contingent Fund Expense as needed to respond to the threat posed by Novel Coronavirus (COVID-19) for response and mitigation expenses, effective immediately through June 9, 2020; and, be it further

RESOLVED, That the Chairman of the Board and Administrative Officer/Clerk of the Board shall 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, All Department Heads, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

Total: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Handy)

**Resolution No. 123**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN ACTIONS**

Human Services Committee:

**AUTHORIZING ACCEPTANCE OF ADDITIONAL EMERGENCY PREPAREDNESS GRANT FUNDS (2019-2020)**

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and the New York State Department of Health to accept additional Emergency Preparedness Grant funds, in an amount of \$7,700.00, for the period retroactive to July 1, 2019 through June 30, 2020; and, be it further

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

Revenue

Increase A.4010.4010-3402 – REV – State Aid-Medical Assistance	\$7,700.00
Program Administration	

Appropriation

Increase A.4010.4010-1100-EXP – Overtime	\$6,000.00
Increase A.4010.4010-4530-EXP – Supplies	1,700.00

**AUTHORIZING ADVERTISEMENT FOR BIDS FOR CHILDREN WITH HANDICAPPING CONDITIONS 2020-2021 TRANSPORTATION**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from contractors for the Children with Handicapping Conditions Transportation Program (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, May 13, 2020, at which time and place they will be publicly opened and read; and, be it further

**Resolution No. 123 (Continued)**

Personnel Committee:

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

RESOLVED, That the Personnel Director be and hereby is authorized to waive vacation accrual maximums for all County employees until July 31, 2020.

Public Safety Committee:

AUTHORIZING AN EXTENSION TO A CONTRACT WITH KATHERINE FLINT FOR CONSULTING SERVICES IN THE FULTON COUNTY PROBATION DEPARTMENT

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Katherine Flint, of Gloversville, NY to provide Senior Account Clerk Consulting Services to the Probation Department, at a rate of \$20.10 per hour, not to exceed 15 hours per week for the period April 13, 2020 through May 22, 2020; and, be it further

Public Works Committee:

AMENDING RESOLUTION 71 OF 2020 TO REVISE CONTRACTOR NAME FOR DESIGN AND CONSTRUCTION ANALYSIS SERVICES FOR HIGHWAY DEPARTMENT POLE BARN ADDITION (2020 CAPITAL PLAN)

RESOLVED, Resolution 71 of 2020 that authorized a contract with DM Romeyn Civil Engineering Design, PLLC. of Gloversville, NY to provide Design and Construction Analysis Services related to the Highway Department Pole Barn Addition be and hereby is amended to substitute the firm name to DMR Civil Engineering, PLLC. of Gloversville, NY.

AWARDING BIDS FOR VARIOUS HIGHWAY CONSTRUCTION MATERIALS FOR USE IN THE DEPARTMENT OF HIGHWAYS AND FACILITIES (2020)

RESOLVED, That bids for various Construction Materials and Lubricants for use by the Fulton County Highway Department, as placed on file in the Purchasing Office and identified by specification number below, be and hereby are accepted and awarded, and that the County, towns and villages in Fulton County may purchase the materials needed (when appropriate) from the plant whose bid price, plus hauling cost, indicates that the supplies will be delivered to the job site at the lowest price:

- |                 |   |
|-----------------|---|
| <b>D 3310.1</b> | <b>Acrylic Water Borne Pavement Markings</b><br>Seneca Pavement Marking, Horseheads, N.Y. |
| <b>D 5110.1</b> | <b>Bridge Repair</b><br>R & B Construction, LLC, Amsterdam, NY                            |



**Resolution No. 123 (Continued)**

- D 5110.2**            **Pneumatically Projected Concrete**  
R & B Construction, LLC, Amsterdam, NY
- D 5110.3**            **Ready Mix Concrete**  
Fulmont Ready Mix, Amsterdam, NY  
Millers Ready-Mix Concrete and Block, Mayfield, NY
- D 5110.4**            **Plant Mixed Patching Material**  
Callanan Industries, Inc., Albany, NY; Cushing Stone Co., Inc.,  
Amsterdam, NY; Hanson Aggregates New York LLC,  
Jamesville, NY; Palette Stone Corp., Wilton, NY
- D 5110.5**            **Corrugated Metal & Polyethylene Pipe**  
Advanced Drainage Systems, Inc., Ludlow, MA : Chemung Supply Corp.,  
Elmira, NY; Steel Sales, Inc., Sherburne, NY; Town & County Bridge &  
Rail, Inc., Albany, NY
- D 5110.6**            **Guide Railing**  
Chemung Supply Corp., Elmira, NY; Town &  
County Bridge & Rail, Inc., Albany, NY
- D 5110.7**            **Vegetation Control**  
Allen Chase Enterprises, Oswego, NY
- D 5112.1**            **Coarse Aggregates – Crushed Stone/Crushed Gravel**  
Callanan Industries, Inc., Albany, NY; Carver Sand & Gravel  
LLC, Altamont, NY; Cranesville Block Co., Inc. (Aggregate  
Div), Scotia, NY; Cushing Stone Co., Inc., Amsterdam, NY;  
Delaney, Northville, NY; Hanson Aggregates New York LLC,  
Jamesville, NY; Palette Stone Corp., Wilton, NY; Jointa  
Lime Co., Wilton, NY; Rifenburg General Contractors, Troy, NY  
Pompa, Saratoga Springs, NY
- D 5112.2**            **Asphalt Concrete**  
Callanan Industries, Inc., Albany, NY; Cushing Stone Co, Inc.,  
Amsterdam, NY; Empire Paving, Duanesburg, NY; Hanson Aggregates  
New York LLC, Jamesville, NY; Palette Stone, Wilton, NY; Peckham  
Road Corp., Queensbury, NY; Pompa Brothers, Saratoga Springs, NY
- D 5112.3**            **Hot Mix Paving CR 116 & 116A** - \$62.37 per ton, 9.5 F3 Top Course  
Empire Paving, Duanesburg, NY
- D 5112.3**            **Hot Mix Paving CR 138** - \$59.97 per ton, 9.5 F3 Top Course  
Empire Paving, Duanesburg, NY
- D 5112.3**            **Hot Mix Paving CR 143** - \$63.37 per ton, 9.5 F3 Top Course  
Empire Paving, Duanesburg, NY
- D 5112.4**            **Cold In-Place Recycling Type I**  
Gorman Bros, Inc., Albany, NY; Peckham Road Corp, Queensbury, NY
- D 5112.5**            **Cold Planing**  
Callanan Industries, Inc., Albany, NY; Evolution, Mechanicville, NY  
Kubricky, Wilton, NY; Peckham Road Corp., Queensbury, NY;
- D 5112.6**            **In Place Road Base Stabilization**  
Gorman Bros, Inc., Albany, NY; Peckham Road Corp., Queensbury, NY

**Resolution No. 123 (Continued)**

- D 5112.7**                    **Cold In-Place Recycling – Hammermill Method**  
Bell & Flynn, Inc., Stratham, NH
- D 5112.8**                    **Hot In-Place Asphalt Recycling**  
Highway Rehabilitation Corp, Brewster, NY
- D 5142.1**                    **Abrasives Snow & Ice Control**  
Carver Sand & Gravel, LLC, Altamont, NY; Delaney  
Crushed Rock Products, Inc., Northville, NY; Furman  
Aggregates, Gloversville, NY; Rifenburg, Troy, NY
- DM 5130.1**                 **Lubricants**  
RH Crown Co., Inc., Johnstown, NY;  
BWE , LLC., Manchester, NH

**AUTHORIZING AGREEMENTS BETWEEN THE DEPARTMENT OF HIGHWAYS AND FACILITIES AND CERTAIN TOWN HIGHWAY DEPARTMENTS FOR MOWING OF COUNTY RIGHTS-OF-WAY (2020)**

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign contracts with agreeable towns to provide mowing services to the County of Fulton on the rights-of-way for the above designated County roads as needed during 2020; and, be it further

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

From: D.5010.5110-4620–EXP-Road Maintenance  
To: D.5010.5110-4130–EXP-Contractual  
Sum: \$3,094.00

**AWARDING BID FOR PURCHASE OF A WOOD CHIPPER FOR USE IN THE HIGHWAYS AND FACILITIES DEPARTMENT (2020 CAPITAL PLAN)**

RESOLVED, That the net bid in the amount of \$67,950.00, as submitted by Vermeer All Roads of Castleton, NY for a Wood Chipper for use in the Highways and Facilities Department be and hereby is awarded, as recommended by the Superintendent of Highways and Facilities and Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2020-82-01.

RESOLVED, That said purchase shall be a charge against DM.5130.5130-2010-EXP- Capital Expense.

**Resolution No. 123 (Continued)**

**AWARDING BID FOR EXCAVATOR GRAPPLE BUCKET WITH THUMB ATTACHMENT  
IN THE SOLID WASTE DEPARTMENT (2020 CAPITAL PLAN)**

RESOLVED, That the net bid in the amount of \$23,069.00, as submitted by Monroe Tractor of Latham, NY for an Excavator Grapple Bucket with Thumb Attachment for use in the Solid Waste Department be and hereby is awarded, as recommended by the Solid Waste Director and Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2020-86-01.

RESOLVED, That said purchase shall be a charge against CL.8160.8162-2010.1700 EXP- CL Building Equipment Depreciation Reserve.

**AUTHORIZING SUBMITTAL OF 2019-2020 FEDERAL SECTION 5311 CONSOLIDATED  
TRANSPORTATION GRANT APPLICATION FOR SPONSORS WITH CONTINUING  
AGREEMENTS (COMMUTER BUS RUN TO CAPITAL DISTRICT)**

RESOLVED, That the Chairman of the Board of Supervisors is, be and hereby, authorized to act on the behalf of Fulton County to sign the application and progress and complete the above named project and is authorized to sign any contracts or agreements between Fulton County and any third party subcontractor necessary to complete the public transportation project for Commuter Bus Run to Capital District, subject to the approval of the Fulton County Attorney.

Finance Committee

**APPROVING USER AGREEMENTS BETWEEN THE BOARD OF ELECTIONS AND  
LOCAL SCHOOL DISTRICTS TO USE COUNTY VOTING MACHINES (2020)**

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign User Agreements between the Board of Elections and local school districts for use of the County voting machines for 2020 school board elections; said agreement subject to approval by the County Attorney; and, be it further

RESOLVED, That said school districts will reimburse the Board of Elections for costs associated with preparation and use of said machines at school district polling sites.

**APPROVAL TO EXTEND TAX COLLECTION PERIOD FOR ALL REAL PROPERTY  
TAXES UNTIL MAY 15, 2020**

RESOLVED, That the County Treasurer be and hereby is authorized to extend the tax collection period for all delinquent real property taxes, including 2020 Town and County taxes, prior delinquent taxes, and tax installment payments, until May 15, 2020, with no additional interest or fees charged up to said new due date.

**Resolution No. 123 (Continued)**

APPROVAL TO EXTEND 2018 FORECLOSURE REDEMPTION PERIOD UNTIL MAY 15, 2020

RESOLVED, That the County Treasurer be and hereby is authorized to extend 2018 Foreclosure Redemption Period from March 31, 2020 to May 15, 2020, with no additional interest or fees charged up to said new date; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, All Department Heads, DMR Civil Engineering PLLC, Katherine Flint, All Bidders, All Contracted Towns, NYS Department of Transportation, Statewide Mass Transportation Operating Assistance Program, I. Persch Transit, All Local School Districts, H-F-M BOCES Superintendent, All Town and City Tax Collectors, 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 Handy)

**Resolution No. 124**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN BUDGET AMENDMENTS

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

Sheriff

Revenue

Increase A.3110.3110-2680– REV – Insurance Recoveries \$2,285.00

Appropriation

Increase A.3110.3110-4540 – EXP – Vehicle Maintenance \$2,285.00

and, be it further

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

Seconded by Supervisor VANDENBURGH and adopted by the following vote:

Total: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Handy)