

THIRD REGULAR SESSION

Johnstown, NY

March 11, 2019

Roll Call – Quorum Present

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

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

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

Chairman Wilson then asked Mr. Stead for the reading of the Reports on the Regular Agenda and the Late Communications and Reports on the Late Agenda.

REPORTS

- A. 2018 Annual Report, Fulton County Industrial Development Agency
- B. 2018 Annual Report, Fulton County Real Property Tax Service Agency

LATE COMMUNICATIONS:

- L-1 Communication from Adirondack Park Local Government Review Board
Subj: Resolution In Support of Snowmobiling and Increasing Snowmobile Trail Miles in the Adirondacks (2019) (Supervisors Groff and Lauria requested a copy)
- L-2 Communication from Adirondack Park Local Government Review Board
Subj: Resolution No. 2 of 2019 – Urging Adirondack Intercounty, AOT, NYCOM, NYSAC, and NYS to Come Together with a Plan to Provide Cell Coverage for All Adirondack Residents and Visitors (Supervisors Blackmon, Greene, Groff, Lauria, Perry, Wilson and Young requested a copy)
- L-3 Communication from Town of Arietta
Subj: Resolution No. 2 of 2019 – Imploring AATV, Adirondack Intercounty, AOT, NYCOM, NYSAC, and NYS to Come Together with a Plan to Provide Cell Coverage for All Adirondack Residents and Visitors

LATE REPORTS:

- L-A 2018 Annual Report, Fulton County Planning Board
- L-B 2017-18 Audited Financial Statements, Fulmont Community Action Agency, Inc.
- L-C 2018 Annual Report, Fulton County Soil & Water Conservation District

UPDATES FROM STANDING COMMITTEES

(No updates)

REPORTS OF SPECIAL COMMITTEES

Adirondack Government: Supervisor Selmsler advised that he attended a meeting on February 27 in Minerva, NY. The meeting centered around APA discussions. He explained that New York State is pushing for electric vehicle charging stations at all state campsites. Other topics discussed were cell towers and continued issues with snowmobile trails. There was also a discussion on invasive species and he found out that the state has millions of dollars budgeted to combat this. He further advised that the Town of Caroga has submitted a grant to the state for funding for this issue.

Soil and Water Conservation District Board: Supervisor Greene advised that the District Board met on February 12. He further advised that their 2018 Annual Report has been submitted and everyone should have received a copy in their mailbox. Also, that Soil and Water has met all their performance measures per the state and will be receiving funding in an amount over \$88,000.00.

CHAIRMAN'S REPORT

Chairman Wilson advised that he has been in constant contact with Emergency Management Director Steven Santa Maria regarding the ambulance issues in Fulton County, but there is no new information to report.

RESOLUTIONS

No. 86 (Resolution Supporting Passage of the U.S.-Mexico-Canada Agreement (USMCA): Supervisor Young advised that there has been good progress on this subject; however, he would like to see more generic prescription drugs available from Canada so the big drug companies do not profit.

No. 95 (Resolution Opposing the Governors Proposed Elimination of Medicaid Cross-Over Coverage Payments for Part B Co-Insurance): Supervisor Young advised that this subject was discussed during the Human Services Committee Meeting that was held on February 27 before the announcement that JAVAC was going to close. He said this is important because ambulance companies are getting less and less reimbursement.

No. 101 (Resolution Amending the 2019 Capital Plan to Substitute the Purchase of an All-Wheel Drive SUV Instead of a Sedan for Use in the Sheriff's Department): Supervisor Callery questioned why this was not brought up during the discussion of the 2019 Capital Plan.

Mr. Stead, Administrative Officer, explained that once the Sheriff's Department Investigators realized that the current SUV (Chevy Tahoe) was being moved for some other use and they would be without a SUV, the Sheriff requested the purchase of an SUV in place of a sedan. The Sheriff also advised that there was savings that could be utilized for this purchase of a SUV with no increase to the department budget.

Upon a motion by Supervisor Potter, seconded by Supervisor Callery and unanimously carried, the Committee entered into Executive Session at 1:19 p.m. to discuss employment history.

Upon a motion by Supervisor Howard, seconded by Supervisor Breh and unanimously carried, the Committee re-entered into Regular Session at 1:33 p.m.

Chairman Wilson opened the Public Hearing to receive comments regarding Local Law “A” of 2019, entitled, “A Local Law Amending Local Law No. 1 of 1987 to Delete Part-Time Designation from the Title of Public Defender” at 1:34 p.m.

Chairman Wilson asked if there was anyone present who wished to comment regarding proposed Local Law “A”. There being no public speakers who wished to address the Board, Chairman Wilson announced that he would keep the public hearing open for a portion of the Board Meeting.

No. 110 (Resolution Opposing the Proposed and Amended 2020 Executive State Budget Impacting Aid and Incentives to Municipalities and State Cost Shifts to Counties): Supervisor Lauria advised that he was “upset” because the Governor imposes a 2 percent tax cap but wants to cripple counties by cutting the Aid and Incentives to Municipalities (AIM) funding.

Supervisor Fagan commented that town and cities cannot keep under that State Tax Cap when the Governor keeps imposing new mandates on the County. Towns have to balance their budgets by cutting spending.

Supervisor Greene asked where was the tax relief that was promised for unfunded mandates when the Governor keeps adding new ones.

Supervisor Young commented that the Governor’s proposal reminds him of people who go into debt by saying they will use their tax refund to pay for something over and over again.

Supervisor Born advised that all New York Counties should unite together against this issue and send a message to the Governor that “we are not happy with him”.

Chairman Wilson again asked if there were any members of the public who wished to make comments regarding Local Law “A” of 2019, entitled, “A Local Law Amending Local Law No. 1 of 1987 to Delete Part-Time Designation from the Title of Public Defender”. There being no speakers, Chairman Wilson closed the Public Hearing at 1:45 p.m. and moved forward with the remainder of the Resolutions.

No. 122 (Resolution Approving Sale of (113 Washing Street and 12 Elk Street, Gloversville) to the City of Gloversville): Supervisor Young advised that there are “exciting plans” for these two properties. He attended a workshop over the weekend regarding the plans for updating the parks.

Supervisor Born advised that these properties are in her ward and it has been a long time coming because so many of the buildings have been allowed to deteriorate and this will be a big improvement for the area.

PROCLAMATION

**RECOGNIZING THE DEDICATED
EFFORTS OF FIRST RESPONDERS
DURING THE WINTER OF 2018-19**

WHEREAS, the Fulton County region is blessed to have many dedicated first responders whose service safeguards the health and safety of its residents; and

WHEREAS, the commitment of these first responders, as volunteers, paid staff, auxiliary, support professionals, emergency managers and others, is often overlooked until an emergency occurs; and

WHEREAS, several events during the winter of 2018-19, including weather emergencies, fires, accidents, and EMS coverage issues, have tested the community's first responders; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby recognizes all first responders for their excellent performance meeting the challenges of 2018-19 head-on; and, be it further

RESOLVED, That the Board offers its sincere appreciation to all those working to maintain public safety and public health in times of need.

Upon a motion by Supervisor Fagan, seconded by Supervisor Groff and unanimously carried, the Committee entered into Executive Session at 2:00 p.m. to discuss the proposed acquisition, sale or lease of real property.

Upon a motion by Supervisor Fagan, seconded by Supervisor Callery and unanimously carried, the Committee re-entered into Regular Session at 2:18 p.m.

Upon a motion by Supervisor Callery, seconded by Supervisor Howard and unanimously carried, the Committee adjourned at 2:19 p.m.

Certified by:

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

Resolution No. 86

Supervisor KINOWSKI offered the following Resolution and moved its adoption:

**RESOLUTION SUPPORTING PASSAGE OF THE U.S.-MEXICO-CANADA AGREEMENT
(USMCA)**

WHEREAS, in 2018, U.S. Trade Representatives negotiated a new trade agreement to rebalance and modernize the North American Free Trade Agreement (NAFTA) that took effect in 1994; and

WHEREAS, while NAFTA was a well-intended attempt to create a “free trade zone” for the U.S., Mexico and Canada, many of its provisions harmed U.S. labor and wages to the benefit of lesser economies, particularly Mexico; and

WHEREAS, the USMCA includes provisions to address some of the inequities that resulted from NAFTA, including intellectual protection for U.S. companies, tariff protections and increased market access for farmers and better enforceable labor standards for workers in other countries; and

WHEREAS, rebalancing the terms and conditions originally contained in NAFTA is in the best interest of residents and businesses of New York and the United States in general; now, therefore be it

RESOLVED, That the Board of Supervisors hereby supports passage of the U.S.-Mexico-Canada Agreement and urges its representatives in Congress to pursue swift ratification; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Senator Charles Schumer, Senator Kirsten Gillibrand, Congresswoman Elise Stefanik, Governor Cuomo, Senator James Tedisco, Assemblyman Robert Smullen, Fulton Montgomery Chamber of Commerce, Fulton County Center for Regional Growth, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 498 (17) Nays: 31 (2) (Supervisors Rice and Young)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 87

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

RESOLUTION AUTHORIZING A CONTRACT WITH ENVIRONMENTAL DESIGN PARTNERSHIP (EDP) TO PREPARE A MAP, PLAN AND REPORT FOR CREATION OF A WATER DISTRICT AND A MAP, PLAN AND REPORT FOR CREATION OF A SEWER DISTRICT IN THE VICINITY OF JOHNSTOWN TOWN HALL (SMART WATERS)

WHEREAS, Resolution 213 of 2013 authorized a contract with Environmental Design Partnership LLP (EDP) to prepare a model for a Fulton County “SMART Waters” System; and

WHEREAS, Environmental Design Partnership’s 2014 “SMART Waters” Findings Report, commissioned by the Board of Supervisors, concluded that it was feasible for the County to develop a regional water and wastewater system in Fulton County; and

WHEREAS, Resolution 48 of 2018 authorized a “SMART Waters” Memorandum of Agreement between the County of Fulton, City of Johnstown Common Council and Johnstown Water Board; and

WHEREAS, inasmuch as municipal water and sewer infrastructure is already installed in the vicinity of Johnstown Town Hall, the Supervisor of the Town of Johnstown has requested that the Board of Supervisors evaluate the feasibility of establishing County water and sewer districts in the area; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between Fulton County and Environmental Design Partnership of Clifton Park, New York, to prepare Maps, Plans and Reports for proposed creation of a County water district and creation of a County sewer district in the vicinity of Johnstown Town Hall at a cost not to exceed \$17,000.00; and, be it further

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

RESOLVED, That said cost be charged to H.8020.8397-2100.0775 – EXP – SMART Waters II; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Environmental Design Partnership, Town of Johnstown, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

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

Resolution No. 88

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE LEASE
OF TWO FRONT WHEEL DRIVE SEDANS FOR USE IN THE
DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the current lease of two (2) sedans for use in the Department of Social Services will expire on May 15, 2019; now, therefore be it

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

RESOLVED, That such bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, April 3, 2019; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

Resolution No. 89

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION RE-APPROPRIATING TRANSPORTATION INITIATIVE FUNDS IN THE
2019 ADOPTED BUDGET (SOCIAL SERVICES)

WHEREAS, Resolution 341 of 2018 Authorized a Contract with Fulmont Community Action Agency for Wheels to Work Program utilizing 100 percent NYS Transportation Initiative Funds; and

WHEREAS, Fulmont Community Action Agency services did not reach the \$16,125.00 in 2018 for said program; and

WHEREAS, the Commissioner of Social Services has requested that the unexpended balance of grant funds be re-appropriated for use in 2019, now, therefore be it

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

Revenue Account:

Increase A.6010.6010-4610-REV-Federal Aid – DSS - Administration \$8,500.00

Appropriation Account:

Increase A.6010.6010-4170 EXP-Programs \$8,500.00

and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

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

Resolution No. 90

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION SUPPORTING PROPOSED 2019-2020 NYS BUDGET PROPOSAL
APPROPRIATING ADDITIONAL FUNDING TO ADDRESS WAITING LISTS FOR OFA
IN-HOME SERVICES**

WHEREAS, the Fulton County Board of Supervisors recognizes the value of the services provided by the Fulton County Office for the Aging; and

WHEREAS, it is noted that such services, in partnership with community based organizations, have demonstrated their efficacy in helping older New Yorkers maintain autonomy and independence as well as reducing Medicaid expenses; and

WHEREAS, it has been proven that these services reduce hospitalization, reduce emergency room visits, are critical to a safe discharge from institutional care and are instrumental in preventing and delaying skilled nursing facility placement; and

WHEREAS, State and federal funds have not been able to keep pace with local needs for services and flexibility in service provision; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors supports Governor Cuomo's 2019-2020 State Budget proposal investing an additional \$15 million into the New York State Office for the Aging budget with the intent of targeting unmet needs across New York State; and, be it further

RESOLVED, That copies of this Resolution be forwarded to the County Treasurer, Governor Cuomo, Senator James Tedisco, Assemblyman Robert Smullen, Association on Aging in New York, New York State Association of Counties, OFA Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor RICE and adopted by the following vote:

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

Resolution No. 91

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION REVISING THE SLIDING FEE SCALE FOR LEAD TESTING CLINICS
AND IMMUNIZATIONS CLINICS IN THE PUBLIC HEALTH DEPARTMENT**

WHEREAS, the Federal government has increased the established “Poverty Levels” by regulation; and

WHEREAS, said mandated changes require corresponding alterations to the Sliding Fee Scales for Lead Testing and Immunization Clinics; now, therefore be it

RESOLVED, That effective January 11, 2019, the sliding fee scale for Lead Testing Clinics be revised in accordance with the newly revised poverty levels and schedules on file in the Public Health Department and Board of Supervisors' Office; and, be it further

RESOLVED, That all other sliding fee scale for lead testing clinics heretofore established be rendered null and void; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which may further the purport of this Resolution.

Seconded by Supervisor GREENE and adopted by the following vote:

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

Resolution No. 92

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ACCEPTANCE OF 2019-2020 RABIES GRANT FROM
THE NYS DEPARTMENT OF HEALTH (PUBLIC HEALTH DEPARTMENT)**

WHEREAS, the NYS Department of Health has offered grant funds for rabies clinic in the Public Health Department; 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 the NYS Department of Health for Rabies grant funds, in an amount not to exceed \$6,270.00, for the period April 1, 2019 through March 31, 2020; 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 Supervisor PERRY and adopted by the following vote:

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

Resolution No. 93

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2019-2020 IMMUNIZATION GRANT
FUNDS FROM THE NYS DEPARTMENT OF HEALTH
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, the NYS Department of Health has offered grant funds for immunization services in the Public Health Department; 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 the NYS Department of Health for Immunization Action Plan grant funds, in an amount not to exceed \$31,050.00, for the period April 1, 2019 through March 31, 2020; 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 Supervisor LAURIA and adopted by the following vote:

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

Resolution No. 94

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

RESOLUTION AUTHORIZING THE USE OF NORTH COUNTRY DSRIP FUNDS TO PURCHASE CERTAIN EQUIPMENT FOR USE IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, Resolution 40 of 2019 authorized acceptance of Adirondack Health Institute (AHI) Delivery System Reform Incentive Payment (DSRIP) engagement funds in the amount of \$29,052.00 for use in the Public Health Department; and

WHEREAS, said funding constitutes reimbursement to the Public Health Department for completing work tasks related to “P4P” (Pay for Performance) during 2019; and

WHEREAS, the Public Health Director and Information Services Director have proposed to use said Engagement funds to purchase necessary equipment, and supplies for use by the Public Health Department as follows:

<u>Item</u>	<u>Cost</u>
Learning Management Systems (emPower Solutions)	\$ 400.00
Bus Wrap Advertising (Gloversville Transit)	1,250.00
Public Health App (OCV, LLC)	13,995.00
Professional Media for Advertising	4,079.00
Supplies (incentives for events)	5,000.00
Books	1,123.00
Tote Bags	1,880.00
First Aid Folder Kits	1,102.00
Vinyl sign for bus wrap (Rooney Signs)	100.00
Displays2Go for Spin Wheel	<u>123.00</u>
Total	\$29,052.00

now, therefore be it

RESOLVED, That the Public Health Director be and hereby is authorized to purchase the above-listed equipment, supplies and services with said Engagement Funds in an amount not to exceed \$29,052.00; and, be it further

Resolution No. 94 (Continued)

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

Revenue:

Increase A.4010.4010-2770 – REV – Other Unclassified Revenues \$29,052.00

Appropriation:

Increase A.4010.4010-4130 – EXP – Contractual	\$19,724.00
Increase A.4010.4010-4530 – EXP – Supplies	9,328.00

and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

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

Resolution No. 95

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION OPPOSING THE GOVERNOR’S PROPOSED ELMINATION OF MEDICAID
CROSS-OVER COVERAGE PAYMENTS FOR PART B CO-INSURANCE**

WHEREAS, Governor Cuomo, in his 2019-2020 Executive State Budget proposal, has proposed to eliminate Medicaid “crossover” payments for Medicare Part B coinsurance for dual-eligible low income and elderly residents; and

WHEREAS, this proposed cut will have a drastic negative effect on health care for poor, elderly and infirm New Yorkers; and

WHEREAS, this ill-advised proposal will also seriously harm access to ambulance services, particularly in rural and suburban areas of the state, by cutting reimbursement to an industry that is already struggling with low reimbursement rates; and

WHEREAS, any budget savings will be overshadowed by the devastating effects that will result for health care and emergency medical services throughout the state; now, therefore be it

RESOLVED, That the Board of Supervisors hereby opposes the elimination of Medicaid “crossover” payments for Medicare Part B coinsurance as proposed by Governor Cuomo in his 2019-20 Executive State Budget; and, be it further

RESOLVED, That the Board calls upon the Governor and state Legislators to restore said funding in any final Budget in the best interest of the citizens of New York State; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Cuomo, Senator Tedisco, Assemblyman Smullen, Fulton Montgomery Chamber of Commerce, All Counties, NYSAC, New York State Association of Towns, New York State Conference of Mayors, Nathan Littauer Hospital President, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor SELMSER and adopted by the following vote:

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

Resolution No. 96

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION WAIVING THE RESIDENCY RULE FOR HIRE OF EMERGENCY SERVICES DISPATCHERS IN THE SHERIFF'S DEPARTMENT

WHEREAS, the Sheriff is experiencing difficulty filling Emergency Services Dispatcher positions in the Sheriff's Department; and

WHEREAS, the Sheriff requests that applicants who are not residents of Fulton County be considered; and

WHEREAS, after careful review of the hiring procedure utilized, the Committees on Public Safety and Personnel recommend waiving the County's "Residency Rule" to allow the hiring of Emergency Services Dispatchers from Fulton County and/or contiguous counties; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for the hire of full-time and per diem Emergency Service Dispatchers in the Sheriff's Department; and, be it further

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

Seconded by Supervisor HANDY and adopted by the following vote:

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

Resolution No. 97

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

RESOLUTION AUTHORIZING GRANT AGREEMENT WITH THE
NYS CRIME VICTIMS BOARD FOR THE 2018-2019 VICTIM ASSISTANCE PROGRAM
(DISTRICT ATTORNEY)

WHEREAS, Resolution 423 of 2017 accepted a grant from the NYS Crime Victims Assistance Program in the amount of \$111,715.03 with a County Contribution of \$9,593.76 and In-Kind Services Contribution of \$18,335.00; and

WHEREAS, the County of Fulton has been notified that it will receive Crime Victim Assistance Program grant monies, in an annual amount of \$116,183.63 effective October 1, 2018 through September 30, 2019, with a cost breakdown as follows:

NYS Crime Victims Board Reimbursement:	\$116,183.63
County Contribution:	9,285.91
Third Party Existing Paid Resources/In-Kind Svcs	<u>19,760.00</u>
TOTAL	\$145,229.54

and,

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign a contract with the New York State Crime Victims Board, for a total grant of \$116,183.63 for the above-named period; local share to be provided in the amount of \$9,285.91 from current budgetary line items and in-kind and third-party contributions not to exceed \$19,760.00, for a total program cost of \$145,229.54; such program contingent upon approval of said contract by the New York State Comptroller's Office and the County Attorney; and, be it further

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

Seconded by Supervisor PERRY and adopted by the following vote:

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

Resolution No. 98

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

RESOLUTION AUTHORIZING APPLICATION FOR A 2019-2020 DCJS LEGISLATIVE GRANT (SHERIFF'S DEPARTMENT)

WHEREAS, Fulton County has been receiving DCJS Legislative Grants for the past two (2) years through the efforts of Senator James Tedisco; and

WHEREAS, the Sheriff is requesting permission to apply for said DCJS Legislative Grant funds for the period of October 2019 – September 2020; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a legislative grant application with DCJS, in an amount between \$20,000.00 to \$25,000.00; and, be it further

RESOLVED, That the Sheriff prepare a plan to describe the use of said grant funds for presentation and approval by resolution of the Board of Supervisors; and, be it further

RESOLVED, That the Sheriff 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 Supervisor GREENE and adopted by the following vote:

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

Resolution No. 99

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

RESOLUTION AUTHORIZING APPLICATION FOR 2019-2020 GOVERNOR’S TRAFFIC SAFETY COMMITTEE GRANT (SHERIFF’S DEPARTMENT)

WHEREAS, the Sheriff desires to submit an application to the Governor’s Traffic Safety Committee for a 2019-2020 Police Traffic Services Grant to support overtime for Sheriff’s patrols related to “Buckle Up NY” and School Zones Safety enforcement during the grant cycle of October 1, 2019 through September 30, 2020; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the Chairman of the Board be and hereby is authorized to sign and submit an application to the Governor’s Traffic Safety Committee for Police Traffic Services grant funds; now, therefore be it

RESOLVED, That if said grant application is successful, the Sheriff shall return to the Board of Supervisors for acceptance and appropriation of any grant proceeds; and, be it further

RESOLVED, That the Sheriff 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, Traffic Safety Board, Governor’s Traffic Safety Committee, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

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

Resolution No. 100

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

RESOLUTION RE-APPROPRIATING CERTAIN 2017-2018 NEW YORK STATE LETPP GRANT FUNDS FOR THE SHERIFF'S DEPARTMENT

WHEREAS, Resolution 377 of 2018 authorized application and acceptance of a Law Enforcement Terrorism Prevention Program Grant in the amount of \$24,244.00; and

WHEREAS, the Sheriff was unable to expend all fund within 2018, leaving an unspent balance in the amount of \$16,816.14; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committees on Public Safety and Finance, the Sheriff be and hereby is authorized to expend 2017-2018 NYS LETPP Grant Funds to purchase the items identified below, for a total cost of \$16,816.14, as follows:

- In-Car Camera Computer Server
- Ballistic Shields
- Breaching Equipment

and, be it further

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

Revenue:

Increase A.3110.3645-3306-REV-State Aid-Homeland Security \$16,817.00

Appropriation:

Increase A.3110.3645-2000-EXP-Equipment-Fixed Asset \$16,817.00

and, be it further

RESOLVED, That the Sheriff is hereby directed to carry out said purchases expeditiously and complete all grant requirements in 2019; and, be it further

Resolution No. 100 (Continued)

RESOLVED, That the Sheriff 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, Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

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

Resolution No. 101

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

RESOLUTION AMENDING THE 2019 CAPITAL PLAN TO SUBSTITUTE THE PURCHASE OF AN ALL-WHEEL DRIVE SUV INSTEAD OF A SEDAN FOR USE IN THE SHERIFF'S DEPARTMENT

WHEREAS, the 2019 Capital Plan includes funding for two (2) Dodge Charger Sedans for use in the Sheriff's Department at a combined cost of \$89,445.00; and

WHEREAS, after further consideration, the Sheriff has now requested to purchase an All-Wheel Drive SUV for use by the Investigation Unit, rather than a Dodge Charger Sedan; and

WHEREAS, the Committees on Public Safety and Finance have reviewed said substitute and concur with it; now, therefore be it

RESOLVED, That the 2019 Capital Plan be and hereby is amended to substitute the purchase of an All-Wheel Drive Sport Utility Vehicle (SUV) for the purchase of one (1) Dodge Charger Sedan, at a cost not to exceed \$33,500.00; and, be it further

RESOLVED, That the County Treasurer and Sheriff 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 Supervisor RICE and adopted by the following vote:

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

Resolution No. 102

Supervisor BREH offered the following Resolution and moved its adoption:

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

WHEREAS, the Sheriff's Department has recommended the public sale of rear seats from a 2018 Ford Explorer; and

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

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

Rear Seats (2018 Ford Explorer)

and, be it further

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

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

Seconded by Supervisor PERRY and adopted by the following vote:

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

Resolution No. 103

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

RESOLUTION RECLASSIFYING A PART-TIME FIFTH ASSISTANT PUBLIC DEFENDER POSITION TO FULL-TIME IN THE PUBLIC DEFENDER'S OFFICE

WHEREAS, the Committees on Personnel, Public Safety and Finance have evaluated the service needs of the community and the impending requirements being extended by the NYS ILS Commission and recommend changing the Fifth Assistant Public Defender position from part-time to full-time; now, therefore be it

RESOLVED, That effective April 1, 2019, the part-time Fifth Assistant Public Defender position (Non-Union Part-time, 20 hours per week, 2019 salary: \$41,018.00) be and hereby is reclassified to full-time, 35 hours per week, including benefits (Non-Union Job Group A/T-12, 2019 starting salary: \$73,250.00, one-year permanent rate: \$86,176.00); and, be it further

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

Seconded by Supervisor SELMSER and adopted by the following vote:

TOTAL: Ayes: 424 (14) Nays: 105 (5) (Supervisors Blackmon, Callery, Howard Lauria, and Potter) Absent: 22 (1) (Supervisor Waldron)

Resolution No. 104

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

RESOLUTION AMENDING THE 2019 ADOPTED BUDGET TO INCLUDE CAFA GRANT FUNDS (PUBLIC DEFENDER’S OFFICE)

WHEREAS, following the landmark “Hurrell-Harring” legal settlement by the State of New York, the NYS Indigent Legal Services Commission (ILS) has embarked on a set of measures to bring each County into compliance with the court-ordered settlement guidelines; and

WHEREAS, Resolution 421 of 2018 authorized Acceptance of a Counsel at First Appearance Grant from the NYS Office of Indigent Legal Services in the amount of \$211,640.00; and

WHEREAS, the Public Defender was directed to return to the Board of Supervisors with appropriate budget amendments for anticipated expenses related to establishing a reliable countywide plan to provide legal counsel to any defendant at any occasion of first arraignment; now, therefore be it

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

Revenue:

Increase A.1170.1170-3026-REV-State Aid-Public Defender \$211,640.00

Appropriation:

Increase A.1170.1170-1000 – EXP – Payroll	\$143,250.00
Increase A.1170.1170-1100 – EXP – Overtime	35,040.00
Increase A.1170.1170-4090 – EXP – Professional Services	10,000.00
Increase A.1170.1170-4530 – EXP – Supplies	3,350.00
Increase A.1170.1170-8000 – EXP – State Retirement	15,000.00
Increase A.1170.1170-8100 – EXP – Social Security	5,000.00

and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 501 (18) Nays: 28 (1) (Supervisor Potter) Absent: 22 (1) (Supervisor Waldron)

Resolution No. 105

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

RESOLUTION AUTHORIZING USE OF YEAR 1 INDIGENT LEGAL SERVICES GRANTS FOR CASELOAD REDUCTION, QUALITY IMPROVEMENT AND COUNSEL AT FIRST APPEARANCE TO PURCHASE CERTAIN EQUIPMENT AND FURNISHINGS FOR THE PUBLIC DEFENDER’S OFFICE

WHEREAS, following the landmark “Hurrell-Harring” legal settlement by the State of New York, the NYS Indigent Legal Services Commission (ILS) has embarked on a set of measures to bring each County into compliance with the court-ordered settlement guidelines; and

WHEREAS, Resolution 51 of 2019 authorized Application and Acceptance of Year 1 Indigent Legal Services Grants for Caseload Reduction, Quality Improvement and Counsel at First Appearance in the total amount of \$295,725.00; and

WHEREAS, the Public Defender recommends using a portion of said grant proceeds to outfit Public Defender offices within the County-owned office building, 57 East Fulton, with appropriate office equipment and supplies; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the Public Defender be and hereby is authorized to purchase equipment for the Public Defender’s Office utilizing Year 1 Indigent Legal Services grants (Caseload Reduction, Quality Improvement and Counsel at First Appearance), as follows:

<u>Items</u>	<u>Cost</u>
(3) Computer Workstations	\$3,600.00
(2) Laser Printers	800.00
(1) Copier/Printer/Scanner	2,100.00
(6) Desk Workstations	15,000.00
(15)Guest/Side Chairs	1,500.00
(1) Conference Table w/8 Chairs	3,500.00
(17)Blinds/Curtains	3,500.00
(5) Lateral File Cabinets	3,800.00
Cell Phones	500.00
Misc. Office Supplies	<u>2,000.00</u>
	\$36,300.00

and, be it further

Resolution No. 105 (Continued)

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

Revenue Account:

Increase A.1170.1170-3026-REV-State Aid – Public Defender \$36,300.00

Appropriation Account:

Increase A.1170.1170-2000 – EXP – Equipment – Fixed Asset	\$ 24,700.00
Increase A.1170.1170-4010 – EXP – Equipment – Non-Asset	6,100.00
Increase A.1170.1170-4530 – EXP – Supplies	5,500.00

and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

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

Resolution No. 106

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING WALTER FITZGERALD TO THE
FULTON COUNTY PLANNING BOARD**

WHEREAS, a vacancy exists on the Fulton County Planning Board; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Works, Walter Fitzgerald of Northville, NY, be and hereby is appointed to the Fulton County Planning Board, to serve the balance of the term January 1, 2019 through December 31, 2021; and, be it further

RESOLVED, That Mr. Fitzgerald be and hereby is directed to complete the Fulton County Board of Ethics' Financial Disclosure Statement and sign the Fulton County Oath Book located in the County Clerk's Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Fulton County Ethics Board, Fulton County Planning Board, Walter Fitzgerald and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

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

Resolution No. 107

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION CLASSIFYING THE PROPOSED FULTON COUNTY SEWER DISTRICT NO. 3: MECO PROJECT AS AN UNLISTED ACTION, PROPOSING THAT THE BOARD OF SUPERVISORS SERVE AS LEAD AGENCY AND AUTHORIZING THE DISTRIBUTION OF A PART 1 ENVIRONMENTAL ASSESSMENT FORM TO INVOLVED AGENCIES UNDER SEQRA

WHEREAS, Resolution 484 of 2017 authorized the hiring of C.T. Male Associates to update a Map, Plan and Report for creation of County Sewer District No. 3: Mecos in the Town of Johnstown; and

WHEREAS, a draft Map, Plan and Report for proposed County Sewer District No. 3: Mecos has been completed and is subject to public hearing on April 8, 2019; now, therefore be it

RESOLVED, That in accordance with the New York State Environmental Quality Review Act (SEQRA), the Board of Supervisors hereby classifies said Fulton County Sewer District No. 3: Mecos as an Unlisted Action and proposes that it serve as Lead Agency for the purpose of conducting a Coordinated SEQRA review of the proposed action and for issuing a determination of significance; and, be it further

RESOLVED, That the Planning Director is hereby authorized and directed to distribute copies of the Environmental Assessment Form and project documents to all Involved Agencies asking each to consent to the Board of Supervisors serving as SEQRA Lead Agency and giving each Agency 25 calendar days to respond; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Attorney, NYSDEC, NYSDOT, NYSDOH, City of Gloversville, Town of Johnstown, Gloversville-Johnstown Joint Sewage Treatment Facility, Administrative Officer/Clerk of the Board and to each and every other institution or agency that will further the purport of their Resolution.

Seconded by Supervisor HANDY and adopted by the following vote:

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

Resolution No. 108

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION SETTING A PUBLIC HEARING DATE REGARDING THE DRAFT MAP,
PLAN AND REPORT FOR PROPOSED FULTON COUNTY SEWER
DISTRICT NO. 3: MECO

WHEREAS, the Fulton County Board of Supervisors has determined that it is in the interest of the residents of Fulton County to establish public sewer services in the vicinity of Meco in the Town of Johnstown; and

WHEREAS, the Fulton County Water and Sewer Agency, via a cooperative inter-municipal agreements (SMART Waters Agreement) with the Cities of Gloversville and Johnstown, has sufficient capacities and ability to supply public sewer service to the proposed district; and

WHEREAS, NYS County Law Article 5-A authorizes Fulton County to establish county water and sewer districts, which districts are further authorized to purchase water and sewer services for resale within the district; now, therefore be it

RESOLVED, That a public hearing shall be held on Monday, April 8, 2019 at 1:45 p.m., in the Board of Supervisors Chambers, Johnstown, NY, to receive public comments on the proposed establishment of Fulton County Sewer District No. 3: Meco; and, be it further

RESOLVED, That the Administrative Officer/Clerk of the Board of Supervisors be and hereby is directed to give notice of said public hearing on said matters pursuant to and in accordance with Section 254 of the County Law, and that said notice shall be published once in the official newspaper of this County, not less than ten (10) days or more than twenty (20) days prior to date of said public hearing; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, All Affected Departments, Planning Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

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

Resolution No. 109

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

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE RUNWAY 10-28 REHABILITATION AND CONNECTOR TAXIWAY CONSTRUCTION PROJECT AT THE FULTON COUNTY AIRPORT (2019 CAPITAL PLAN)

WHEREAS, THE 2019 Capital Plan identifies a Fulton County Airport Runway 10-28 Rehabilitation and Connector Taxiway Improvement Construction Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from contractors for the Fulton County Airport Runway 10-28 Rehabilitation and Connector Taxiway Improvement Construction Project at the Fulton County Airport (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, County Office Building, Room 203, Johnstown, NY 12095 and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, April 10, 2019, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

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

Resolution No. 110

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION OPPOSING THE PROPOSED AND AMENDED 2020 EXECUTIVE STATE BUDGET IMPACTING AID AND INCENTIVES TO MUNICIPALITIES AND STATE COST SHIFTS TO COUNTIES

WHEREAS, on February 15, 2019, Governor Cuomo announced a 30-day Amendment to the 2020 Executive State Budget making impacted towns and villages whole from the Governor's proposed cuts to Aid and Incentives to Municipalities (AIM) funding by diverting revenue from county sales tax; and

WHEREAS, instead of restoring AIM with State funding, the proposed amendment imposes a new unfunded mandate upon counties and pits county governments against local towns and village governments; and

WHEREAS, requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and shifts the State's obligation to local taxpayers who already pay some of the highest property taxes in the nation; now, therefore be it

RESOLVED, That the Board of Supervisors opposes this ill-advised cost shift that will ultimately lead to higher property taxes; and, be it further

RESOLVED, That the Board of Supervisors supports the full restoration of AIM funding to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019-2020 State Budget; and be it further

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

Seconded by WHOLE BOARD and adopted by the following vote:

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

Resolution No. 111

Supervisor BREH offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW “1” of 2019 “A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 1987 TO DELETE PART-TIME DESIGNATION FROM THE TITLE OF PUBLIC DEFENDER”

WHEREAS, a proposed Local Law “A” of 2019 entitled, “A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF 1987 TO DELETE PART-TIME DESIGNATION FROM THE TITLE OF PUBLIC DEFENDER” has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on March 11, 2019, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law 1, hereinabove referenced be and hereby is approved; and, be it further

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

RESOLVED, That the Chairman of the Board of Supervisors and County Attorney be authorized an 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, Public Defender, County Attorney, Fulton County Code Book, Budget Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PERRY and adopted by the following vote:

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

**LOCAL LAW 1 OF 2019 ENTITLED
“A LOCAL LAW AMENDING LOCAL LAW 1 OF 1987
TO DELETE PART-TIME DESIGNATION FROM THE TITLE
OF PUBLIC DEFENDER”**

Now, therefore be it enacted as follows:

Purpose: It is the intent of this Local Law to amend Fulton County Local 1 of 1987, as codified in Chapter 120, Article 1, of the Code of Fulton County, to revise the work hours of the Public Defender from part-time to full-time.

(A strike-through shall indicate a deletion and underline shall indicate addition of new language to the existing text.)

Section 120-1. Appointment of ~~part-time~~ Public Defender.

The ~~part-time~~ Fulton County Public Defender shall be appointed by the Fulton County Board of Supervisors- subject to any stipulations and/or probationary periods.

Section 120-2. Term of Office.

The ~~part-time~~ Fulton County Public Defender’s term of office shall begin on January 1, 1988, and thereafter shall be for a term of two years, and each term shall be coextensive with the term of the Fulton County Board of Supervisors.

Section 120-3. Authority to appoint assistants; term.

- A. The ~~part-time~~ Fulton County Public Defender shall appoint as many assistant ~~part-time~~ Public Defenders as the Fulton County Board of Supervisors may, from time to time, deem necessary.
- B. The assistant ~~part-time~~ Fulton County Public Defender(s) shall serve for a term limited by the term of the ~~part-time~~ Public Defender.

Section 120-4. Compensation.

The compensation for the part-time Public Defender and for the Assistant Public Defender(s) ~~Assistants~~ shall be fixed by resolution of the Fulton County Board of Supervisors prior to the Public Defender’s appointment ~~and the appointment of the part-time Public Defender Assistants~~ and shall not be increased as or decreased during the term of their office.

Section 120-5 Powers and Duties.

The ~~part-time~~ Public Defender and the ~~part-time~~ Assistant Public Defender(s) ~~Assistants~~ shall have the power and duties stated in Article 18-a of the NYS County Law and such other powers and duties as may be otherwise created by Law.

Section 120-6. Inconsistent provisions superseded.

(No changes to this section.)

Resolution No. 112

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A LEGAL RETAINER WITH BOND, SCHOENECK & KING TO PURSUE LITIGATION AGAINST FULTON CENTERS TO RECOVER NURSING HOME UNIVERSAL SETTLEMENT FUNDS

WHEREAS, the County of Fulton is entitled to “Universal Settlement” Funds related to prior Medicaid claims dating to its ownership of the former Fulton County Residential Health Care Facility; and

WHEREAS, Resolution 350 of 2016 authorized a Retainer Agreement with Bond, Schoeneck & King to pursue Nursing Home Universal Settlement Funds via negotiation with the nursing home’s purchaser Fulton Centers; and

WHEREAS, due to Fulton Centers resisting any settlement agreement, Bond, Schoeneck & King now recommends that Fulton County pursue formal litigation; and

WHEREAS, the Committee on Finance recommends a Retainer Agreement with Bond, Schoeneck & King to pursue Fulton County’s portion of the Nursing Home “Universal Settlement” Funds via formal litigation; now, therefore be it

RESOLVED, That the Chairman of the Board is authorized and directed to sign a legal Retainer Agreement with Bond, Schoeneck & King to obtain Fulton County’s share of “Universal Settlement” proceeds through formal litigation; and, be it further

RESOLVED, That said Retainer Agreement be at a Base Fee of \$4,000.00, plus 20 percent of any proceeds collected; said agreement subject to approval by the County Attorney; and, be it further

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

From: A.1000.1990-4907 – EXP – Contingent Fund Expense
To: A.1420.1420-4090 – EXP – Professional Services
Sum: \$4,000.00

and, be it further

Resolution No. 112 (Continued)

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

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 508 (18) Nays: 21 (1) (Supervisor Kinowski)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 113

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DISPOSAL OF CERTAIN RHCF AND NURSING SERVICE RECORDS THAT ARE BEYOND THEIR STATUTORY RETENTION DATE (COUNTY CLERK)

WHEREAS, the County Clerk has advised that per the New York State Archives Retention Schedule, there are records housed at the Fort Johnstown Records Room that have reached their retention date and can be disposed of; and

WHEREAS, the records to be disposed of are records from the former Residential Health Care Facility and Nursing Service; now, therefore be it

RESOLVED, That upon the recommendation of the County Clerk, County Attorney, and Committee on Finance, the County Clerk be and hereby is directed to arrange for the proper disposal and/or destruction of certain former Residential Health Care Facility and Nursing Service records that are beyond their Statutory Retention Date as attached to this Resolution; and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

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

Records Destruction Authorization

Record Series	Dates of Records	Schedule Item	Retention	Comments
Medical case files, expired/discharged	1998-2012	472	6 years after death or discharge of patient, but not until 3 years after individual attains age 18	298 cubic feet
Pharmacy Usage and distribution records for controlled substances	2009-2010	510	6 years	1 cubic foot
Duplicate personnel files	2006-2012	19	0 after no longer needed	19 cubic feet
Accident/incident sheets	2008-2009	985	7 years after end of calendar year or 7 years after superseded or obsolete, whichever is longer	9 cubic feet
Infection control sheets	2009	467	10 years	2 cubic feet
Facility/program records, including records documenting the operation and maintenance of the facility; daily census reports; incident reports; business records; records relating to the application or renewal of the operating certificate; admission and discharge registers; program records including service procedures, activities schedules, agreements with external service providers, disaster and emergency plans, and records of evacuation drills; food service records including menus and food procedure records; records of the maintenance of the physical plant and environmental standards; staff records including personnel procedures, job descriptions, staffing schedules and payment records; certificates or reports issued by local and state jurisdictions related to facility operation; and related records	1995-2006	985b	7 years	2 cubic feet
Medicare, Medicaid or insurance carrier claim records	1998-2004	455	7 years	43 cubic feet
Patient summary data report (green bar sheets)	1989-1997	881	Maintain as long as patient medical or other case record. 10yrs was noted on accompanying document	NOTE: SUGGEST KEEPING IF master summary ledger does not contain these patients 7 cubic feet
Fulton County Nursing & CHAA (Community Home Health Aide) case files (if closed)	Circa 2000-2009	473	6 years after discharge or last contact, but not until 3 years after youngest patient attains age 18	144 cubic feet

Resolution No. 114

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE OF PUBLIC HEARING REGARDING LOCAL LAW “B” OF 2019 TO AMEND LOCAL LAW 3 OF 1986, AS AMENDED BY LOCAL LAW 2 OF 1996 TO REVISE THE NAME OF THE DEPARTMENT OF INFORMATION SERVICES TO DEPARTMENT OF INFORMATION TECHNOLOGY

WHEREAS, there has been duly presented and introduced at a meeting of the Fulton County Board of Supervisors, held on March 11, 2019, a proposed local law entitled, “LOCAL LAW “B” OF 2019 TO AMEND LOCAL LAW 3 OF 1986, AS AMENDED BY LOCAL LAW 2 OF 1996 TO REVISE THE NAME OF THE DEPARTMENT OF INFORMATION SERVICES TO DEPARTMENT OF INFORMATION TECHNOLOGY”; now, therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law “B” of 2019 by the Fulton County Board of Supervisors, on April 8, 2019 at 1:30 p.m., in the Supervisors Chambers, County Office Building, Johnstown, NY, and at least seven days’ notice (excluding Sundays) of such public hearing be given by the Clerk of the Board by duly posting upon the bulletin boards in the Fulton County Office Building, Johnstown, NY, and by publication at least once in the official Fulton County newspaper; and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

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

**LOCAL LAW “B” OF 2019
TO AMEND LOCAL LAW 3 OF 1986,
AS AMENDED BY LOCAL LAW 2 OF 1996,
TO REVISE THE NAME OF THE
DEPARTMENT OF INFORMATION SERVICES/PRINTING
TO DEPARTMENT OF INFORMATION TECHNOLOGY**

Now, therefore be it enacted as follows:

Purpose: It is the intent of this Local Law to amend Fulton County Local Law 3 of 1986, as amended by Local Law 2 of 1996 and codified in Chapter 57 of the Code of Fulton County, to revise the name of the Department of Information Services/Printing and to revise the name of its Director.

(A strike-through shall indicate a deletion and underline shall indicate addition of new language to the existing text.)

Section 57-1. Title.

This chapter shall be entitled “~~A Local Law Creating the Fulton County Department of Information Services/Printing~~”. “A Local Law to Revise the Name of the Department of Information Services/Printing to Department of Information Technology.”

Section 57-2. Creation.

There is hereby created a department identified as the “Fulton County Department of Information ~~Services/Printing~~ Technology.”

Section 57-3. Fulton County Director of Information ~~Services/Printing~~ Technology.

Effective June 1, 2019, ~~There shall be the position of Fulton County Director of Information Services/Printing Technology .~~

- A. Appointment. The Fulton County Director of Information ~~Services/Printing~~ Technology shall be appointed by the Fulton County Board of Supervisors.
- B. Term. The Fulton County Director of Information ~~Services/Printing~~ Technology shall serve at the pleasure of the Fulton County Board of Supervisors.
- C. Qualifications. The Qualifications of the Fulton County Director of Information ~~Services/Printing~~ Technology .

57-4. Powers and duties.

A. General duties.

(1) The Fulton County Director of Information Services/Printing ~~Director~~ Technology shall perform duties related to the administration and responsibility for planning, directing and coordinating the work procedures of the Fulton County Computer Center in analyzing and adapting a variety of financial and statistical data to computer processing.

B. The Fulton County Director of Information ~~Services/Printing~~ Technology shall have the power and authority to appoint and remove subordinate employees within ~~his~~ the Department.

D. The Fulton County Director of Information ~~Services/Printing~~ Technology shall have all the general powers and duties described as follows:

(The balance of this section shall remain unchanged.)

E. The Fulton County Director of Information ~~Services/Printing~~ Technology shall perform such additional and related duties as may be prescribed by law or directed by the Fulton County Board of Supervisors.

Resolution No. 115

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BIDS FOR PRIME CONTRACTS FOR THE FMCC CAMPUS LABS AND CLASSROOMS PHASE II PROJECT (2019 CAPITAL PLAN)

WHEREAS, Resolution 487 of 2018 authorized advertisement for bids for said Project (2019 Capital Plan); and

WHEREAS, bids were received on February 13, 2019 for the FMCC Classrooms Phase II Project; and

WHEREAS, project engineers JMZ Architects, the Planning Director, Purchasing Agent, and Committee on Finance recommend awarding contracts to the following bidders; they providing the lowest responsible bids in accordance with specifications dated January 15, 2019;

<u>General Construction</u>	<u>Base Bid</u>	<u>Alt. 1</u>	<u>Alt. 2</u>	<u>Award Amount</u>
AOW Associates, Inc. Albany, NY	\$463,900.00	N/A	N/A	\$463,900.00
<u>Electrical</u>				
Harold R. Clune, Inc. Ballston Spa, NY	101,200.00	N/A	N/A	101,200.00
<u>HVAC</u>				
Tri-Valley Plumbing & Heating, Inc. Schenectady, NY	116,500.00	N/A	N/A	116,500.00
<u>Plumbing</u>				
Tri-Valley Plumbing & Heating, Inc. Schenectady, NY	111,500.00	N/A	N/A	<u>111,500.00</u>
			Total	\$793,100.00

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts with the identified contractors listed above for base bids specified for the “FMCC Classrooms Phase II Project”; and, be it further

Resolution No. 115 (Continued)

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

From: A.1000.9950-9000.1000 – EXP – Other - Unrestricted
To: H.8020.2497-2100.0870 – EXP – FMCC Campus Labs and Classroom Renovations
Sum: \$250,000.00

and, be it further

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

Revenue Account:

Increase H.8020.2497-2397.0870 – REV – Montgomery Co-FMCC Campus Labs
and Classroom Renovations \$250,000.00
Increase H.8020.2497-3285.0870 – REV – State Aid-FMCC Campus Labs and
Classroom Renovations \$500,000.00

Appropriation Account:

Increase H.8020.2497-2100.0870 – EXP – FMCC Campus Labs and Classroom
Renovations \$750,000.00

and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 504 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 116

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACTS FOR VARIOUS SUPPORTING SERVICES
RELATED TO THE FMCC CAMPUS LABS AND CLASSROOMS PHASE II PROJECT
(2019 CAPITAL PLAN)**

WHEREAS, the 2019 Capital Plan identified a FMCC Campus Labs and Classrooms Phase II Project: and

WHEREAS, a bid award has been made for prime contracts on said project; and

WHEREAS, Resolution 487 of 2018 authorized advertisement for bids for the FMCC Campus Labs and Classrooms Phase II Project (2019 Capital Plan); and

WHEREAS, FMCC officials solicited quotes for other supporting services needed to complete for the FMCC Classrooms Phase II Project; now, therefore be it

RESOLVED, That the FMCC President, Planning Director, Committee on Finance and Purchasing Agent recommend awarding contracts to the following for various supporting services related to the FMCC Campus Labs and Classrooms Phase II Project:

<u>Vendors</u>	<u>Equipment/Services</u>	<u>Cost</u>
Fulmont College Association Johnstown, NY	Clerk of the Works	\$7,500.00
CME Associates, Inc. Fonda, NY	Special Testing/Inspections	2,300.00
Corbett Industrial Cleaning Slingerlands, NY	Chemical Waste Disposal	2,350.00
C.T. Male Associates Latham, NY	Hazmat Monitoring	13,850.00
Ray Audio Video Glens Falls, NY	A/V Equipment (NYSOGS State Contract PC67456, PC67428)	17,036.64
Standard Commercial Interiors Albany, NY	Furniture and Furnishing (NYSOGS State Contract PC68340)	17,093.98
Converge One Denville, NJ	Lab Equipment (NYSOGS State Contract PM20800)	2,552.00

Resolution No. 116 (Continued)

Fisher Scientific Company Hanover Park, IL	Lab Other Equipment (NYSOGS State Contract PC6392)	11,114.34
Liedki Moving & Storage Rotterdam, NY	Lab Equipment Storage	<u>3,800.00</u>
	Total	\$77,596.96

and, be it further,

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts with the above vendors for the FMCC Campus Labs and Classrooms Phase II Project, at a not to exceed cost as specified; and, be it further

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

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

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, Fulmont College Association, CME Associates, Inc., Corbett Industrial Cleaning, C.T. Male Associates, Ray Audio Visual, Standard Commercial Interiors, Converge One, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 504 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 117

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE CONTRACT WITH JMZ ARCHITECTS & PLANNERS, LLC FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE FMCC CAMPUS LABS AND CLASSROOMS PHASE II PROJECT (2019 CAPITAL PLAN)

WHEREAS, the 2019 Capital Plan identified a FMCC Campus Labs and Classrooms Phase II Project: and

WHEREAS, Resolution 436 of 2017 authorized a contract with JMZ Architects and Planners, P.C. to Prepare Design Plans and Bid Specifications for the FMCC Classroom Building Renovation Project at a total cost of \$156,290.00; and

WHEREAS, FMCC officials and Planning Director have requested that JMZ Architects and Planners, P.C. provide the Construction Administration Services for the FMCC Campus Labs and Classrooms Phase II Project as well as Design and Bidding Services for the FMCC Campus Labs and Classrooms Phase III Project; now, therefore be it

RESOLVED, That upon the recommendation of the FMCC President, Planning Director and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign Contract Amendment No. 3 with JMZ Architects and Planners, P.C. for services as follows:

Original Contract Amount:	\$156,290.00
Amendment No. 1 (Telecommunications Design)	2,100.00
Amendment No. 2 (Phase I - Additional Administration)	4,000.00
Amendment No. 3 (Phase II Construction Administration Services)	23,456.00
(Phase III Design and Bidding Services)	<u>63,272.00</u>
Revised Contract Amount	\$249,118.00

all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

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

Resolution No. 117 (Continued)

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, JMZ Architects and Planners, P.C., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 504 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 118

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BIDS FOR PRIME CONTRACTS FOR THE FMCC THEATRE AND OTHER BUILDINGS RENOVATION PROJECT (2019 CAPITAL PLAN)

WHEREAS, the 2019 Capital Plan identified a FMCC Theatre and Other Buildings Renovation Project: and

WHEREAS, Resolution 471 of 2018 authorized advertisement for bids for the FMCC Renovations Project: Theatre & Other Buildings (2019 Capital Plan); and

WHEREAS, bids were received on February 13, 2019 for the FMCC Renovations Project: Theatre & Other Buildings Project; and

WHEREAS, project engineers JMZ Architects, the Planning Director, Purchasing Agent, and Committee on Finance recommend awarding contracts to the following bidders; they providing the lowest responsible bids in accordance with specifications dated January 15, 2019;

<u>General Construction</u>	<u>Base Bid</u>	<u>Alt. 1</u>	<u>Alt. 2</u>	<u>Award Amount</u>
AOW Associates, Inc. Albany, NY	\$384,800.00	(-\$6,000.00)	(-\$6,800.00)	\$372,000.00
<u>Theatrical Construction</u>				
Janson Industries Canton, OH	222,151.00	N/A	N/A	\$221,151.00
<u>Audio Construction</u>				
Ray Supply, Inc. Glens Falls, NY	80,000.00	N/A	N/A	80,000.00
<u>Electrical Construction</u>				
Harold R. Clune Ballston Spa, NY	276,000.00	N/A	N/A	<u>276,000.00</u>
			Total	\$950,151.00

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts with the identified contractors listed above for base bids specified for the “FMCC Theatre and Other Buildings Renovation Project”; and, be it further

Resolution No. 118 (Continued)

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

Revenue Account:

Increase H.8020.2497-2770.0930 – REV – FMCC Theatre and	
Other Renovations	\$511,400.00
Increase H.8020.2497-3285.0930 – REV – State Aid - FMCC Theatre and	
Other Renovations	\$511,400.00

Appropriation Account:

Increase H.8020.2497-2100.0930 – EXP – FMCC Theatre and	
Other Renovations	\$1,022,800.00

and, be it further

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

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 504 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 119

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACTS FOR VARIOUS SUPPORTING SERVICES
RELATED TO THE FMCC THEATRE AND OTHER BUILDINGS RENOVATION
PROJECT (2019 CAPITAL PLAN)**

WHEREAS, the 2019 Capital Plan identified a FMCC Theatre and Other Buildings Renovation Project: and

WHEREAS, Resolution 471 of 2018 authorized advertisement for bids for the FMCC Renovations Project: Theatre & Other Buildings (2019 Capital Plan); and

WHEREAS, FMCC officials solicited quotes for other supporting services needed to complete the FMCC Renovations Project: Theatre & Other Buildings Renovation Project; and

WHEREAS, a bid award has been made for prime contracts on said project; now, therefore be it

RESOLVED, That FMCC officials, Project Engineers JMZ Architects, the Planning Director, Purchasing Agent, and Committee on Finance recommend awarding contracts to the following bidders for various supporting services related to the FMCC Theatre and Other Buildings Renovation Project:

<u>Vendors</u>	<u>Equipment/Services</u>	<u>Cost</u>
Fulmont College Association Johnstown, NY	Clerk of the Works	\$7,500.00
Adirondack Cabling & Security Albany, NY	Audio Visual Equipment	3,757.78
C.T. Male Associates Latham, NY	Hazmat Monitoring	1,800.00
Ray Audio Video Glens Falls, NY	Projector & Data Cart (NYSOGS State Contract PC67450,	45,510.57
Converge One Denville, NY	Tele/Data Cabling (NYSOGS State Contract PM20800)	1,914.00
CDW Government Chicago, IL	Other Equipment	615.89

Resolution No. 119 (Continued)

and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts with the above vendors for the FMCC Theatre and Other Buildings Renovation Project, at a not to exceed cost as specified; and, be it further

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

RESOLVED, That said cost to be a charge against H.8020.2497-2100.0930 – EXP-FMCC Theatre and Other Renovations; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, Fulmont College Association, Adirondack Cabling & Security, C.T. Male Associates, Converge One, Rays Audio Visual, CDW Government, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 504 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 120

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH JMZ ARCHITECTS & PLANNERS, LLC FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE FMCC THEATRE AND OTHER BUILDINGS RENOVATION PROJECT (2019 CAPITAL PLAN)

WHEREAS, the 2019 Capital Plan identifies a “FMCC Theatre and Other Buildings Renovation Project” at Fulton-Montgomery Community College; and

WHEREAS, Resolution 247 of 2018 authorized a contract with JMZ Architects and Planners, P.C. for Design Services for the FMCC Theatre Renovation Project in the amount of \$127,200.00; and

WHEREAS, FMCC officials have requested that JMZ Architects and Planners, P.C. provide said construction administration services for the FMCC Theatre and Other Buildings Renovation Project; now, therefore be it

RECOMMENDED, That upon the recommendation of the FMCC President, Planning Director and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign Contract Amendment No. 1 with JMZ Architects and Planners, LLC for construction administration services for the FMCC Theatre and Other Buildings Renovation Project as follows:

Original Contract Amount:	\$127,200.00
Amendment No. 1 (Construction Administration Services)	<u>34,550.00</u>
Revised Contract Amount	\$161,750.00

all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That said cost be a charge against H.8020.2497-2100.0930 – EXP-FMCC Theatre and Other Renovations; and, be it further

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

Resolution No. 120 (Continued)

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, JMZ Architects and Planners, P.C., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 504 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 121

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING 2019 CAPITAL PROJECT FOR PRIMARY ELECTRIC SERVICE AT THE TRYON TECHNOLOGY PARK

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

Tryon Electric Service Project \$600,000.00

and,

WHEREAS, Resolution 33 of 2019 authorized Execution of Incentive Proposal to Accept an Empire State Development Grant for the Primary Electric Service Project at the Tryon Technology Park, which will require certain grant application fees to be paid; and

WHEREAS, budget accounts need to be established for said project; now, therefore be it

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

From: A.1000.9950-9000.1200 – EXP – Capital Improvements Expense
To: H.8020.6430-2100.0947 – EXP – Tryon Electric Service Project (NEW)
Sum: \$2,000.00

and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

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

Resolution No. 122

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPROVING SALE OF (113 WASHINGTON STREET AND 12 ELK STREET, GLOVERSVILLE) TO THE CITY OF GLOVERSVILLE

WHEREAS, the County Treasurer has taken custody of 113 Washington Street (Parcel 149.7-11-15) and is currently foreclosing on 12 Elk Street (Parcel 149.7-11-3) in the City of Gloversville; and

WHEREAS, by letter from the Mayor of Gloversville, dated February 20, 2019, the City has requested that Fulton County sell said properties to the City of Gloversville for neighborhood rehabilitation purposes; and

WHEREAS, the County Treasurer has proposed the selling of parcel 149.7-11-15 and parcel 149.7-11-3 to the City of Gloversville upon receipt of delinquent taxes and any fees; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized and directed to sell 113 Washington Street (Parcel 149.7-11-15) and 12 Elk Street (Parcel 149.7-11-3) to the City of Gloversville in accordance with the following terms and conditions:

- Receive payment in the amount of \$4,658.38 (113 Washington Street) and payment in the amount of \$593.82 (12 Elk Street)
- The County will be responsible for demolition of the building at 113 Washington Street as soon as feasible.

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

Resolution No. 123

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH ABSOLUTE AUCTIONS
AND REALTY FOR 2019 REAL PROPERTY AUCTION SERVICES
(TREASURER'S OFFICE)

WHEREAS, the County Treasurer has recommended a contract with Absolute Auctions and Realty for annual property auction services on behalf of the County; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign a contract between the County of Fulton and Absolute Auction and Realty, of Pleasant Valley, NY, for real property tax sale services, with compensation based on a 10% Buyer's Premium plus a 1.5% advertising fee to be paid to the County by each property buyer, effective January 1, 2019 through December 31, 2019; and, be it further

RESOLVED, That the property auction procedure include the stipulation that any bids received under \$100.00 must be paid in full at the time of the auction, with other bids utilizing the normal procedure; and, be it further

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

RESOLVED, That the costs for advertising be a charge against Appropriation Account A-1325-1325.4090 EXP-Professional Services; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 508 (18) Nays: 0 Abstentions: 21 (1) (Supervisor Callery)
Absent: 22 (1) (Supervisor Waldron)

Resolution No. 124

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:

Sheriff's Department:

- 0002071 File Cabinet
- 0002245 File Cabinet
- 0002244 File Cabinet
- 0002277 File Cabinet
- 0002246 File Cabinet
- 0002081 File Cabinet
- 0002105 File Cabinet
- 0002255 Office Desk
- 0002256 Glass/Metal Book Cabinet

Solid Waste Department:

- 0007660 Portable Gas Welder

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

Seconded by Supervisor GREENE and adopted by the following vote:

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

Resolution No. 125

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SALE OF SURPLUS FILE CABINETS TO THE TOWN OF OPPENHEIM

WHEREAS, Resolution 45 of 2019 designated certain file cabinets as “surplus” and authorized their sale via on-line auction; and

WHEREAS, a letter was received from the Town Supervisor in the Town of Oppenheim, requesting that the County consider selling seven (7) of the aforementioned file cabinets to the Town of Oppenheim for its use; and

WHEREAS, the Commissioner of Social Services and Purchasing Agent recommend the sale of seven (7) surplus file cabinets (I.D. Numbers: 0003140, 0002880, 0002712, 0002729, 0002787, 0003099, 0003195) to the Town of Oppenheim, at nominal cost; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to sell seven (7) surplus file cabinets to the Town of Oppenheim at a cost of \$5.00 per each file cabinet; and remove said equipment from the County’s Fixed Assets Inventory; and, be it further

RESOLVED, That the Purchasing Agent and County Treasurer 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, Town of Oppenheim, Commissioner of Social Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PERRY and adopted by the following vote:

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

Resolution No. 126

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:

Personnel

From: D.1000.9050-8300 – EXP – Unemployment
To: D.1000.1720-1700 – EXP – Vacation Buyback
Sum: \$3,000.00

From: DM.1000.9055-8400 – EXP – Disability
To: DM.1000.1720-1700 – EXP – Vacation Buyback
Sum: \$2,000.00

Office for Aging

From: A-0691.7610 – Deferred Revenue - OFA
To: TA-0098.0102 – Meals Program Endowments
Sum: \$5,341.50

and, be it further

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

Highway and Facilities

Revenue

Increase DM.5130.5130-2680 – REV – Insurance Recoveries \$ 2,028.00

Appropriation

Increase DM.5130.5130-4540 – EXP – Vehicle Maintenance \$2,028.00

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

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