

EIGHTH REGULAR SESSION

Johnstown, NY

August 9, 2021

Roll Call – Quorum Present

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

TOTAL: Present: 17 Absent: 3 (Supervisors Fagan, Potter and VanDenburgh)

Chairman Callery called the meeting to order at 1:00 p.m. He thanked all guests for coming to today's meeting.

Following the Pledge of Allegiance, Chairman Callery asked if there was anyone from the public who wished to address the Board and no one came forward.

PUBLIC HEARINGS/SCHEDULED SPEAKERS

1:15 P.M. PUBLIC HEARING TO RECEIVE COMMENTS REGARDING PROPOSED LOCAL LAW "B" OF 2021 ADJUSTING SALARIES OF ELECTED AND APPOINTED POSITIONS IN THE COUNTY OF FULTON (2022-2023)

1:30 P.M. PUBLIC HEARING REGARDING THE TENTATIVE BUDGET FOR FULTON-MONTGOMERY COMMUNITY COLLEGE AS RELATED TO THE FINANCIAL SHARE AND OBLIGATION OF FULTON COUNTY FOR THE FISCAL YEAR BEGINNING SEPTEMBER 1, 2021, PURSUANT TO CHAPTER 631 OF THE LAWS OF 1965

1:45 P.M. PRESENTATION BY JON R. STEAD, ADMINISTRATIVE OFFICER UNVEILING *DESTINATION: FULTON COUNTY, A STRATEGIC PLAN FOR AMERICAN RESCUE PLAN FUNDS*

UPDATES FROM STANDING COMMITTEES

Finance Committee: Supervisor Argotsinger noted that the 2022-2024 Budget Review meetings start next week and hopes all Standing Committees do their due diligence in preparing the budget.

REPORTS OF SPECIAL COMMITTEES

Inter-County Legislative Committee of the Adirondack's: Supervisor Wilson stated that the Committee had a great meeting on July 22, 2021 at Gore Mountain. He noted that there was a presentation regarding an international winter sporting event that will be held at Gore Mountain and in Lake Placid, NY, January 12-22, 2022. He stated that the event is "one step below the Olympics". Mr. Wilson noted that ESPN will be broadcasting the event. He advised that the State of New York is responsible for lodging and food for the participants.

Mr. Wilson stated that the Committee rode the gondola to the top of Gore Mountain. Afterwards, they rode rail bikes for 7.3 miles and had an enjoyable ride.

Soil and Water Conservation District: Supervisor Horton stated that the special meeting regarding land trust options was held on July 20, 2021. He noted that eight (8) members of the Board of Supervisors attended as well as Administrative Officer Jon Stead. He thanked those who attended. He noted that there was a presentation by a representative from the NYS Department of Agriculture & Markets who spoke about farmland and why they want to protect them through land trusts and easements.

CHAIRMAN'S REPORT

Chairman Callery read a thank you card from recent OTB Scholarship award winner Hailee Waddle.

Mr. Callery also stated that the Budget Review meetings will be held August 16-19, 2021.

RESOLUTIONS

Chairman Callery opened the Public Hearing to receive comments regarding proposed Local Law "B" of 2021 Adjusting Salaries of Elected and Appointed Positions in the County of Fulton at 1:15 p.m. Chairman Callery asked any interested speakers to step to the podium. No one came forward.

No. 257 (Resolution Calling Upon New York State Legislators to Complete and Settle Prior Years' Enhanced Federal Medicaid Assistance Percentage Program (EFMAP) Reconciliation and Compensate Fulton County According to Federal Requirements): Mr. Stead stated that he updated the Finance Committee about this. He noted that he filed a Freedom of Information Law (FOIL) request but has not received a response yet. He noted that municipalities of similar size to Fulton County are owed anywhere from a half a million dollars up to a million dollars. He expressed that the State should be remitting this money regularly to all municipalities. He said that he will keep the Board apprised on the results of the FOIL request.

Chairman Callery again asked if there were any members of the public who wished to make comments regarding proposed Local Law "B" of 2021 Adjusting Salaries of Elected and Appointed Positions in the County of Fulton. There being no other interested speakers, Chairman Callery closed the Public Hearing at 1:25 p.m.

Chairman Callery asked President of the Fulton-Montgomery Community College (FMCC) Dr. Gregory Truckenmiller to come forward and provide a brief presentation on the proposed 2021-2022 FMCC Budget.

Dr. Truckenmiller stated that the proposed FMCC budget is up about 3.7 percent; however, due to COVID grants, the College didn't have to ask for more "County Share" from the sponsoring counties. Supervisor Young asked if enrollment numbers have increased. Dr. Truckenmiller

stated that the numbers are not where he wants them to be, but he expressed that he is hopeful that the enrollment numbers will increase again.

Chairman Callery then opened the Public Hearing to receive comments regarding the Tentative Budget for Fulton-Montgomery Community College as related to the financial share and obligation of Fulton County for the fiscal year beginning September 1, 2021, pursuant to Chapter 631 of the Laws of 1965 at 1:32 p.m. Chairman Callery asked any interested speakers to step to the podium. No one came forward.

PROCLAMATIONS

PROCLAMATION HONORING COUNTY TREASURER EDGAR T. BLODGETT FOR DISTINGUISHED SERVICE TO FULTON COUNTY

WHEREAS, Edgar (“Terry”) Blodgett stepped into his career of service to the County of Fulton on January 1, 2010; and

WHEREAS, Mr. Blodgett retired from the post of County Treasurer on May 7, 2021 with over 11 years of County service; and

WHEREAS, Terry’s terms of office advanced the Treasurer’s goals and contributed to a stable financial condition for Fulton County government, including 1) The introduction of modern electronic tax collection software, 2) Adopting a system to implement electronic credit card payments for property taxes, 3) Implementation of applications within the County’s new Tyler Technologies Financial Management System, 4) Introduction and administration of the new county-wide Hotel Occupancy Tax; and

WHEREAS, Terry was adamant about pursuing an efficient annual tax foreclosure process, including coordination of parcels for Operation Green Scene always sought to promote investment income to benefit County revenues; and

WHEREAS, Terry was a dedicated public servant, committed to helping his community improve its fortunes; and; and

WHEREAS, Terry took great pride in his Office staff, in being the County Treasurer and in working diligently to foster leadership as chief financial officer; and

RESOLVED, That the Board of Supervisors hereby expresses its gratitude to Edgar T. Blodgett for his distinguished service as County Treasurer for the County of Fulton.

Chairman Callery again asked if there were any members of the public who wished to make comments regarding the Tentative Budget for Fulton-Montgomery Community College as related to the financial share and obligation of Fulton County for the fiscal year beginning September 1, 2021, pursuant to Chapter 631 of the Laws of 1965. There being no other interested speakers, Chairman Callery closed the Public Hearing at 1:38 p.m.

Mr. Stead presented a MS PowerPoint presentation regarding *Destination: Fulton County a Strategic Plan for American Rescue Plan Funds* to the Board of Supervisors. (See attached)

He stated that this plan combines three (3) major projects and is expected to make a large impact to the economy here in Fulton County. He stated that Fulton County is in a position to impact the economy by expanding destination tourism right in the Foothills of the Adirondacks.

Mr. Stead stated that Fulton County, through the American Rescue Plan Act, received a prorated portion of grant funds, as did every municipality throughout the country. He stated that County level governments received its money in advance directly from the federal government. He stated that the total ARPA grant amount for Fulton County totals \$10,369,022.00. He noted that the first half of the grant was already received and totaled \$5,184,511.00. Proposed expenditures must be incurred by the end of 2024 and completed by the end of 2026.

He stated that Revenue Loss Replacement is an option allowed by formula in the U.S. Treasury Interim Rule. He stated that the revenue loss from 2019 is calculated in relation to what the municipality expected in 2020. He stated there is a 4.1 percent trend factor in growth of revenues from year to year, so if that 4.1 percent increase wasn't there from 2019 to 2020, then the differential can be claimed as "revenue loss".

Mr. Stead stated that the first major component is the "Route 30/30A Corridor Sewer Project: Phase 1". This project would be an extension of municipal sewer service from the outskirts of Gloversville, up to the Village of Mayfield, which is approximately 7 miles.

Mr. Stead stated that the second component of *Destination: Fulton County* is the "Field of Dreams" Tourism Destination Grant. He stated that the grant would help to build a modern baseball stadium complex for little leaguers. He stated that this grant will propel the overall project forward. He stated that the American Rescue Plan Act was to assist projects where the COVID-19 pandemic affected the progress. Mr. Stead expressed that this grant will boost the project forward and start the Legends Park at Parkhurst Field. When completed, the completed facility will attract thousands of little leaguers and their families to the area each year. A rendering of the "Field of Dreams" was shown to the Board.

Mr. Stead noted that Dave Karpinski of the Parkhurst Field Foundation has been working on the "Field of Dreams" facility and is here in the audience to represent the Foundation.

Mr. Stead stated that the third component is the Great Sacandaga Lake History Museum. He stated that this project would be the construction of a state-of-the-art museum facility with exhibits that showcase the modern engineering marvel that is the Great Sacandaga Lake. Mr. Stead expressed that he hopes that the project will start in 2022 and be finished by 2024 or 2025.

He stated that the façade hasn't been determined yet, but he hopes it will be something "Adirondacky" or something reminiscent of the Lake. Mr. Stead presented concepts of what showcases and display rooms could be featured in the future museum.

Mr. Stead stated that in the early 1990's the Fulton Montgomery Regional Chamber of Commerce hired a company called DCI to study, survey and complete a tourism analysis of our region. He stated that the analysis showed the "shortfall" was that no one saw this as a destination and it was only perceived as a "pass through" on the way to other destinations.

No. 261 (Resolution Adopting the 2021-2022 FMCC Budget): Supervisor Young noted that he would abstain from this Resolution due to his employment at the Fulton-Montgomery Community College.

Upon a motion by Supervisor Bradt, seconded by Supervisor Lauria and unanimously carried, the Board entered Executive Session at 2:11 p.m. to discuss purchase or lease of real estate and pending litigation.

Upon a motion by Supervisor Howard, seconded by Supervisor Lauria and unanimously carried, the Board re-entered into Regular Session at 3:01 p.m.

A motion was offered by Supervisor Lauria, seconded by Supervisor Bradt and unanimously carried to waive the Rules of Order to take action on Late Resolution 1.

Upon a motion by Supervisor Greene, seconded by Supervisor Groff and unanimously carried, the Board adjourned at 3:05 p.m.

Certified by:

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

Resolution No. 229

Supervisor LAURIA offered the following Resolution and moved its adoption:

RESOLUTION IN MEMORY OF FORMER SUPERVISOR LEOPOLD DESJARDINS, JR.

WHEREAS, former Supervisor Leopold DesJardins Jr. passed away on Tuesday, June 22, 2021; and

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

WHEREAS, Mr. DesJardins served the people of Fulton County as a member of this Board of Supervisors from 1978 through 1979; and

WHEREAS, prior to his service as Supervisor, he served as a Councilman for the City of Gloversville; and

WHEREAS, Leo enlisted in the United States Marine Corps in 1944, seeing combat with the First Marine Division in the Pacific Theater in Okinawa; now, therefore be it

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

RESOLVED, That the Board of Supervisors hereby conveys its expression of deepest sympathy to his entire family, including his wife Jean, his children Lee, Alan, Peter, Diane and Gerald, siblings, John, Alan, Lois, Donna and Jean and grandchildren; and, be it further

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

Seconded by SILENT STANDING and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 230

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION DECLARING THE 2021 FULTON COUNTY MICRO-ENTERPRISE GRANT PROGRAM A TYPE II ACTION UNDER SEQRA

WHEREAS, Resolution 86 of 2021 accepted a Community Development Block Grant from the NYS Office of Community Renewal to operate a Fulton County 2021 Micro-Enterprise Grant Program; and

WHEREAS, Resolution 86 of 2021 authorized a contract with Fulton County Center for Regional Growth to administer said program; and

WHEREAS, the Micro-Enterprise Grant program is intended to provide CDBG grants up to \$35,000.00 to small businesses with five or less full-time employees to assist with start-up or expansion costs including purchase of equipment; and

WHEREAS, the purchase of equipment is identified as a Type II Action under 6NYCRR Section 617.5 of SEQRA; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby declares the 2018 New York State Community Development Block Grant (CDBG) to Operate A Micro-Enterprise Grant Program a Type II Action under SEQRA; and, be it further

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

Seconded by BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 231

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACTS BETWEEN THE FULTON COUNTY
COMMUNITY SERVICES BOARD AND CERTAIN INDEPENDENT CONTRACTORS TO
PROVIDE EMERGENCY ON-CALL SERVICES

WHEREAS, Resolution 384 of 2020 authorized contracts between the Fulton County Community Services Board and Independent Contractors for Emergency On-Call Consultants; and

WHEREAS, the Director of Community Services is requesting additional contracts for emergency on-call consultant services to fill scheduling gaps created by recent resignations; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts between the Fulton County Community Services Board and the following consultants for emergency on-call services, effective August 9, 2021 through December 31, 2021, at rates in accordance with the current fee schedule in effect:

Molly Rulison
Leeann Boyer-Deuel

and, be it further

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

RESOLVED, That said contract be subject to further review by the appropriate Committee of this Board of Supervisors in the event of any changes/reductions in State and/or Federal revenues; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Community Services Director, Molly Rulison, Leeann Boyer-Deuel, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by PERRY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 232

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING THE 2020-2021 CHILDHOOD LEAD POISONING
PREVENTION GRANT FROM THE NYS DEPARTMENT OF HEALTH
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, the Fulton County Public Health Director recommends an agreement for acceptance of 2020-2021 Childhood Lead Poisoning Prevention Grant from the NYS Department of Health; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and NYS Department of Health to accept a Childhood Lead Poisoning Prevention Grant, in an amount of \$48,665.00, for the period beginning October 1, 2020 through September 30, 2021; said agreement subject to the approval of the County Attorney; and, be it further

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

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 233

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

RESOLUTION ACCEPTING ADMINISTRATION FOR COMMUNITY LIVING – ADULT PROTECTIVE SERVICES GRANT TO PURCHASE CERTAIN IMMEDIATE NEEDS ITEMS FOR ADULTS SERVED BY THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the Department of Social Services was awarded an Administration for Community Living-Adult Protective Services Grant in the amount of \$20,416.00; and

WHEREAS, the Administration for Community Living-Adult Protective Services Grant funds are allocated to “enhance, improve and expand the ability of Adult Protective Services to investigate allegations of abuse, neglect and exploitation in the context of COVID-19”, and

WHEREAS, the Commissioner of Social Services must submit a plan to receive State approval on certain purchases from April 1, 2021 through May 31, 2022; and

WHEREAS, the Committee on Human Services has determined that Commissioner of Social Services should use said funds to provide immediate needs for adults served in the Social Services Department; now, therefore be it

RESOLVED, That the Administration for Community Living-Adult Protective Services Grant funds be utilized to provide immediate needs for adults served in the Social Services Department in an amount not to exceed \$20,416.00; and, be it further

RESOLVED, That the 2021 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.6010.6010-4610 - REV- Federal Aid - DSS - Administration \$20,416.00

Appropriation:

Increase A.6010.6010-4170 - EXP-Programs \$20,416.00

and, be it further

Resolution No. 233 (Continued)

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

Seconded by HORTON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 234

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

RESOLUTION AUTHORIZING ACCEPTANCE OF 2020-2021 CRIMINAL JUSTICE DISCOVERY REFORM GRANT FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES (DISTRICT ATTORNEY)

WHEREAS, the District Attorney received a 2020-2021 Criminal Justice Discovery Reform Grant from the NYS Division of Criminal Justice Services in the amount of \$131,670.00 to offset local implementation of discovery and bail reforms that took effect January 1, 2020; and

WHEREAS, the District Attorney has proposed to distribute said funds to local agencies as follows:

Fulton County District Attorney	\$ 60,275.00
Fulton County Alternatives to Incarceration	\$ 23,150.00
Fulton County Sheriff's Department	\$ 7,675.00
Gloversville Police Department	<u>\$ 40,570.00</u>
Total	\$131,670.00

now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said 2020-2021 Criminal Justice Discovery Reform Grant from the NYS Division of Criminal Justice Services in the amount of \$131,670.00 to offset local implementation of discovery and bail reforms; and, be it further

RESOLVED, That the 2021 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.1165.1165-3389-REV-State Aid-Other Public Safety	\$131,670.00	
Decrease A.1000.0599-0599-REV-Appropriated Fund Balance		\$91,100.00

Appropriation:

Increase A.1165.1165-4130-EXP- Contractual	\$40,570.00
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RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Sheriff, Citizens in Community Service, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 236

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

RESOLUTION AUTHORIZING PURCHASE OF COMMUNICATIONS EQUIPMENT WITH
2019 NYS INTEROPERABLE COMMUNICATION GRANT FUNDS
(EMERGENCY MANAGEMENT)

WHEREAS, Resolution 250 of 2012 authorized a Memorandum of Understanding to participate in the Adirondack Regional Interoperable Communications Consortium; and

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

WHEREAS, Resolution 187 of 2020 authorized a contract with Motorola Solutions, Inc. for the V-Call/V-Tac Interoperable Communications Project; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator is hereby authorized to purchase the following items listed below with 2019 NYS Interoperable Communications Grant funds:

Installation of Antennae, Sidearms & Cabling/Connectors
(2) 6' Standoffs

and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Civil Defense Director/Fire Coordinator and Mid-State Communications, Oriskany, NY, for installation of the antennae, sidearms, standoffs and associated cabling and connectors, in an amount not to exceed \$5,250.00; and, be it further

RESOLVED, That the 2021 Adopted Budget be and hereby is amended, as follows:

Revenue

Increase H.3640.3097-3397.0956 - REV - State Aid – \$5,250.00
VCALL/VTAC Interop Communications

Appropriation

Increase H.3640.3097-2100.0956 - EXP - VCALL/VTAC \$5,250.00
Interop Communications

and, be it further

Resolution No. 236 (Continued)

RESOLVED, That the Civil Defense Director/Fire Coordinator 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, Civil Defense Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 237

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A 2021-2022 GOVERNOR'S TRAFFIC SAFETY COUNCIL POLICE TRAFFIC SERVICES GRANT (SHERIFF)

WHEREAS, the Sheriff's Office received a 2021-2022 Governor's Traffic Safety Council Police Traffic Services Grant from the NYS Governor's Traffic Safety Board in the amount of \$14,812.00 to offset local police agency's patrol costs; and

RESOLVED, That the Board of Supervisors hereby accepts said 2021-2022 Governor's Traffic Safety Council Police Traffic Services Grant from the NYS Governor's Traffic Safety Board, in the amount of \$14,812.00, for sponsored activities during 2022 to increase seatbelt compliance and reduce dangerous driving; and, be it further

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

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 238

Supervisor BREH offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BIDS FOR FOODSTUFFS AND OTHER SUPPLIES FOR USE
IN THE FULTON COUNTY CORRECTIONAL FACILITY**

RESOLVED, That bids, as submitted and placed on file in the Office of the Purchasing Agent, for the purchase of foodstuffs and other supplies for use by the Fulton County Correctional Facility, effective September 1, 2021 through December 31, 2021, be and hereby are awarded to vendors as follows:

<u>Vendor</u> <u>Estimate</u>	<u>Items</u>	<u>Total</u>	<u>Bid</u>
Ginsberg's Foods Hudson, NY	Refrigerated Foods/Dry Goods	\$26,744.03	
Ginsberg's Foods Hudson, NY	Frozen Goods	\$30,119.93	
Bimbo Foods Albany, NY	Bread and Rolls	\$ 2,549.04	

and, be it further

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

Seconded by BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 239

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISTRIBUTION OF A REQUEST FOR PROPOSALS FOR WATER QUALITY TESTING SERVICES AT THE FULTON COUNTY LANDFILL (2022-2024)

WHEREAS, Resolution 439 of 2018 authorized a three-year contract for Testing of Wells at the Fulton County Sanitary Landfill three times per year, per NYSDEC Regulations, and said contract expires on December 31, 2021; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Works, the Purchasing Agent be and hereby is authorized and directed to distribute a Request for Proposals for Water Quality Testing of Wells located at the Fulton County Landfill and other testing services, for a contract period of 2022 through the year 2024; and, be it further

RESOLVED, That such proposals must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, September 22, 2021, 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 proposals; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Budget Director/County Auditor and Purchasing Agent.

Seconded by BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 240

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

RESOLUTION RECLASSIFYING THE POSITION OF RECYCLING COORDINATOR
FROM 35 HOURS PER WEEK TO 40 HOURS PER WEEK

WHEREAS, the Solid Waste Recycling Coordinator is set to retire on August 13, 2021; and

WHEREAS, the Recycling Coordinator position is currently 35 hours per week and the Solid Waste Director recommends establishing a 40 hour work week beginning August 14, 2021 to match all other employee positions in the Solid Waste Department; and

WHEREAS, the Committees on Public Works, Personnel and Finance have evaluated the service needs of the Solid Waste Department and recommend changing the Recycling Coordinator hours from 35 hours per week to 40 hours per week, effective August 14, 2021; now, therefore be it

RESOLVED, That effective August 14, 2021 or upon its next vacancy, the Recycling Coordinator position (Union Job Group P-4 \$21.22; 2021 permanent rate: \$24.97 per hour) 35 hours per week, be and hereby is reclassified to Recycling Coordinator (Union Job Group P-4a \$21.22; 2021 permanent rate: \$24.97 per hour) to 40 hours per week in the Solid Waste Department; and, be it further

RESOLVED, That the Solid Waste Director is hereby granted authority to fill said next vacancy effective, August 14, 2021; and, be it further

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

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

Seconded by PERRY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 241

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

RESOLUTION AUTHORIZING A CONTRACT WITH CRANE SEAL COATING FOR
PAVEMENT SEALING AND MARKING SERVICES AT THE FULTON COUNTY
VISITOR'S CENTER

WHEREAS, the 2022 Capital Plan includes seal coating of the Fulton County Visitor's Center parking lot; and

WHEREAS, due to accelerated deterioration and higher repair costs, the Superintendent of Highways and Facilities recommends contracting with Crane Seal Coating at a cost not to exceed \$8,900.00 to perform the work in 2021, rather than 2022; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Works and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Highways and Facilities Department and Crane Seal Coating, at a cost not to exceed \$8,900.00; and, be it further

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

From: A.1000.1990-4907-EXP-Contingent Fund Expense
To: A.1620.1631-4030 - EXP- Repairs
Sum: \$8,900.00

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

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

Seconded by GODERIE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 242

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

RESOLUTION AUTHORIZING A RENEWAL AGREEMENT WITH THE UNIFIED COURT SYSTEM FOR CLEANING COURT AREAS IN THE COUNTY OFFICE BUILDING (2021-2022)

WHEREAS, Resolution 275 of 2020 authorized a renewal agreement between Fulton County and the NYS Unified Court System for cleaning and minor repairs in court areas located in the County Office Building, effective April 1, 2020 through March 31, 2021; and

WHEREAS, said Resolution passage was contingent upon final approval of proposed Chapter 686 projects by the Board of Supervisors on an annual basis; 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 a renewal agreement between the County of Fulton and the NYS Unified Court System for cleaning and minor repairs, at a proposed budget for service not-to-exceed \$130,474.00, effective April 1, 2021 through March 31, 2022; and, be it further

RESOLVED, That the 2021 Adopted Budget be and hereby is amended as follows:

Revenue:

Decrease A.1000.0599-0599 - REV - Appropriated Fund Balance	\$49,474.00
Increase A.1620.1620-3021 – REV – State Aid - Court Facilities	\$49,474.00

and, be it further

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

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

Seconded by BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 243

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

RESOLUTION AUTHORIZING A MUNICIPAL SNOW AND ICE AGREEMENT
BETWEEN THE COUNTY OF FULTON AND NYS DEPARTMENT OF
TRANSPORTATION FOR SNOW AND ICE CONTROL ON STATE ROUTE 309 IN THE
TOWNS OF BLEECKER AND JOHNSTOWN

WHEREAS, New York State Department of Transportation (NYSDOT) owns and is responsible for the snow and ice control on State Route 309 in the Towns of Bleeker and Johnstown from the Gloversville city line to County Route 112 in the Town of Bleeker; and

WHEREAS, NYSDOT has contacted the Fulton County Superintendent of Highways and requested the County’s assistance in plowing State Route 309 in the Towns of Bleeker and Johnstown from the Gloversville city line to County Route 112 in the Town of Bleeker during future winter seasons; and

WHEREAS, the Superintendent of Highways and Facilities recommends contracting with NYSDOT for Fulton County to provide snow and ice control on the aforementioned section of state highway; and

WHEREAS, the Superintendent proposes the purchase of certain brine application equipment to carry out said work in the most efficient manner as follows:

(2)	Truck-mounted Saddle Tank Sets	\$12,000.00
(1)	Stationary Brine Storage Tank (4,000 gallons)	\$ 4, 000.00

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign an Agreement with NYSDOT to provide snow and ice control during future winter seasons for State Route 309 in the Towns of Bleeker and Johnstown from the Gloversville city line to County Route 112 in the Town of Bleeker as summarized herein; and, be it further

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

RESVOLVED, the Superintendent of Highways and Facilities is hereby authorized to purchase the equipment items listed herein from 2021 Budget appropriations; and, be it further

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

From: DM.5130.5130-2010 - EXP- Capital Expense
To: DM.5130.5130-2000 - EXP- Equipment – Fixed Asset
Sum: \$6,000.00

Resolution No. 243 (Continued)

From: DM.5130.5130-4580 - EXP- Gas – Fuel
To: DM.5130.5130-2000 - EXP- Equipment – Fixed Asset
Sum: \$10,000.00

and, be it further

RESOLVED, That the 2021 Adopted Budget be and hereby is amended as follows:

Revenue:

Decrease D.1000.0599-0599 - REV - Appropriated Fund Balance \$30,000.00

Appropriation:

Increase D.5010.5142-3589 - REV- State Aid - Other Transportation \$30,000.00

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

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 244

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION RENEWING PROPERTY AND LIABILITY INSURANCE FOR 2021-2022
FOR COUNTY DEPARTMENTS**

WHEREAS, Fulton County holds certain property and liability insurance policies through the New York Municipal Insurance Reciprocal, a self-owned cooperative insurance pool; and

WHEREAS, the County holds other specialized liability and property insurance through private insurance carriers; now, therefore be it

RESOLVED, That the insurance policies be renewed and/or purchased for 2021-2022 through NBT/Mang Agency, broker-of-record for the County, as follows:

POLICY/COVERAGE	RENEWAL PREMIUM
NYMIR Property	\$ 56,109.90
NYMIR Boiler & Machinery	8,604.20
NYMIR General Liability	76,019.63
NYMIR OCP	550.00
NYMIR Auto	70,162.40
NYMIR Public Officials Liability	34,424.50
NYMIR Law Enforcement Liability	67,311.20
NYMIR Inland Marine	33,584.10
NYMIR Healthcare General Liability	3,015.26
NYMIR Healthcare Professional Liability	59,526.24
NYMIR Excess Catastrophe Liability	17,128.10
NYMIR Fire Fee	254.94
NYMIR Motor Vehicle Fee	980.00
NYMIR Municipal Crime	3,778.50
ACE: Airport Liability-With TRIA	6,275.00
Total Estimated Premium:	\$437,723.97

and, be it further

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

Seconded by WILSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 245

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF THE NYS
BOARD OF ELECTIONS EARLY VOTING EXPANSION GRANT FOR 2021-2022
(BOARD OF ELECTIONS)

WHEREAS, in recent months, the NYS Legislature has enacted several laws altering procedures for elections in New York State, including additional early voting mandates; and

WHEREAS, the Board of Elections Commissioners have requested permission to apply for and accept a 2021-2022 NYS Board of Elections Early Voting Expansion Grant, in the amount of \$17,731.14; and

WHEREAS, said Early Voting Expansion Grant was created by the State of New York to assist in early voting by reimbursing local governments for eligible costs related to equipment, staffing and poll site expenses in each county's early voting plan; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for, and authorize acceptance of a NYS Board of Elections Early Voting Expansion Grant, in an amount of \$17,731.14, to be used for reimbursement of costs related to Early Voting; and, be it further

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

RESOLVED, That the Board of Elections Commissioners are directed to return to the Board of Supervisors with a plan to appropriate the \$17,731.14 in grant proceeds once said grant is awarded; and, be it further

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

Seconded by BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 246

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF THE NYS
BOARD OF ELECTIONS TECHNOLOGY INNOVATION AND ELECTION RESOURCE
(TIER) GRANT FOR 2021-2023 (BOARD OF ELECTIONS)

WHEREAS, the Board of Elections Commissioners have requested permission to apply for and accept a 2021-2023 NYS Board of Elections Technology Innovation and Election Resource (TIER) Grant, in the amount of \$51,049.30; and

WHEREAS, said Technology Innovation and Election Resource (TIER) Grant was created by the State of New York to reimburse county Boards of Elections for expenses related to software upgrades, technology upgrades and equipment; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for, and authorize acceptance of a NYS Board of Elections Technology Innovation and Election Resource (TIER) Grant, in an amount of \$51,049.30, to be used for reimbursement of actual expenses related to software upgrades, technology upgrades and equipment; and, be it further

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

RESOLVED, That the Board of Elections Commissioners are directed to return to the Board of Supervisors with a plan to appropriate the \$51,049.30 in grant proceeds once said grant is awarded; and, be it further

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 247

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION REVISING THE PAY SCHEDULE FOR ELECTION INSPECTORS
(BOARD OF ELECTIONS)

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

WHEREAS, Resolutions 400 of 2006, 68 of 2011, 345 of 2016 and 226 of 2019 revised said pay schedule; resulting in the current Pay Rate Schedule as follows:

General Election	\$200.00
Inspector School	25.00
Primary Election	200.00
Village Election (12:00 p.m.-9:00 p.m.)	125.00
Early Voting (8 hours)	100.00
Early Voting (5 hours)	75.00
Election Day Chairperson	25.00

now, therefore be it

RESOLVED, That effective January 1, 2022, the Pay Rate Schedule for Elections Inspectors be, and hereby is, as follows:

New Rate Schedule

General Election Day (6:00 a.m. – 9:00 p.m.)	\$ 256.00
Primary Election Day (6:00 a.m. – 9:00 p.m.)	256.00
Village Election (12:00 p.m.-9:00 p.m.)	160.00
Early Voting Day (8 hours)	144.00
Early Voting Day (5 hours)	96.00
Inspector School	32.00
Inspector Election Day	25.00
Election Day Chairperson	25.00

and, be it further

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

Resolution No. 247 (Continued)

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

Seconded by GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 248

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH TYLER TECHNOLOGIES FOR THE CAD/RMS UPGRADE PROJECT TO ADD A NEW MODULE AND A NEW REPORTING FORM

WHEREAS, the 2019 Capital Plan included a CAD/RMS Upgrade for the Sheriff's E911 Dispatch Center at a cost of \$850,000.00; and

WHEREAS, Resolution 300 of 2019 authorized a contract with Tyler Technologies for purchase of Public Safety/CAD/RMS and Mobile Data System Software and Installation for a total cost not-to-exceed \$748,140.00; and

WHEREAS, the Information Technology Director has recommended amending the contract to include certain new components and forms; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract amendment with Tyler Technologies of Troy, Michigan for the Public Safety/CAD/RMS and Mobile Data System Project including new components as follows:

Out-of-Band (OOB) AVL	\$8,700.00
NYS Domestic Incident Response (DIR) form	<u>2,320.00</u>
	\$11,020.00

said amendment subject to approval by County Attorney; and, be it further

RESOLVED, That the Information Technology Director shall return to the Board of Supervisors with additional amendments to said Tyler Technologies contract to maintain the total contract amount at the original level; and, be it further

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

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 249

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH FRONTIER COMMUNICATIONS
FOR DEDICATED INTERNET ACCESS AT THE FULTON COUNTY AIRPORT**

WHEREAS, the Planning Director and Information Technology Director recommend a contract with Frontier Communications for installation of 100 MB internet connection to provide dedicated internet access for the Fulton County Airport; and

WHEREAS, said installation will provide reliable Internet service to the Airport facility to support County utility management, Fixed Base Operator Systems and onsite businesses such as AirMed Medical Transport; now, therefore be it

RESOLVED, That the Information Technology Director be and hereby is authorized to sign a contract for installation of Dedicated Internet Access of 100 MB internet connection with Frontier Communications, of Gloversville, NY, in an amount not to exceed \$2,500.00 for use at the Fulton County Airport; and, be it further

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

From: A.1000.1990-4907 - EXP- Contingent Fund Expense
To: A.1680.1680-4130 - EXP- Contractual
Sum: \$2,500.00

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

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

Seconded by BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 250

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPORTIONING 2022 WORKERS' COMPENSATION
INSURANCE PROGRAM EXPENSES

RESOLVED, That the Report of the Committee on Workers' Compensation Insurance (Finance), dated July 29, 2021, be accepted and the recommendations contained therein be carried out for the year 2022; and, be it further

RESOLVED, That the respective amounts apportioned to the various municipalities or public corporations of Fulton County be adopted as the act and determination of the Board and that they be assessed, levied and collected the same as other charges; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Committee on Workers' Compensation Insurance, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

THE REPORT OF THE COMMITTEE ON COMPENSATION INSURANCE

Your Committee on Compensation Insurance (Finance and Administration) to whom was referred the report of the County Treasurer on Claims paid pursuant to Article 5 of the Workers' Compensation Law, report that they have examined same and believe same to be correct and recommend that said report be printed in the minutes.

Your Committee further reports that pursuant to said Law, they do hereby certify that the County Treasurer, as Custodian of Compensation Insurance Funds, estimates expenditures in the sum of \$1,317,830 (less revenues of \$142,000.00), which they have apportioned to each Town, the Villages of Broadalbin, Mayfield, Northville and Cities of Johnstown and Gloversville, and the County of Fulton. 35% of the proportion that its full valuation bears to the aggregate valuation of the participating municipal corporation and 65% of a five-year experience, in accordance with said law, and an additional assessment to those municipalities having volunteer ambulance corps at an amount of \$400 per ambulance:

	2022		(2016-2020)	35%	65%
	<u>Total Approp.</u>	<u>Full Valuation</u>	<u>5-Yr. Exp.</u>	<u>Full Valuation</u>	<u>5-Yr. Exp.</u>
Bleecker	\$ 5,963.71	\$ 109,136,023.00	\$ 1,687.57	\$ 5,670.24	\$ 293.47
Broadalbin	\$ 44,317.75	\$ 453,914,247.57	\$ 119,230.41	\$ 23,583.45	\$ 20,734.30
Broadalbin (V)	\$ 4,757.06	\$ 76,101,791.73	\$ 4,618.29	\$ 3,953.93	\$ 803.13
Caroga	\$ 14,735.20	\$ 267,659,600.00	\$ 4,765.64	\$ 13,906.45	\$ 828.75
Ephratah	\$ 12,449.61	\$ 100,808,347.83	\$ 41,472.05	\$ 5,237.57	\$ 7,212.04
Johnstown	\$ 49,945.74	\$ 519,693,810.77	\$ 131,940.84	\$ 27,001.08	\$ 22,944.66
Mayfield	\$ 105,845.57	\$ 570,710,239.02	\$ 438,144.85	\$ 29,651.68	\$ 76,193.89
Mayfield (V)	\$ 3,049.34	\$ 49,664,464.52	\$ 2,696.87	\$ 2,580.35	\$ 468.99
Northampton	\$ 33,634.04 400.00*	\$ 424,046,932.26	\$ 66,718.18	\$ 22,031.67	\$ 11,602.37
Northville (V)	\$ 7,423.02	\$ 97,953,245.16	\$ 13,420.23	\$ 5,089.23	\$ 2,333.79
Oppenheim	\$ 8,105.83	\$ 121,493,378.85	\$ 10,313.64	\$ 6,312.28	\$ 1,793.55
Perth	\$ 48,649.94	\$ 271,081,216.33	\$ 198,766.44	\$ 14,084.23	\$ 34,565.71
Stratford	\$ 5,963.42	\$ 113,179,368.04	\$ 477.88	\$ 5,880.32	\$ 83.10
Gloversville (C)	\$ 176,512.65	\$ 401,691,353.00	\$ 895,005.51	\$ 20,870.17	\$ 155,642.48
Johnstown (C)	\$ 118,981.78	\$ 495,216,607.45	\$ 536,238.19	\$ 25,729.35	\$ 93,252.43
	\$ -				
Fulton County (Gen. Fund)	\$ 535,495.34	\$ 3,848,631,124.12	\$ 1,929,468.82	\$ 199,958.50	\$ 335,536.84
TOTAL APPROP.	\$ 1,175,830.00 \$ 400.00 \$ 1,176,230.00	\$ 7,920,981,749.65 0.000051955744	\$ 4,394,965.41 0.173901141124	\$ 411,540.50 \	\$ 764,289.50 / \$ 1,175,830.00

Resolution No. 251

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:

Highways & Facilities:

- 1 – Simplex (Time Clock) (0004292)
- 1 – Simplex (Time Clock) (0006136)
- 1 – Simplex (Time Clock) (0006411)

Probation:

- 1 – HP Computer Monitor (No number)
- 1 – HP Printer (0004867)
- 1 – Rolling Metal Stand for Printer (No Number)
- 1 – Desk Chair (7621A110128)

Treasurer:

- 1 – Black Office Chair (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, Superintendent of Highways and Facilities, Solid Waste Director, Probation Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 252

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A THREE YEAR CONTRACT WITH SAX/BST FOR
COUNTY AUDIT SERVICES AND PREPARATION OF
ANNUAL FINANCIAL STATEMENTS (2021-2023)

WHEREAS, Resolution 323 of 2015 authorized a three year contract with SAX/BST for County Audit Services and Preparation of Annual Financial Statements for 2015, 2016 and 2017; and

WHEREAS, Resolution 536 of 2018 authorized a three year contract with SAX/BST for County Audit Services and Preparation of Annual Financial Statements for years 2018, 2019 and 2020; and

WHEREAS, the County Treasurer, Administrative Officer and County Auditor and Committee on Finance recommend extending a three (3) year contract to the firm, based upon its performance; and

WHEREAS, the Committee on Finance recommends contracting with SAX/BST for County Audit Services and preparation of Annual Financial Statements for 2021, 2022, and 2023; now, therefore be it

RESOLVED, That upon the recommendation of the County Treasurer and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a contract with SAX/BST for County audit services and preparation of annual financial statements for audit years 2018, 2019, and 2020, in accordance with the firm’s proposal as follows:

	<u>2021</u>	<u>2022</u>	<u>2023</u>
Audit of County’s Financial Statements	\$41,500.00	\$42,500.00	\$43,500.00
Federal Single Audit	<u>16,000.00</u>	<u>16,500.00</u>	<u>15,000.00</u>
Total	\$57,500.00	\$59,000.00	\$58,500.00

and, be it further

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

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

Seconded by BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 253

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING TRANSFER OF COUNTY-OWNED PARCEL TO LOWELL AND JOAN MONTGOMERY TO CORRECT A 2009 FORECLOSURE ERROR

WHEREAS, Fulton County obtained a parcel on Riceville Road in the Town of Mayfield in 2009 (SBL 119.7-1-8; sub-lots 23 and 24) through the County property tax foreclosure; however, the wrong parcel number was used to reference the taking; and

WHEREAS, said error was not discovered and was carried on in subsequent annual tax rolls; and

WHEREAS, a recent survey of said property shows that a major portion of Lowell and Joan and Montgomery's house was built on parcel 119.7-1-8 which parcel erroneously labeled as County-owned; and

WHEREAS, the County Attorney has reviewed the error and resulting problem created by it and recommends that the County of Fulton file a deed to grant the subject property located at parcel 119.7-1-8 back to Lowell and Joan Montgomery as the only fair solution; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to file a deed to grant parcel 119.7-1-8 on Riceville Road in the Town of Mayfield back to Lowell and Joan Montgomery; and, be it further

RESOLVED, That the Real Property Tax Services Agency and County Attorney do each and every other thing necessary to further the purport of this Resolution; and, be it further

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

Seconded by GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 254

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SALE OF TAX FORECLOSED PROPERTY AT 93
FREMONT STREET (SBL #149.6-18-18) IN THE CITY OF GLOVERSVILLE TO
ADJACENT PROPERTY OWNER STEVEN AND SHELLY RIACH
(TREASURER'S OFFICE)

WHEREAS, delinquent tax parcel (SBL #149.6-18-18) is a vacant Operation Greene Scene property at 93 Fremont Street in the City of Gloversville owned by County of Fulton; and

WHEREAS, the County Treasurer has been contacted by adjacent home owners Steven and Shelly Riach regarding said parcel; who expressed an interest in purchasing the parcel for the amount of \$400.00 plus filing fees; and

WHEREAS, Mr. and Mrs. Riach have expressed interest in improving the vacant parcel to be used in conjunction with their adjacent parcels; and

WHEREAS, due to impacts of the COVID-19 pandemic, the Governor has issued Executive Orders suspending the annual tax foreclosure and auction process; and

WHEREAS, the Treasurer and Committee on Finance recommend that this parcel be removed from the annual auction process and sold to said adjacent owner in this unique instance to reduce any further costs being incurred by the County; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to sell said parcel (SBL #149.6-18-18) in the City of Gloversville to Steven and Shelly Riach for the sum of \$400.00 plus any filing fees; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Real Property Tax Services Agency, City of Gloversville, Steven and Shelly Riach, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by GODERIE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 255

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SALE OF TAX FORECLOSED PROPERTY AT 424 SOUTH MAIN STREET (SBL #149.17-5-15) IN THE CITY OF GLOVERSVILLE TO ADJACENT PROPERTY OWNER PAULINE AND IAN PITCAVAGE (TREASURER'S OFFICE)

WHEREAS, delinquent tax parcel (SBL #149.17-5-15) is a vacant Operation Greene Scene property at 424 South Main Street in the City of Gloversville owned by County of Fulton; and

WHEREAS, the County Treasurer has been contacted by adjacent home owners Pauline and Ian Pitcavage regarding said parcel; who expressed an interest in purchasing the parcel for the amount of \$1,000.00 plus filing fees; and

WHEREAS, Mr. and Mrs. Pitcavage have expressed interest in improving the vacant parcel to be used in conjunction with their next-door residence; and

WHEREAS, due to impacts of the COVID-19 pandemic, the Governor has issued Executive Orders suspending the annual tax foreclosure and auction process; and

WHEREAS, the Treasurer and Committee on Finance recommend that this parcel be removed from the annual auction process and sold to said adjacent owner in this unique instance to reduce any further costs being incurred by the County; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to sell said parcel (SBL #149.17-5-15) in the City of Gloversville to Pauline and Ian Pitcavage for the sum of \$1,000.00; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Real Property Tax Services Agency, City of Gloversville, Pauline and Ian Pitcavage, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 256

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE TREASURER TO REFINANCE EXISTING LEASE-PURCHASE AGREEMENTS WITH MUNICIPAL LEASING CONSULTANTS, INC. RELATED TO SMARTWATT ENERGY PERFORMANCE CONTRACTS IN 2014 AND 2015

WHEREAS, Resolution 151 of 2014 authorized an Energy Performance contract with Smartwatt Energy, Inc. for Energy Conservation Projects at County Facilities and a lease-purchase agreement in the amount of \$1,218,905.71 at an interest rate of 3.16 percent; and

WHEREAS, Resolution 43 of 2015 authorized an Energy Performance contract with Smartwatt Energy, Inc. for a Heating Boiler and Domestic Hot Water System Replacement Project at the Correctional Facility and a lease-purchase agreement in the amount of \$244,089.46 at an interest rate of 3.16 percent; and

WHEREAS, the County Treasurer recommends refinancing both said lease agreements to take advantage of available lower rates at a new proposed interest rate of 2.07 percent that will result in an estimated savings of \$32,932.64; now, therefore be it

RESOLVED, That upon the recommendation of the County Treasurer and Committee on Finance, the Chairman of the Board be and hereby is authorized to execute a new lease-purchase agreement with Municipal Leasing Consultants, Inc. for an 8 year lease term at an interest rate of 2.07 percent, subject to the approval of the County Treasurer; lease payment to be budgeted annually in the County's operating budget; and, be it further

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

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 257

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION CALLING UPON NEW YORK STATE LEGISLATORS TO COMPLETE
AND SETTLE PRIOR YEARS' ENHANCED FEDERAL MEDICAID ASSISTANCE
PERCENTAGE PROGRAM (EFMAP) RECONCILIATION, AND COMPENSATE FULTON
COUNTY ACCORDING TO FEDERAL REQUIREMENTS**

WHEREAS, New York State established the Affordable Care Act (ACA) and the federal government created the enhanced Federal Medical Assistance Percentage (eFMAP) for certain Medicaid program expenditures; and

WHEREAS, it is written into the ACA statute as a requirement that, of the enhanced federal share of Medicaid that went to state governments, a proportionate share shall be paid to counties in states where they pay a portion of Medicaid costs, such as New York State; and

WHEREAS, the NYS Department of Health (DOH) manages these federal reimbursements by adjusting each county's required weekly contribution to the cost of the Medicaid program; however, counties have not received these reconciliation amounts since State fiscal year 2015-16; and

WHEREAS, it is anticipated that the amount owed to Fulton County is several hundred thousand dollars; now, therefore be it

RESOLVED, That the Board of Supervisors is calling upon NYS Legislators to comply with federal law as established in the 2010 Affordable Care Act and reimburse the taxpayers of Fulton County that the NYS DOH has stipulated is owed to the taxpayers of Fulton County as well as determine and calculate the eFMAP reconciliation amount for SFY 2020-2021 and release the funds due to the County of Fulton; and, be it further

RESOLVED, That certified copies of this Resolution be forward to the County Treasurer, Governor Andrew Cuomo, Senate Majority Leader Andrea Stuart-Cousins, Senate Minority Leader Robert Ort, Senator James Tedisco, Assembly Speaker Carl Heastie, Assembly Minority Leader William Barclay, Assemblyman Robert Smullen, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 258

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:

Sheriff

From: A.3110.3110-4580 – EXP – Fuel (Sheriff’s Dept)
To: A.3110.3112-4580 – EXP – Fuel (Civil Office)
Sum: \$600.00

Public Health

From: A.4010.4010-1000 – EXP - Payroll
To: A.4010.4010-4100 – EXP - Advertising
Sum: \$12,000.00

and, be it further

RESOLVED, That the 2021 Adopted Budget be and hereby is amended as follows:

Assigned Counsel

Revenue

Increase A.1171.1171-3025 – REV – State Aid – Indigent Legal Services Fund \$26,000.00

Appropriation

Increase A.1171.1171-4130 – EXP – Contractual \$26,000.00

Sheriff

Revenue:

Decrease A.1000.0599-0599 - REV - Appropriated Fund Balance \$95,792.00
Increase A.3110.3150-2260 - REV- Public Safety Services- Other Governments \$155,792.00

Appropriation:

Increase A.3110.3150-4530-EXP-Supplies \$50,000.00
Increase A.3110.3150-4590-EXP-Cleaning Supplies \$10,000.00

and, be it further

Resolution No. 258 (Continued)

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

Seconded by KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 259

Supervisor KINOWSKI offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW 2 OF 2021 ADJUSTING SALARIES OF ELECTED AND APPOINTED POSITIONS IN THE COUNTY OF FULTON (2022-2023)

WHEREAS, a proposed Local Law 2 of 2021 entitled, "LOCAL LAW ADJUSTING SALARIES OF ELECTED AND APPOINTED POSITIONS IN THE COUNTY OF FULTON FOR 2022-2023" has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, said proposed Local Law 2 authorizes an increase to the salaries of positions identified therein by 3.5 percent for 2022; effective January 1, 2022 and 3.0 percent for 2023; effective January 1, 2023; and

WHEREAS, a public hearing was held on August 9, 2021, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law 2, 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 in accordance with NYS Law, said local law is subject to permissive referendum; 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, Personnel Director, All Department Heads, NYS Secretary of State, General Code Publishers, Budget Director/County Auditor, Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

1/1/22 - 1/1/23 DEPARTMENT HEAD SALARIES
(1/1/22 - 3.5%; 1/1/23 - 3%)

3.50%

3.00%

JOB GROUP	POSITION	1/1/2021 MINIMUM SALARY	1/1/2021 MAXIMUM SALARY	1/1/2021 ACTUAL SALARY	1/1/2022 MINIMUM SALARY	1/1/2022 MAXIMUM SALARY	1/1/2022 ACTUAL SALARY	1/1/2023 MINIMUM SALARY	1/1/2023 MAXIMUM SALARY	1/1/2023 ACTUAL SALARY
D-1	Director of Veterans Service Agency	\$45,224	\$67,705	\$51,640	\$46,807	\$70,075	\$53,447	\$48,211	\$72,177	\$55,050
	Director of Weights & Measures			\$53,021			\$54,877			\$56,523
	Fire Coordinator/Civil Defense Director			\$56,635			\$58,617			\$60,376
D-2	Budget Director/County Auditor	\$56,464	\$86,037	\$80,435	\$58,440	\$89,048	\$83,250	\$60,193	\$91,719	\$85,747
	Director of Information Technology			\$86,037			\$89,048			\$91,719
	Director of Personnel			\$70,991			\$73,476			\$75,680
	Director of Real Property Tax Svc Agency			\$59,508			\$61,591			\$63,439
D-3	Administrative Officer/Clerk of the Board	\$70,514	\$123,120	\$103,015	\$72,982	\$127,429	\$106,621	\$75,171	\$131,252	\$109,820
	Commissioner of Social Services			\$93,426			\$96,696			\$99,597
	Director of Office for the Aging ¹			\$71,379			\$73,877			\$76,093
	Director of Solid Waste Management (40 hrs)			\$104,315			\$107,966			\$111,205
	Planning Director			\$87,011			\$90,056			\$92,758
	Probation Director (Group A)			\$80,936			\$83,769			\$86,282
	Public Defender			\$123,120			\$127,429			\$131,252
	Public Health Director (40 hrs)			\$89,478			\$92,610			\$95,388
	Superintendent of Highways & Facilities			\$97,456			\$100,867			\$103,893
	Director of Community Services			\$102,674			\$106,268			\$109,456
	ELECTED OFFICIALS (NO LONGEVITY)									
D-3	County Clerk (Fixed for Term)			\$78,364			\$81,107			\$83,540
	County Treasurer (Fixed for Term)			\$79,853			\$82,648			\$85,127
	Sheriff (Fixed for Term)			\$86,901			\$89,943			\$92,641

REMARKS:

1) Reso 392 (11/13/12) Established stipend of \$4,000/year effective 1/1/13; assigned duties of Youth Bureau Director.

Resolution No. 260

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

RESOLUTION ENDORSING *DESTINATION: FULTON COUNTY*, A STRATEGIC PLAN FOR AMERICAN RESCUE PLAN FUNDS

WHEREAS, the federal American Rescue Plan Act (ARPA) was approved by Congress and signed into law by the President in March 2021; and

WHEREAS, the ARPA created the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Program with the stated intention of providing “support to state, territorial, local, and tribal governments in responding to the economic and public health impacts of COVID-19 and in their efforts to contain impacts on their communities, residents, and businesses”; and

WHEREAS, The County of Fulton was awarded \$10,369,022.00 in direct federal SLFRF funds by said ARPA enactment; and

WHEREAS, in fitting with SLFRF criteria, the Strategic Plan- *Destination: Fulton County* launches three (3) key initiatives that, when taken together, will be a major boost to the local economy:

- Route 30/30A Corridor Sewer Project: Phase I
- “Field of Dreams” Tourism Destination Grant
- Great Sacandaga Lake History Museum

and,

WHEREAS, the *Fulton County Vision 2026 Development Strategy* identified the major goal “Building a Strong Economy and Stable Tax Base by Enhancing Tourism”, including the following steps: 1) Develop additional historic, cultural and entertainment venues. 2) Leverage the Great Sacandaga Lake’s attractiveness; now, therefore be it

RESOLVED, That the Board of Supervisors hereby endorses “*Destination: Fulton County, A Strategic Plan For American Rescue Plan Funds*” to spur new growth in the tourism, hospitality and retail business sectors; and, be it further

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

Seconded by WILSON and adopted by the following vote:

TOTAL: Ayes: 456 (16) Nays: 25 (1) (Supervisor Young)
Absent: 70 (3) (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 261

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING THE 2021-2022 FMCC BUDGET

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented the sponsoring counties with a 2021-2022 budget request, proposing a total FMCC budget of \$17,922,395.00; and

WHEREAS, a public hearing related to the adoption of said FMCC Budget was held on August 9, 2020 and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That the several amounts reflecting the share to be appropriated by Fulton County be and the same hereby are appropriated for the objects and purposes specified below, to become effective September 1, 2021:

Fulton County Sponsor Share:	\$ 1,545,821.00
Revenues and Montgomery County Share:	<u>16,376,574.00</u>
Total FMCC Operating Budget	\$17,922,395.00

and, be it further

RESOLVED, That the share and obligation of the County of Fulton shall be included in the Fulton County Budget for 2022, as provided for in Section 6304 of the Education Law of the State of New York; and, be it further

RESOLVED, That the Board of Supervisors hereby directs the FMCC Board of Trustees to prepare a final 2021-2022 College budget in accordance with the sums appropriated herein; and, be it further

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

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

Seconded by BRADT and adopted by the following vote:

TOTAL: Ayes: 456 (16) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 70 (3) (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 262

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

**RESOLUTION AUTHORIZING FINAL NEGOTIATION AND PURCHASE OF PROPERTY
(GREAT SACANDAGA LAKE HISTORY MUSEUM) (2021 CAPITAL PLAN)**

WHEREAS, as part of a comprehensive plan to broaden economic growth in the County, the Board of Supervisors has endorsed creating a Great Sacandaga Lake History Museum to be a major tourism destination; and

WHEREAS, the Administrative Officer, Planning Director and County Attorney have negotiated the purchase of a 35 +/- acres parcel with excellent criteria for siting of the Museum at a negotiated price of \$520,000.00; and

WHEREAS, the Economic Development and Environment Committee, Finance Committee and Capital Projects Committee have endorsed using federal American Rescue Plan Act funds for this initiative; and

WHEREAS, inasmuch as ARPA funds expenses must be advanced within the next three years, the Capital Projects Committee has recommended advancing this project (Phase I) in the 2021 Capital Plan; and

WHEREAS, the Committees on Economic Development, Finance and Capital Projects have recommended this Resolution as the next important step in conjunction with a multi-year process in the County Capital Plan; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to execute a real estate purchase agreement, in the amount of \$520,000.00, with property owner Richard E. Smith, et al for identified tax parcel 31.2-1-10; same being approximately 35 +/- acres, more or less, for the purpose of creating a Great Sacandaga Lake History Museum; and, be it further

RESOLVED, That said purchase agreement shall be made, including the immediate payment of a \$1,000.00 Deposit with the balance of \$519,000.00 payable at closing subject to approval of the County Attorney; and, be it further

RESOLVED, That the 2021 Capital Plan be and hereby is amended to include a capital project Great Sacandaga Lake History Museum in the amount of \$600,000.00; and, be it further

Resolution No. 262 (Continued)

RESOLVED, That the 2021 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A.1000.4089-4089-REV-Federal Aid-General Government Aid \$520,000.00

Appropriation:

Increase A.1000.1940-2010-EXP- Capital Improvements \$520,000.00
(A.0688.2021 – Other Liabilities – American Recovery Act)

and, be it further

RESOLVED, That the Administrative Officer, Planning Director and County Attorney do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forward to the County Treasurer, County Attorney, Richard E. Smith, Planning Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 456 (16) Nays: 25 (1) (Supervisor Young)
Absent: 70 (3) (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 263

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

RESOLUTION AUTHORIZING FINAL NEGOTIATION AND PURCHASE OF PROPERTY
FOR RELOCATION OF THE EMERGENCY MANAGEMENT OFFICE
(2021 CAPITAL PLAN)

WHEREAS, the Emergency Management Office operations and responsibilities have expanded over the last several years, including broader management of homeland security programs, hazard mitigation, radio communications infrastructure and Board of Supervisors' creation of an Emergency Medical Services (EMS) division; and

WHEREAS, the Civil Defense Director/Fire Coordinator has discussed the need for more office space with specialized areas to accommodate staff offices, conference room and EOC facilities with the Committee on Public Safety and has submitted a proposed capital project for said purpose; and

WHEREAS, a .47 acre parcel, including an office building and co-located garage meets most of the goals of the capital project proposal and is available for purchase; and

WHEREAS, the property owner has committed to sell the property to the County for a sale price of \$375,000.00, with the option to purchase parking area adjacent to the building for an additional \$25,000.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to execute a real estate purchase agreement, in the amount of \$400,000.00, with property owner Townsend Leather Co. Inc. (dba Stitchery Realty, LLC) of Johnstown, NY for identified tax parcel 162.16-20-10.1; same being approximately .47 acres, more or less, located at 231 N. Perry Street in the City of Johnstown; and, be it further

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

RESOLVED, That upon the recommendation of the Committees on Public Safety, Finance and Capital Projects, the 2021 Capital Plan be and hereby is amended to include the purchase of an office building and real property located at 231 N. Perry Street in the City of Johnstown (SBL #162.16-20-10.1), at a cost not to exceed \$400,000.00 to house the Fulton County Emergency Management Office; and, be it further

Resolution No. 263 (Continued)

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

From: A-0883.0800 - Capital Improvements Reserve
To: A-0909 - Unreserved Fund Balance
Sum: \$400,000.00

RESOLVED, That the 2021 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A.1000.0511-0511 - REV - Appropriated Reserve \$400,000.00

Appropriation:

Increase A.1000.1940-2010.1200 - EXP- Capital Improvements \$400,000.00

and, be it further

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

RESOLVED, That certified copies of this Resolution be forward to the County Treasurer, County Attorney, Civil Defense Director, Townsend Leather Co., Inc. (dba Stitchery Realty, LLC), Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

Resolution No. 264

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT TO
AN ACTION RELATING TO THE OPIOID CRISIS**

WHEREAS, there is pending the matter of County of Suffolk v. Purdue Pharma L.P., et al., under Index No, 400001/2017 in the Supreme Court, Suffolk County regarding the opioid addiction crisis, in which the County of Fulton is named plaintiff in the action (the “Action”); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica, Inc. (“J & J”) based on claims that J & J contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and generally through various “front groups” and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in Fulton County; and

WHEREAS, J & J has offered to settle the County of Fulton’s claims against it by paying the sum of between approximately \$115,143.21 (Worst Case Scenario Value) and \$268,718.38 (Best Case Scenario Value) over ten (10) years to be used for restitution and abatement and agreeing to not manufacture, sell or promote opioids; and

WHEREAS, the Department of Law has approved a settlement agreement and release (“Agreement”) and the Agreement is attached hereto as Exhibit “A”; and

WHEREAS, it is in the best interest of the County of Fulton to resolve this matter with respect to J & J without further litigation and enter into the proposed Agreement as it shall settle all allegations against J & J and avoid protracted litigation; now, therefore be it

RESOLVED, that the execution and delivery on behalf of and in the name of the County of Fulton by the County Executive, or his designee, of the proposed Agreement attached hereto as Exhibit “A” is hereby authorized, and the County Executive, or his designee, is hereby authorized, subject to County Attorney approval, and directed to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with J & J; and, be it further

Resolution No. 264 (Continued)

RESOLVED, That this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Section 617.5(c)(26) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collections, and the Fulton County Planning Department is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Planning Director, NYS Association of Counties, Simmons Hanly Conroy, LLC, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisor Fagan, Potter and VanDenburgh)

