

## **FIFTH REGULAR SESSION**

Johnstown, NY

May 8, 2023

Roll Call – Quorum Present

Supervisors: Argotsinger, Blackmon, Born, Bowman, Bradt, Breh, Callery, Fagan, Fogarty, Greene, Groff, Horton, Howard, Kinowski, Kissinger, Lauria, Potter

TOTAL: Present: 17 Absent: 3 (Supervisors Goderie, Wilson and Young)

Chairman Horton called the meeting to order at 1:00 p.m. Chairman Horton welcomed Douglas Kissinger, new Town of Broadalbin Supervisor to the Board.

Following the Pledge of Allegiance, Mr. Horton asked if there was anyone from the public who wished to address the Board. No one came forward.

Chairman Horton then asked for the reading of any Communications that were on the Agenda.

### **COMMUNICATIONS**

1. Letter from Town of Palatine dated April 4, 2023  
Subj: Development of a Solar Energy Local Law
2. Resolution from the Town of Broadalbin dated April 24, 2023  
Subj: Appointment of Douglas Kissinger as Town of Broadalbin Supervisor
3. Resolution from Cattaraugus County dated April 27, 2023  
Subj: Opposing Senate Bill 6282 that would eliminate certain fees for probationers

### **UPDATES FROM STANDING COMMITTEES**

***Personnel Committee:*** Supervisor Callery stated that the Personnel Committee is meeting Thursday, May 11 to caucus prior to upcoming Police Benevolent Association (PBA) negotiations.

### **REPORTS OF SPECIAL COMMITTEES**

***Soil and Water Conservation District:*** Supervisor Lauria stated that projects and sales are going well and the Office is excited to relocate to South Melcher Street, Johnstown.

### **CHAIRMAN'S REPORT**

Chairman Horton provided the following prepared remarks:

As we head into this Month, I am looking forward to attending the FMCC Commencement Ceremonies on Friday the 19<sup>th</sup>.



I also look forward to this Nation's Observance of Memorial Day, Monday May 29<sup>th</sup>. A day to reflect and celebrate our freedom as Americans. A day to remember that freedom is not free. A day for we as elected representatives to take our oath of office seriously, to work together for the betterment of our society and to honor those who gave so much to let us do so in peace and without fear.

The month of May will also kick off the summer season. Our new efforts to create an in-house tourism program and develop new ties with the Fulton Montgomery Chamber of Commerce will be getting its first true trial run. I am excited about these changes and look forward to the year-end report from Scott Henze and Carla Kolbe on the success of this new program and endeavor.

A few issues keep coming up in general discussion and at committee meetings:

The first is the on-going personnel issue of recruitment and retention. I believe that now we all recognize that this is not a fleeting issue, that with time, it will just take care of itself. I for one, do not believe this. You will see in resolutions that we have today, that we struggle to find qualified individuals to fill vacancies. We are adjusting policies to meet reality. We are contracting with employees to stay on the job to keep serving the public. I commend the department heads, our Personnel office and the Chairs of all the committees for working on the issues that face us.

*(Supervisor Young entered the meeting at 1:07 p.m.)*

Another issue that is a very positive, is the amount of effort the County, its contractor the Fulton County Center Regional Growth, our Planning Department and others are putting forth to bring a brighter, better future to this County.

It is exciting to see the planning of the Great Sacandaga Lake Museum and Visitors Center. The construction of the Parkhurst Field and New York State Baseball Hall of Fame moving forward with the support of the County. The development of the new site for Soil and Water on South Melcher Street. The CRG continues to support small local businesses and is working to redevelop some properties and create new properties for future development. The major County program to build a sewer line to Mayfield and then to Northville is a testament to our residents, that we do look forward.

Completion of the Broadalbin Sewer District is another long-term capital project that is now "in the books".

So, all of these efforts take time. Time to conceive, time to plan and time to develop.

I scratch my head and say, “If all of these efforts are of a long duration, why do we have most county representatives serve two-year terms?” Do we enjoy passing the torch? Do we believe that consistency of government is not critical to the success of our efforts?

So, I leave you with this thought.

Talk to your Town Boards and talk to you mayors and council members. See if you can get them to change the length of service from two to four years.

I know that I have been greatly influenced and supported by the supervisors who have served the County for a long time. The knowledge and wisdom that they have obtained is valuable. As I see several long serving supervisors leaving at the end of this year, I know that for one, I will miss them.

Two years is too short of a term to serve and it should be changed. Yes, we can all stay too long, but two years is not too long.

I hope that you will think about this and have a discussion.

For this year to make the change is a very short window of time. It is a local government option, not a County option, but it is one that I think should be addressed.

Again, thank you for all of your support, and let’s get summer kicked off with a dedication to get things done.

Mr. Stead then provided an update regarding the New York State FY 2024 Budget that was adopted last week. Mr. Stead noted that the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) funds will be reduced in a phased approach over the next two (2) years. He then stated that local sales tax permanency was not included in the budget. Mr. Stead noted the total deficits and surpluses for New York State since 2021.

Mr. Stead stated that minimum wage is also increasing to \$17.00 in New York City and \$16.00 per hour for the rest of the state.

Mr. Stead then stated that Indigent Legal Services (ILS) rates have almost doubled by mandate in the new State Budget and are now set at \$158.00 per hour. He then stated that NYS will fund 50 percent of the increase, but will not be advance payments. Mr. Stead stated that the County will have to request reimbursement for the 50 percent of the increased rates.

## **RESOLUTIONS**

***No. 199 (Resolution Authorizing Extension of NYS Office of Indigent Legal Services Contract Grant CSTWIDEHH17):*** Supervisor Callery asked if the total amount would change with the

new SFY 2024 Budget adoption. Mr. Stead stated “no”. This particular base funding isn’t expected to be affected.

***No. 204 (Resolution Opposing Senate Bill S.6282 That Would Eliminate Certain Supervisory Probation Fees):*** Supervisor Greene stated that the State messed up many years ago when it started charging administrative fees for DWI offenders. He stated that he will be voting against this Resolution as a “protest vote”. Supervisor Callery stated that this Resolution states that the County opposes such supervisory probation fees. Mr. Greene noted that he agrees with the Resolution but will still vote “no” in protest.

***No. 206 (Resolution Authorizing a Contract with Northampton Volunteer Ambulance Corps for the Fulton County Ambulance Service Incentive Plan):*** Supervisor Groff stated that he will abstain from voting upon this Resolution because he is part of the Northampton Volunteer Ambulance Corps (NVAC).

Supervisors Born and Lauria expressed that this contract is “great” for that area. Mr. Stead stated that starting this Ambulance Incentive Plan was monumental. He then stated that NVAC has expanded coverage and availability which may allow it to be a part of the County’s system.

***No. 211 (Resolution Awarding Bid to James H. Maloy, Inc. for General Construction for the Phase VI Landfill Expansion Construction Project) (2023 Capital Plan):*** Supervisor Kissinger asked how many acres this was expansion amounted to. After a telephone call, Mr. Stead reported 3.6 acres.

*(Supervisor Blackmon left the meeting at 2:03 p.m.)*

***No. 225 (Resolution Authorizing a Contract with Debtbook to Provide Leasing Assessment and Reporting Services Related to the Implementation of GASB 87):*** Mr. Stead stated that the Governmental Accounting Standards Board (GASB) is a national organization that develops guidelines and procedures for municipal accounting. He stated that every year new guidelines come from GASB and local governments must follow them. He stated that GASB wants government Financial Statements to include Capital Assets, and also values of leases, included as assets in the County’s net worth.

A motion was offered by Supervisor Fagan, seconded by Supervisor Bradt and unanimously carried, to waive the Rules of Order to take action on Late Resolutions 1 and 2.

***No. 230 (Resolution Authorizing Creation of an Accountant Position in the County Treasurer’s Office):*** Supervisor Potter expressed that, although he supports this Resolution, he questioned the “fervency” of the staff problem in the County Treasurer’s Office. He asked why the Sheriff’s staffing problem couldn’t be addressed as quickly as it was for the Treasurer’s Office. Supervisor Potter stated that it is a slap in the face to the Sheriff’s Department for addressing the Treasurer’s Office problems, but not the Sheriff’s Department. Mr. Horton stated that Mr. Potter can bring his concerns to Committee if he would like.

Mr. Stead stated that the Sheriff's Department is trying to fill current existing vacancies and using contracting to transition through vacancies. On the other hand, the Treasurer is looking to restructure the office with a new position. Mr. Stead stated that the Treasurer is hoping this improves recruitment. Mr. Stead noted that changing salaries and titles would have to include bargaining with the Police Benevolent Association (PBA) which is coming up in the next couple months.

As Chairman of the Personnel Committee, Mr. Callery stated that the Personnel Committee is trying to deal with the staffing issues at the Sheriff's Department, similar to across the Country. He stated that the Board just approved the local law process to allow the Sheriff to hire from anywhere in New York State for Deputy Sheriff's.

Supervisor Groff stated that staffing problems are an ongoing issue throughout the County.

### **PROCLAMATIONS**

#### DECLARING WEEK OF MAY 14-20 OF 2023 AS "POLICE APPRECIATION WEEK IN FULTON COUNTY"

WHEREAS, in 1962, President Kennedy proclaimed May 15 as National Peace Officers Day and the calendar week in which May 15 falls, as National Police Week; and

WHEREAS, our law enforcement agencies play an essential role in safeguarding the rights and freedoms which have been guaranteed by the Constitution to every American citizen; and

WHEREAS, Police Appreciation Week acknowledges the critical role law enforcement officers uphold and pays special homage to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, our dedicated Police Officers stand watch over our citizens, selflessly risking their lives to protect individuals, families, neighborhoods, and property against crimes; and

WHEREAS, Fulton County Deputy Sheriffs are dedicated employees with a commitment to protect our region's citizens by stepping forward when called; and

WHEREAS, our City and Town Police, State Police, NYS Conservation Police and officers in other agencies all step forward when the call to duty comes; now, therefore be it

RESOLVED, That the Board of Supervisors hereby expresses its appreciation for the essential service, commitment and dedication provided by police officers, supervisory staff and support personnel and salutes the service of law enforcement officers throughout our community and in communities across the nation; and, be it further

RESOLVED, That the Board hereby proclaims May 14-20, 2023 "*Police Appreciation Week in Fulton County*".

**NEW BUSINESS**

Supervisor Callery wished all moms a very Happy Mother's Day.

Upon a motion by Supervisor Fagan, seconded by Supervisor Groff and unanimously carried, the Board entered into Executive Session at 2:23 p.m. to discuss pending litigation.

Upon a motion by Supervisor Callery, seconded by Supervisor Fagan and unanimously carried, the Board re-entered Regular Session at 2:31 p.m.

**ADJOURNMENT**

Upon a motion by Supervisor Callery, seconded by Supervisor Bowman and unanimously carried, the Board adjourned at 2:34 p.m.

*Certified by:*

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

**Resolution No. 181**

Supervisor ARGOTSINGER AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH COMMUNITY PLANNING AND ENVIRONMENTAL ASSOCIATES TO UPDATE THE FULTON COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes a Fulton County Agricultural Development and Farmland Protection Plan – Update project in the amount of \$100,000.00; and

WHEREAS, Resolution No. 40 of 2022 authorized grant application to the NYS Department of Agriculture and Markets for preparation of an Agricultural Development and Farmland Protection Plan for Fulton County; and

WHEREAS, Fulton County was informed by way of letter dated January 2, 2023 of a \$50,000.00 grant award from the NYS Department of Agriculture and Markets in support of the update; and

WHEREAS, a Request for Proposals (RFP) was developed and the Fulton County Agricultural and Farmland Protection Board recommends a contract with Community Planning and Environmental Associates of Berne, NY in an amount not to exceed \$76,230.00 as the best proposal; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract with Community Planning and Environmental Associates in an amount not to exceed \$76,230.00 to prepare an update to Fulton County’s Agricultural and Farm land Protection Plan; and, be it further

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

RESOLVED, said cost shall be a charge against H.8020.8997-2100.0972-EXP-Ag & Farmland Protection Plan Update; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Agriculture and Farmland Protection Board, Community Planning and Environmental Associates, NYS Department of Agriculture and Markets, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**Resolution No. 182**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION SETTING THE DATE OF A PUBLIC HEARING REGARDING ADDING PROPERTIES INTO FULTON COUNTY AGRICULTURAL DISTRICT NO. 1**

WHEREAS, New York State Agriculture and Markets Law, Section 303-b, allows landowners to request inclusion of their property in an existing Agricultural District during an annual 30-day time period each year; and

WHEREAS, Resolution 159 of 2004 established an annual 30-day time period during March for landowners to apply to the Fulton County Agricultural and Farmland Protection Board for inclusion in the Fulton County Agricultural District; and

WHEREAS, certain property owners have requested that certain parcels in the Town of Broadalbin, be included in Agricultural District No. 1; now, therefore be it

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors' Chambers in the County Office Building, Johnstown, NY on June 12, 2023 at 1:45 p.m. for the purpose of holding a public hearing on requests from the following property owners to include the following properties in Fulton County Agricultural District No. 1:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Carmen and Heather Montanaro	2842 Co Hwy 107	168.-3-21	75+/- acres

and, be it further

RESOLVED, That the Clerk of the Board of Supervisors give notice of said public hearing on the request to have additional property included in the Agricultural District No. 1 in Fulton County and that said notice shall be published once in the official newspaper of this County, at least five (5) days prior to the date of said public hearing; and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 183**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION DECLARING THE FULTON COUNTY BOARD OF SUPERVISORS  
LEAD AGENCY AND AUTHORIZING THE FILING OF A NEGATIVE DECLARATION  
UNDER SEQRA RELATED TO ADDING CERTAIN PARCELS TO  
FULTON COUNTY AGRICULTURAL DISTRICT NO. 1

WHEREAS, Fulton County must conduct a State Environmental Quality Review Act (SEQRA) review regarding the proposed inclusion of additional properties into Fulton County Agricultural District #1; and

WHEREAS, inasmuch as the inclusion of predominantly viable agricultural land within an existing Agricultural District is a discretionary action of the Board of Supervisors, it is considered an Unlisted Action; and

WHEREAS, the Planning Department has prepared a Short Environmental Assessment Form (EAF) for this proposed action; and

WHEREAS, the lead agency must transmit a copy of the EAF and supporting materials to other Involved Agencies and notify them that Lead Agency must be established within thirty (30) calendar days; now, therefore be it

RESOLVED, That the Board of Supervisors hereby proposes that it serve as Lead Agency for the purpose of issuing a determination of significance under SEQR related to the proposed inclusion of the following properties:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Carmen and Heather Montanaro	2842 Co Hwy 107	168.-3-21	75+/- acres

and, be it further

RESOLVED, That said proposed addition of the specified parcels herein be classified as an Unlisted Action and a Negative Declaration is hereby issued under SEQRA; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, NYS Department of Agriculture and Markets, Fulton County Agricultural and Farmland Protection Board, 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 BOWMAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 184**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION OPPOSING THE CONSERVATION SUBDIVISION DESIGN BILL (A04608)**

WHEREAS, The Adirondack Park Agency has Adopted a Large Subdivision Permit application that incorporates many of the action items in the Conservation Subdivision Bill within it; and

WHEREAS, implementation of the Adirondack Park Agency Large Subdivision Permit, is possibly more protective of the Environment than the Conservation Subdivision Design allows; and

WHEREAS, as of March 20, 2018, the State of New York owned 2,505,802 or 44.6 percent of the Adirondack Park in fee, the State as of November 12, 2018 also owns 785,434 acres of Conservation Easements, where development and subdivision rights have been extinguished, meaning that there are more than 3.3 million acres of a 5.9 million-acre Adirondack Park that will never be developed or subdivided; and

WHEREAS, if implemented, conservation subdivision design would require private property owners to incur undue burden to hire external consultants to complete additional ecological assessments that will add significant time to proceed with proposed developments; and

WHEREAS, this proposed law will effectively eliminate the potential for development on certain land use classifications, which are already protected and regulated by the Adirondack Park Agency; now, therefore be it

RESOLVED, That the Board of Supervisors hereby expresses its strong opposition to Conservation Subdivision Design Bill A04608 and to any administrative imposition of the same effects through the APA internal regulatory permit process; and, be it further

RESOLVED That certified copies of this Resolution be forwarded to the County Treasurer, Adirondack Park Agency, Adirondack Local Government Review Board, Adirondack Association of Towns and Villages, Inter-County Legislative Committee of the Adirondacks, All Adirondack Counties and Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 185**

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION RE-APPROPRIATING NYS OFFICE OF MENTAL HEALTH FUNDS FOR DWYER PEER TO PEER SERVICES FOR 2023 (COMMUNITY SERVICES)**

WHEREAS, Resolution 336 of 2022 accepted additional NYS Office of Mental Health (OMH) Grant Funds for use in the Community Services Department Peer to Peer (P2P) Program in an amount of \$100,000.00; and

WHEREAS, the Community Services Director requests that the 2022 balance of funds in the amount of \$100,000.00 be re-appropriated for use in 2023, therefore be it

RESOLVED, That the 2023 Adopted Budget be and hereby is amended, as follows:

Revenue

Increase A.4310.4320-3489-REV-State Aid-Other Health                      \$100,000.00

Appropriation

Increase A.4310.4320-4130-EXP-Contractual    \$100,000.00

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 186**

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING ADDITIONAL OFFICE OF MENTAL HEALTH (OMH) AND OFFICE OF ADDICTIVE SERVICES (OASAS) FUNDS FOR OMH PROGRAMS AND THE MEDICATION ASSISTANCE TREATMENT PROGRAM (COMMUNITY SERVICES)

WHEREAS, the NYS Office of Alcoholism and Substance Abuse Services (OASAS) and NYS Office of Mental Health (NYS OMH) have notified the Community Services Director that Fulton County will be receiving an additional \$236,250.00 in funding for 2023; and

WHEREAS, the Community Services Director recommends that said funds be used for OMH Programs and the Medication Assistance Treatment Program provided by the Community Services Department to the County Jail; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts additional NYS Office of Mental Health (OMH) grant funds in the amount of \$236,250.00 as follows:

Direct Care Staff 2.5 percent cost of living adjustment	\$42,000.00
Direct Care Staff Personnel Service Enhancements	41,000.00
School Based Mental Health Clinics	88,000.00
Supportive Housing	24,000.00
Medication Assistance Treatment (Count Jail)	<u>41,250.00</u>
	\$236,250.00

RESOLVED, That the 2023 Adopted Budget be and hereby is amended, as follows:

Revenue

Increase A.4310.4230-3486 - REV- State Aid - Narcotics Addiction Control	\$ 41,250.00
Increase A.4310.4320-3489 - REV- State Aid - Other Health	\$195,000.00

Appropriation

Increase A.4310.4230-4130 - EXP- Contractual	\$41,250.00
Increase A.4310.4320-4130 - EXP- Contractual	\$195,000.00

**Resolution No. 186 (Continued)**

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 187**

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING NYS ELC COVID-19 GRANT FOR THE PUBLIC HEALTH CORPS. FELLOWSHIP PROGRAM (PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 224 of 2022 authorized an MOA with the New York State Department of Health to provide Community Outreach and Educational Services Staff in the Public Health Department via a NYS ELC COVID-19 Grants; and

WHEREAS, said grant has set aside a \$493,824.00 to allow the Public Health Department to participate in the NYS Public Health Corps Fellowship Program for the term July 1, 2023 through June 30, 2024; and

WHEREAS, the Fulton County Public Health Department is eligible to utilize a portion of said grant for the purchase of software and supplies to support the initiative; now, therefore be it

RESOLVED, That the Public Health Director is hereby authorized to participate in the NYS Public Health Corps. Fellowship Program effective July 1, 2023 through June 30, 2024, to collect data and prepare a 2022-2024 Community Health Needs Assessment, update educational information and complete community outreach; and, be it further

RESOLVED, That the Public Health Director is hereby authorized to expend COVID-19 grants funds in the amount of \$6,100.00 as follows:

Office Supplies and Educational Material	\$3,275.00
Laptop bags	\$ 450.00
Teams Canva for Business	\$ 875.00
Adobe Acrobat Pro	\$ 900.00
Zoom	<u>\$ 600.00</u>
	\$6,100.00

and, be it further

**Resolution No. 187 (Continued)**

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue

Increase A.4010.4010-2770 - REV- Other Unclassified Revenues      \$6,100.00

Appropriation

Increase A.4010.4010-4530 - EXP- Supplies      \$3,725.00

Increase A.4010.4010-4570 - EXP- Subscriptions      \$2,375.00

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**Resolution No. 188**

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING NYS DEPARTMENT OF HEALTH PERFORMANCE  
INCENTIVE AWARD FUNDS FOR PURCHASE OF ADVERTISING AND CERTAIN  
EQUIPMENT FOR USE IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, the Public Health Director has been notified that the Department has been awarded a Performance Incentive Award for to promote Public Health services under Article 6 of Public Health Law in the amount of \$13,708.00; and

WHEREAS, the Public Health Director requests that said funds be used to purchase of advertising and certain equipment for use in the Public Health Department; now, therefore be it

RESOLVED, That the Public Health Director be and hereby is authorized to purchase the following with Performance Incentive Award Funds from the New York State Department of Health:

Office Desks (5)	\$6,341.00
Office Chairs (2)	473.00
File Cabinets (3)	676.00
Office Supplies	279.00
Educational/Promo Items	2,939.00
Advertising	<u>3,000.00</u>
Total	\$13,708.00

and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.4010.4010-3401 - REV- State Aid - Public Health - Programs \$ 13,708.00

Appropriation:

Increase A.4010.4010-2000 - EXP- Equipment - Fixed Asset	\$ 6,341.00
Increase A.4010.4010-4010 - EXP- Equipment - Non-Asset	\$ 1,149.00
Increase A.4010.4010-4100 - EXP- Advertising	\$ 3,000.00
Increase A.4010.4010-4530 - EXP- Supplies	\$ 3,218.00

**Resolution No. 188 (Continued)**

and, be it further

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

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 189**

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN REVISIONS TO THE  
FULTON COUNTY RABIES PROTOCOL

WHEREAS, the Public Health Director has completed a process to review and revise the Rabies Protocol manual to ensure compliance with State regulations; now, therefore be it

RESOLVED, That the amended Fulton County Rabies Protocol be and hereby is adopted as of May 8, 2023, as placed on file in the Public Health Department and, be it further

RESOLVED, That a copy of the Rabies Protocol, shall be placed on file in the Public Health Department and be distributed to all affected municipalities within the County of Fulton; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, 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 BREH and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 190**

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

RESOLUTION MODIFYING THE HOURS OF OPERATION IN THE  
VETERANS SERVICE AGENCY ON A TRIAL BASIS

WHEREAS, the Veteran’s Service Agency conducted a time study of phone calls and in person visits; and

WHEREAS, the Veteran’s Service Agency Director is requesting change to the hours of operation from 9 a.m. - 5 p.m. to 8 a.m. - 4 p.m. in the Veteran’s Service Agency office to better accommodate the current Veteran customer base in the early morning of the work day; now, therefore be it

RESOLVED, That upon the recommendation of the Veteran’s Service Agency Director and the Committee on Human Services, hours of operation at the Veteran’s Service Agency be and hereby are revised on a trial basis through December 31, 2023 as follows:

	Present Schedule	New Schedule
Monday - Friday	9 a.m. - 5 p.m.	8 a.m. - 4 p.m.

and, be it further

RESOLVED, That the modified hours of operation shall be duly posted at the Veteran’s Service Agency Office and the Director shall report back to the Board of Supervisors in the fall 2023 regarding the success of the revised hours and to obtain approval by Resolution if deemed advisable; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Veteran’s Service Agency Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 191**

Supervisors BLACKMON, CALLERY and HOWARD offered the following Resolution and moved its adoption:

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

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

WHEREAS, the Committees on Human Services, Personnel and Finance recommend continuing two (2) SIPP Caseworker positions on the condition that the entire "local share" be funded by the host school district; and

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

RESOLVED, That two (2) Caseworker positions (Union Job Group A-17) be and hereby are extended in the Department of Social Services, effective July 1, 2023 through June 30, 2024; and, be it further

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

RESOLVED, That said contract/agreement shall be subject to further review by the appropriate committee of this Board of Supervisors in the event of any changes/ reductions to State and/or Federal revenues, in order to make necessary budget adjustments and/or contract amendments; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 192**

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING MEAL EXPENSES FOR THE 2023 FOSTER  
PARENT RECOGNITION DINNER (SOCIAL SERVICES DEPARTMENT)

WHEREAS, the Department of Social Services has historically sponsored a recognition dinner for foster parents during “Foster Care Recognition Month”; and

WHEREAS, in accordance with Section 15.03 of the Purchasing and Audit Guidelines, scheduled meetings of community events that include meals require prior approval by the Board of Supervisors; now, therefore be it

RESOLVED, That the Commissioner of Social Services is hereby authorized to expend funds for the 2023 Foster Parent Recognition Dinner, at a cost not to exceed \$1,200.00, subject to said costs being in accordance with State and/or Federal agency guidelines; 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: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 193**

Supervisors BLACKMON and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING 2023-24 NYS RENTAL SUPPLEMENT PROGRAM  
EXPENSES FOR INDIVIDUALS AND FAMILIES FACING HOMELESSNESS  
(SOCIAL SERVICES DEPARTMENT)

WHEREAS, Resolution No. 66 of 2022 accepted New York State Rental Supplement Program Funds to Supplement Rent Expenses for Individuals and Families Facing Homelessness in an amount of \$116,749.00 with allocation ending March 31, 2023; and

WHEREAS, the Social Services Commissioner has requested authorization to make payments through December 31, 2023 pending official notification of 2023-2024 allocations in an amount not to exceed \$93,180.00; now, therefore be it

RESOLVED, That the Social Services Commissioner is hereby authorized to continue payments for said program services to clients through December 31, 2023 in an amount not to exceed \$93,180.00, using Rental Supplement Program Funds; 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 BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 194**

Supervisor BLACKMON offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING COMMISSIONER OF SOCIAL SERVICES**

RESOLVED, That Anne Solar, of Johnstown, NY, be and hereby is appointed Commissioner of Social Services for Fulton County, for a term beginning June 1, 2023 through May 31, 2028; and, be it further

RESOLVED, That the County Treasurer is hereby authorized to pay such Commissioner the salary reflected in the annual Non-Union Salary Structure, in equal bi-weekly installments; and, be it further

RESOLVED, That Anne Solar 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, Personnel Director, Social Services Commissioner, All Department Heads, Board of Ethics, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**Resolution No. 195**

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION SETTING THE DATE OF A PUBLIC HEARING REGARDING LOCAL LAW “B” OF 2023 ALLOWING RESIDENTS OF FULTON COUNTY OR ANYWHERE IN NEW YORK STATE TO SERVE AS DEPUTY SHERIFF’S IN FULTON COUNTY

WHEREAS, there has been duly presented and introduced at a meeting of the Fulton County Board of Supervisors, held on June 12 2023, a proposed local law entitled, LOCAL LAW “B” OF 2023 ALLOWING RESIDENTS OF FULTON COUNTY OR ANYWHERE IN NEW YORK STATE TO SERVE AS DEPUTY SHERIFF’S IN FULTON COUNTY; now, therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law “B” of 2023 by the Fulton County Board of Supervisors, on June 12, 2023 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, County Attorney, Personnel Director, Sheriff and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**COUNTY OF FULTON, NEW YORK  
LOCAL LAW NO. "B" OF 2023**

**A LOCAL LAW ALLOWING RESIDENTS OF FULTON COUNTY OR ANYWHERE  
IN NEW YORK STATE TO SERVE AS DEPUTY SHERIFF'S IN FULTON COUNTY**

BE IT ENACTED, by the Fulton County Board of Supervisors of the County of Fulton as follows:

**Section 1: INTENT**

The Fulton County Board of Supervisors hereby finds that in order to assure an adequate pool of qualified applicants for the office of Deputy Sheriff within the Fulton County Sheriff's Office, and to retain such applicants if hired, it is necessary and advisable that individuals holding said office within the County of Fulton be permitted to reside either within the County of Fulton or anywhere in New York State.

**Section 2: RESIDENCY REQUIREMENT FOR DEPUTY SHERIFF'S**

The provisions of NYS Public Officers Law Section 3(48), require a person to be a resident of the political subdivision or municipal corporation of the state for which such person shall be chosen or within which such person's official functions are required to be exercised, shall not prevent a person from holding the office of Deputy Sheriff within the Fulton County Sheriff's Office; provided, however, that such person performing the duties and functions of Deputy Sheriff resides in Fulton County or anywhere in New York State. As it relates to the office of Deputy Sheriff, any contrary provision of the Public Officers Law, is hereby superseded.

**Section 3: SEPARABILITY**

If any clause, sentence, paragraph, subdivision, section, or part of this law shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not impair or invalidate the remainder hereof but shall be confined in its operation to the clause, sentence, paragraph, or section directly involved in the controversy in which such judgement shall have been rendered.

**Section 4: EFFECTIVE DATE**

This law shall take effect immediately upon filing in the office of the Secretary of State.

**Resolution No. 196**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION ADOPTING STANDARD WORKDAY AND RETIREMENT REPORTING**

WHEREAS, in 2010 the NYS Retirement System changed the reporting requirements for elected and appointed officials who are members of the Retirement System; and

WHEREAS, the Board of Supervisors must adopt a standard workday and retirement reporting credit for said elected and appointed officials after the first 180 days of taking office or whenever a newly elected or appointed office is established; now, therefore be it

RESOLVED, That the Board of Supervisors hereby establishes standard workdays for the following appointed officials and will report the days worked to the New York State and Local Employees' Retirement System, based on the record of activities maintained and submitted by the officials to the Fulton County Personnel Director, as follows:

**STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS OF FULTON COUNTY - 2023**

BE IT RESOLVED, that the Fulton County Board of Supervisors/Location Code 10017 hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their records of activities:

Title	Standard Work Day (Hrs/day) Min 6 hrs Max 8 hrs	Name	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy - mm/dd/yy)	Participates in Employer's Time Keeping System (Y/N) (Y/N If Y, do not complete the last 2 columns)	Days/Month (based on Record of Activities)	Not Submitted (Check box only if official did not submit their ROA)
<b>Elected Officials</b>							
District Attorney	7	Michael Poulin		1/1/23 - 12/31/26	N	29.89	

and, be it further

**Resolution No. 196 (Continued)**

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Respective Appointed County Officials, NYS Comptroller, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 197**

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

RESOLUTION WAIVING THE START RATE FOR A PERSONNEL CLERK POSITION IN THE PERSONNEL DEPARTMENT

WHEREAS, the Personnel Clerk position in the Personnel Department has been vacant since November of 2022; and

WHEREAS, the Personnel Director has requested that the Start Rate (\$31,115.00) for said Personnel Clerk position be waived in this instance only; and

WHEREAS, the Committees on Personnel and Finance recommend that the Board of Supervisors waive the Start Rate for said Personnel Clerk position; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Personnel and Finance, the Personnel Director be and hereby is directed to pay said Personnel Clerk the permanent one-year rate (\$36,606.00) as identified in the 2023 Non-Union Salary Schedule, in this instance only, effective immediately; and, be it further

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

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**Resolution No. 198**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING ANTHONY REPPENHAGEN TO THE  
TRAFFIC SAFETY BOARD

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

RESOLVED, That upon the recommendation of the Committee on Public Safety, the following individuals be and hereby is appointed to the Traffic Safety Board for the balance of the term, as follows:

January 1, 2023 Through December 31, 2025:

Anthony Reppenhagen                      Gloversville, New York

and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, District Attorney, Fulton County Board of Ethics, Traffic Safety Board, and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**Resolution No. 199**

Supervisor GROFF offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING EXTENSION OF NYS OFFICE OF INDIGENT LEGAL SERVICES CONTRACT GRANT CSTWIDEHH17 (PUBLIC DEFENDER)**

WHEREAS, following the landmark “Hurrell-Harring” legal settlement by the State of New York, the NYS Indigent Legal Services Commission (ILS) has embarked on 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 amount of \$295,725.00 for the period April 1, 2018 through March 21, 2023; and

WHEREAS, the New York State Office of Indigent Legal Services has extended said grant period for the Indigent Legal Services Grant until December 31, 2024; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract extension with the New York State Office of Indigent Legal Services for the period January 1, 2023 through December 31, 2024, for Contract No. CSTWIDEHH17; all other terms and aspects of said contract shall remain in full force and effect; and, be it further

RESOLVED, That the Public Defender 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 BLACKMON and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 200**

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

RESOLUTION AUTHORIZING PURCHASE OF A PATROL CAR WITH INSURANCE CLAIM PROCEEDS (SHERIFF’S DEPARTMENT)

WHEREAS, the Sheriff’s Department has been notified that it will receive \$36,045.00 from the New York Municipal Insurance Reciprocal to replace a Sheriff’s patrol vehicle totaled in a motor vehicle accident on February 1, 2023; now, therefore be it

RESOLVED, in accordance with Fulton County Purchasing and Audit Guidelines, the Sheriff be and hereby is authorized to purchase a replacement sedan for patrol purposes in accordance with the Fulton County Purchasing and Audit Guidelines; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A.3110.3110-2680-REV-Insurance Recoveries	\$36,045.00
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Appropriation Account:

Increase A.3110.3110-2010-EXP-Capital Expense	\$36,045.00
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and, be it further

RESOLVED, That the Sheriff and Purchasing Agent do each and everything 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 POTTER and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 201**

Supervisors GROFF, CALLERY and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH MARYANN  
BALDWIN FOR CIVIL OFFICE CLERK CONSULTING SERVICES IN THE  
SHERIFF'S DEPARTMENT

WHEREAS, Resolution 68 of 2023 authorized a contract with Mary Ann Baldwin for Civil Office Clerk Consulting Services in the Sheriff's Department; and

WHEREAS, the Sheriff has requested to extend the contract with retired Senior Civil Clerk Mary Ann Baldwin to provide Civil Clerk services on a temporary basis to assist the Civil Office; and

WHEREAS, the Committees on Public Safety and Personnel recommend extending contracting with Ms. Baldwin on a temporary basis to provide the Sheriff's Department with her experience and knowledge of Civil Office duties for training of other staff; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to extend said contract with Mary Ann Baldwin of Gloversville, New York for Senior Civil Clerk Services, effective retroactive to April 1, 2023 through September 30, 2023, at a rate of \$23.72 per hour, not to exceed 12 hours per week, at a total cost not to exceed \$2,812.58; said contract subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**Resolution No. 202**

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

**RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE PROBATION DEPARTMENT AND FULTON COUNTY CITIZENS IN COMMUNITY SERVICES, INC. TO ADMINISTER ELECTRONIC MONITORING OF PRE-TRIAL SERVICES CLIENTS**

WHEREAS, Resolution 142 of 2023 accepted 2022-2023 NYS DCJS Grant for Pre-Trial Release Services (Fulton County Alternatives to Incarceration Program) for the Probation Department in the amount of \$108,496.00; and

WHEREAS, said Resolution also authorized the purchase of a copier for implementation of an electronic monitoring program for persons awaiting trial within the County's Pre-Trial Release Program and a grant balance remains in the amount of \$102,496.00; and

WHEREAS, the Probation Director recommends utilizing said funding for a contract with Citizens in Community Services (Pre-Trial Services) to maintain and monitor clients on Pre-Trial Release with electronic monitoring devices; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Citizens in Community Services to authorized the Probation Director to maintain and monitor clients on Pre-Trial Release with electronic monitoring devices in support of the Alternatives to Incarceration Program effective May 8, 2023, said contract subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 203**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE FULTON COUNTY PROBATION DEPARTMENT AND SATELLITE TRACKING OF PEOPLE LLC FOR ELECTRONIC MONITORING OF CERTAIN PERSONS ORDERED INTO THE PRE-TRIAL RELEASE PROGRAM

WHEREAS, Resolution 142 of 2023 accepted 2022-2023 NYS DCJS Grant for Pre-Trial Release Services (Fulton County Alternatives to Incarceration Program) for the Probation Department in the amount of \$108,496.00; and

WHEREAS, said Resolution also authorized the purchase of a copier for implementation of an electronic monitoring program for persons awaiting trial within the County’s Pre-Trial Release Program and a grant balance remains in the amount of \$102,496.00; and

WHEREAS, the Probation Director recommends utilizing a portion of said balance for a contract with Satellite Tracking of People, LLC. for electronic monitoring of client’s court-ordered into Pre-Trial Release; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Satellite Tracking of People, LLC. of Houston, Texas for electronic monitoring of clients on Pre-Trial Release effective May 8, 2023 to facilitate support to the County’s Alternatives to Incarceration Program, at a total cost to not exceed \$20,000.00, said contract subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue

Increase A.1000.0599-0599-REV-Appropriated Fund Balance      \$20,000.00

Appropriation

Increase A.3140.3140-4130-EXP-Contractual      \$20,000.00

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 204**

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

RESOLUTION OPPOSING SENATE BILL S.6282 THAT WOULD ELIMINATE CERTAIN SUPERVISORY PROBATION FEES

WHEREAS, Senate Bill S.6282 has been introduced in the NYS Senate which would prohibit counties and cities from requiring probation clients to pay certain probation administrative fees related to the termination and discharge of certain sentences; and

WHEREAS, there are significant costs associated with monitoring probationers and over the years, there have been an abundance of State mandated programs and services that local County Probation Departments are required to provide by law; and

WHEREAS, Senate Bill S.6282 further goes on to eliminate the requirement that a person who is on parole and eligible for a discharge no longer needs to comply with an order of restitution and payment of any mandatory surcharge, sex offender registration fee or DNA databank fee imposed by a court or show that a good faith effort to so comply has been made in order to be discharged from Parole; and

WHEREAS, said Senate Bill S.6282, if enacted, will further erode monitoring and reform of criminal offenders and have a deleterious effect on public safety; now, therefore be it

RESOLVED, That certified copies of this Resolution be forwarded to New York State Governor Kathy Hochul, Senator Mark Walczyk, Assemblyman Robert Smullen, Assemblywoman Mary Beth Walsh, Assemblyman Matthew Simpson, the New York State Association of Counties, Probation Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 391 (16) Nays: 52 (2) (Supervisors Greene and Young)  
Absent: 87 (2) (Supervisors Goderie and Wilson)

**Resolution No. 205**

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

**RESOLUTION RE-ALLOCATING 2020 NYS INTEROPERABLE COMMUNICATION GRANT FUNDS TO PURCHASE CERTAIN EQUIPMENT FOR USE IN THE EMERGENCY MANAGEMENT OFFICE (2021 CAPITAL PLAN)**

WHEREAS, Resolution 400 of 2021, amended the 2021 Capital Plan to include a Radio Interoperable Communications Project in the Emergency Management Office by accepting a NYS 2020 Interoperable Communications Grant in the amount of \$469,321.00 and authorized purchase of various equipment for use in the Civil Defense/Fire Coordinator’s Office with said grant funds; and

WHEREAS, Fulton County has an unspent balance of \$18,310.00 in grant proceeds from said grant; now, therefore be it

RESOLVED, That upon the recommendation of the Civil Defense Director and Committees on Public Safety and Finance, the Civil Defense Director be and hereby is authorized to expend 2020 NYS Interoperable Communication Grant Funds to purchase the items identified herein, in approximate amounts, as follows:

AT&T Vocality Radio over IP (RoIP)	
Full Feature FirstNet Ready LTE Bundle	
with 4 Ports with remote installation support:	\$10,050.00
AT&T Interoperability License Fee:	\$ 2,500.00
Cables, Accessories:	\$ 1,300.00
APX 4500 Mobile Radio:	\$ 3,500.00
Astron (or equivalent) 50amp Power Supply:	\$ 500.00
Labor For Install	<u>\$ 460.00</u>
Total:	\$18,310.00

and, be it further



**Resolution No. 205 (Continued)**

RESOLVED, That the Civil Defense Director is hereby directed to carry out said purchases expeditiously and complete all grant requirements in 2023; and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 206**

Supervisors GREENE and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH NORTHAMPTON VOLUNTEER  
AMBULANCE CORPS FOR THE FULTON COUNTY AMBULANCE SERVICE  
INCENTIVE PLAN (EMERGENCY MANAGEMENT OFFICE)

WHEREAS, Resolution 314 of 2021 authorized an application to the NYS Department of Health to obtain a Municipal Certificate of Need to Establish, Contract for and/or Operate an Ambulance Service under contract(s) within the County’s Boundaries; and

WHEREAS, said county-level Certificate of Need was approved by the NYS Department of Health, effective December 30, 2021; and

WHEREAS, the Board of Supervisors obtained said Certificate of Need to facilitate a comprehensive Ambulance Service Incentive Plan to stabilize and improve ambulance service response for all residents throughout the County; and

WHEREAS, Resolution 87 of 2022 approved contracts with certain ambulance service providers and established accounts to establish the Fulton County Ambulance Service Incentive Plan; and

WHEREAS, the Northampton Volunteer Ambulance Corps (NVAC) has substantially upgraded its service with expanded availability for the northern region of Fulton County and the Civil Defense Director/Fire Coordinator recommends adding that agency as a provider within the Ambulance Service Incentive Plan system, now, therefore be it

RESOLVED, That upon the recommendation of the Civil Defense Director/Fire Coordinator Committees on Public Safety and Finance, the Chairman of the Board be and hereby is authorized to sign a contract with Northampton Volunteer Ambulance Corps (NVAC), effective June 1, 2023 through December, 31, 2024 at projected costs as follows:

<u>Provider</u>	
Northampton Volunteer Ambulance Corps	\$16,600.00 per year

and, be it further

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

**Resolution No. 206 (Continued)**

and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 417 (17) Nays: 0 Abstentions: 25 (1) (Supervisor Groff)  
Absent: 87 (2) (Supervisors Goderie and Wilson)

**Resolution No. 207**

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

RESOLUTION AMENDING THE 2023 CAPITAL PLAN TO INCLUDE THE FJ & G RAIL TRAIL PROJECT

WHEREAS, Resolution 153 of 2022 accepted donation of former FJ & G Railroad Right-of-Way and associated land from Fred Olbrych for the FJ & G Rail Trail; and

WHEREAS, the 2022 Capital Plan included paving of a .8-mile section of new Rail Trail Right-of-Way between Dennie’s Crossing and Patch Road; and

WHEREAS, work on said paving component of the project did not commence in 2022; and

WHEREAS, the Planning Director recommends re-appropriating certain Capital Improvement Reserve funds to pave the FJ & G Rail Trail between Dennie’s Crossing and Patch Road in an amount not to exceed \$100,000.00; now, therefore be it

RESOLVED, That in order to continue progress on the FJ & G Rail Trail, the 2023 Capital Plan is hereby amended to include said FJ & G Rail Trail Project; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue

Increase A.1000.0511-0511-REV-Appropriated Reserve \$100,000.00

Appropriation

Increase A.1000.9950-9000.1200-EXP-Capital Improvements Expense \$100,000.00

and, be it further

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: \$100,000.00

From: A.1000.9950-9000.1200-EXP-Capital Improvements Expense

To: H.8020.8020-2100.0976-EXP-FJ & G Rail Trail Improvements (NEW)

Sum: \$100,000.00

and, be it further

**Resolution No. 207 (Continued)**

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 208**

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR  
FJ & G RAIL TRAIL PAVING

WHEREAS, a Resolution dated May 8, 2023 amended the 2023 Capital Plan to include a FJ & G Rail Trail project to expand the Trail from Dennie's Crossing to Patch Road; and

WHEREAS, the Committee on Public Works recommends advertising for bids for said FJ & G Rail Trail Project at this time now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the Paving Component of the FJ & G Rail Trail Project (and according to further specifications which may be obtained at the Office of the Purchasing Agent, 223 West Main Street, Room 203, 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, 223 West Main Street, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday May 24, 2023, 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 and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 209**

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR PURCHASE OF A  
4500 CHASSIS DUAL WHEELED DUMP TRUCK WITH PLOW FOR USE IN THE  
HIGHWAYS AND FACILITIES DEPARTMENT (2023 CAPITAL PLAN)**

WHEREAS, the 2023 Capital Plan includes a new Dump Truck with Plow for use in the Highways and Facilities Department; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of a new Dump Truck with Plow for use in the Highways and Facilities Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, 223 West Main Street, Room 203, 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, 223 West Main Street, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, May 24, 2023, 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, Solid Waste Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**Resolution No. 210**

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

**RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS INTERNATIONAL TO SELL SURPLUS EQUIPMENT IN THE HIGHWAYS AND FACILITIES DEPARTMENT**

WHEREAS, the Superintendent of Highways and Facilities has recommended a contract with Auctions International Corporation to sell surplus vehicles on behalf of the County; and

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

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

<u>Year</u>	<u>Vehicle</u>	<u>Mileage/Hours</u>	<u>VIN /Serial Number</u>	<u>Estimated Value</u>
1993	Ford F350	151,881 miles	2FTJW35H0PCA97724	\$ 1,000.00
1999	John Deere 4100	1,226 hrs.	CH30100007891	\$ 3,000.00

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, Superintendent of Highways and Facilities, Auctions International Corporation, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 211**

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

RESOLUTION AWARDING BID TO JAMES H. MALOY, INC. FOR GENERAL  
CONSTRUCTION FOR THE PHASE VI LANDFILL EXPANSION CONSTRUCTION  
PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes a Phase VI Landfill Expansion Construction Project; and

WHEREAS, Resolution 271 of 2022 authorized a contract with Barton and Loguidice for Engineering Services for a Landfill Expansion Project in 2023; and

WHEREAS, Resolution 75 of 2023 authorized Advertisement for Bids for the Phase VI Landfill Expansion Construction Project and four (4) bids were received; and

WHEREAS, the Solid Waste Director recommends awarding bid to James H. Maloy, Inc. for construction of existing landfill cells to utilize existing footprint space; now, therefore be it

RESOLVED, That the net bid, in the following amount, as submitted by James H. Maloy, Loudonville, New York for general construction of Phase VI Landfill Expansion Construction Project, as part of the 2023 Capital Plan, be and hereby is awarded, as reviewed and recommended by the Director of Solid Waste, Project Engineer Barton and Loguidice, P.C. and Fulton County Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2023-86-02, dated 29 March 2023:

James H. Maloy, Loudonville, NY	\$3,397,700.00
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RESOLVED, That said contract is subject to the approval of the County Attorney; and, be it further

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

From: CL.1000.9950-9000.1900-EXP-Landfill Depreciation Expense  
To: H.8160.8162-2100.0977-EXP-Phase VI Landfill Expansion (NEW)  
Sum: \$3,750,000.00

and, be it further

**Resolution No. 211 (Continued)**

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 212**

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

RESOLUTION AWARDING BID TO EXECUTIVE ELECTRIC, LLC FOR ELECTRICAL SERVICES FOR THE PHASE VI LANDFILL EXPANSION CONSTRUCTION PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes a Phase VI Landfill Expansion Construction Project; and

WHEREAS, Resolution 75 of 2023 authorized Advertisement for Bids for said Phase VI Landfill Expansion Project and no bids were received; and

WHEREAS, the Purchasing Department re-advertised for bids and two (2) bids were received; and;

WHEREAS, the Solid Waste Director recommends awarding bid to Executive Electric, LLC. for the Electrical Component of said Landfill Expansion Project; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between Fulton County and Executive Electric, LLC. of Amsterdam, New York, for the Electrical Component of the Phase VI Landfill Expansion Project in an amount not to exceed \$617,625.00 in accordance with Specification No. 2023-86-02, dated 26 April 2023; and, be it further

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

From: CL-0898.0879-Landfill Depreciation  
To: CL-0909-Unreserved Fund Balance  
Sum: \$265,325.00

From: CL.1000.9950-9000.1900 – EXP – Landfill Depreciation Expense  
To: H.8160.8162-2100.0977 – EXP – Phase VI Landfill Expansion (NEW)  
Sum: \$265,325.00

and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase CL.1000.0511-0511-REV-Appropriated Reserves \$265,325.00

Appropriation Account:

Increase CL.1000.9950-9000.1900 – EXP – Landfill Depreciation Expense \$265,325.00

and, be it further

**Resolution No. 212 (Continued)**

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, Solid Waste Director, Executive Electric, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 213**

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

RESOLUTION AUTHORIZING A CONTRACT WITH BARTON & LOGUIDICE FOR  
CONSTRUCTION ADMINISTRATION SERVICES FOR THE PHASE VI LANDFILL  
EXPANSION CONSTRUCTION PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes a Phase VI Landfill Expansion Project; and

WHEREAS, Resolution 271 of 2022 authorized a contract with Barton and Loguidice for Engineering Design Services for the Phase VI Landfill Expansion Project; and

WHEREAS, the Solid Waste Director recommends hiring Barton & Loguidice for construction administration of the Phase VI Landfill Expansion Construction Project, based upon its proposal for said services as follows:

Construction Observation	\$254,500.00
Administration and Progress Meetings	86,500.00
Post Construction Services/Certification	<u>12,500.00</u>
	\$353,500.00

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and Barton and Loguidice of Syracuse, New York, to provide Construction Administration services, in an amount not to exceed \$353,500.00; and, be it further

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

From: CL-0898.0879-Landfill Depreciation  
To: CL-0909-Unreserved Fund Balance  
Sum: \$353,500.00

From: CL.1000.9950-9000.1900 – EXP – Landfill Depreciation Expense  
To: H.8160.8162-2100.0977 – EXP – Phase VI Landfill Expansion (NEW)  
Sum: \$353,500.00

and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue Account:  
Increase CL.1000.0511-0511-REV-Appropriated Reserves \$353,500.00

Appropriation Account:  
Increase CL.1000.9950-9000.1900 – EXP – Landfill Depreciation Expense       \$353,500.00  
**Resolution No. 213 (Continued)**

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, Solid Waste Director, Barton & Loguidice, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:



TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 214**

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

RESOLUTION AUTHORIZING CONTRACT BETWEEN THE SOLID WASTE  
DEPARTMENT AND BARTON & LOGUIDICE, P.C. FOR SERVICES RELATED TO  
TITLE V PERMIT REQUIREMENTS (2024)

WHEREAS, the County of Fulton was issued a Title V Air Permit for the Phase IV Landfill Expansion Project; and

WHEREAS, to ensure compliance with said Permit, data must be analyzed, and reports must be filed; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a renewal contract between the Solid Waste Department and Barton and Loguidice Engineers to complete reports required in 2024 for the Title V Air Permit at a cost not to exceed \$20,000.00; said contract subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 215**

Supervisors BRADT AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PURCHASE OF A CURBSIDE RECYCLING TRUCK  
FOR USE IN THE SOLID WASTE DEPARTMENT VIA  
ONONDAGA COUNTY CONTRACT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan identifies a “Recycling Truck” for use in the Solid Waste Department at a cost of \$230,000.00; and

WHEREAS, inasmuch as Recycling Trucks are not currently available via New York State OGS contract, the Solid Waste Director recommends purchase of a 2024 or 2025 Freightliner Compactor Curbside Recycling Truck at a total cost of \$230,554.33, via Onondaga County Bid Contract which was extended to all political subdivisions and districts in New York State; now, therefore be it

RESOLVED, That the Solid Waste Director be and hereby is authorized to purchase a 2024 or 2025 Freightliner Compactor Curbside Recycling Truck as identified in the bid award (Bid Reference# 8996) by Onondaga County, at a bid price as follows:

2024 or 2025 Freightliner Compactor Curbside Recycling Truck	\$230,554.33
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and, be it further

RESOLVED, That said cost be a charge against CL.8160.8163-2010.1800-EXP-Transfer Haul Equipment Expense; 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 Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 216**

Supervisors BRADT AND HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID FOR TWO (2) SETS OF DOZER TRACKS FOR USE IN  
THE SOLID WASTE DEPARTMENT**

WHEREAS, the Director of Solid Waste recommends the purchase of two (2) sets of Dozer Tracks for use in the Solid Waste Department; and

WHEREAS, Resolution 119 of 2023 authorized advertisement for bids for said Dozer Tracks and four (4) bids were received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committees on Public Works and Finance recommend that the Base Bid be awarded to Contractor Sales Co., Albany, NY for two (2) sets of Dozer Tracks, at a net cost not to exceed \$51,572.40; now, therefore be it

RESOLVED, That the net Base Bid, in the amount of \$51,572.40, as submitted by Contractor Sales Co., Albany, NY for two (2) sets of Dozer Tracks, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

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

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 217**

Supervisors BRADT AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION OPPOSING THE TONNAGE “DISINCENTIVE FEE” AS PROPOSED IN  
THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) DRAFT  
SOLID WASTE MANAGEMENT PLAN

WHEREAS, the NYS Department of Environmental Conservation requires and relies upon the Fulton County Solid Waste Department to provide comprehensive waste reduction, recycling, and disposal services to the Fulton County region; and

WHEREAS, the Fulton County Solid Waste Department is responsible to set rates to support its solid waste management system, including the implementation of its plan, that is approved by the NYSDEC; and

WHEREAS, the Climate Action Council’s Final Scoping Plan recommends that New York State “enact legislation in 2023 to establish a disposal disincentive (fee per ton) on all waste generated in New York to provide financial support for reduction, reuse, and recycling”; and

WHEREAS, the Solid Waste Department already implements fee structures that support its waste reduction, reuse, and recycling programs and disincentivize disposal due to its recycling programs that are typically offered at no cost or at a fee significantly lower than disposal fees; and

WHEREAS, the implementation of statewide per ton fees essentially undermines and penalizes the efforts of Solid Waste Departments to provide cost-effective comprehensive systems; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors be and hereby opposes the implementation of any state-imposed waste disposal surcharge or “disincentive fee” as an unnecessary and unfair mandate; and, be it further

RESOLVED, That the Fulton County Board of Supervisors hereby requests that the Fulton County Solid Waste Department receive an exemption from such surcharges should the State choose to implement them at other disposal facilities; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Governor Kathy Hochul, NYSDEC Commissioner Basil Seggos, NYSAC, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 218**

Supervisors BRADT AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH CINDY LIVINGSTON FOR  
DEPUTY ADMINISTRATION CONSULTING SERVICES AT THE  
DEPARTMENT OF SOLID WASTE

WHEREAS, Cindy Livingston will retire from her position as Deputy Director of Solid Waste (Administration) at the Solid Waste Department effective June 30, 2023; and

WHEREAS, the Director of Solid Waste has requested to contract with Ms. Livingston for part-time training and consultation services to transition a new Deputy Director of Solid Waste (Administration); and

WHEREAS, the Committees on Public Works, and Personnel, recommend contracting with Cindy Livingston for Deputy Administration consulting services to assist a new Deputy Director of Administration, to be available for ongoing projects that were already started, such as projects, grants, contracts, policies and legislative issues to ensure continuity of duties and tasks; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Cindy Livingston, of Broadalbin, NY, effective July 3, 2023 through December 31, 2023 at a rate of \$46.00 per hour, for an estimated 10 to 15 hours per week, not to exceed a total amount of \$16,200.00; said contract subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 219**

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING SUPERINTENDENT OF HIGHWAYS AND FACILITIES

RESOLVED, That in accordance with Local Law No. 6 of 2006 Amending Local Law 4 of 1985, which Created the Fulton County Highway Department, to Provide Authority for New Department of Highway and Facilities, Mark E. Yost, of Gloversville, NY, be and hereby is reappointed as Superintendent of Highways and Facilities, for the term effective April 1, 2023 through March 31, 2027, in accordance with the Non-Union Salary Schedule; and, be it further

RESOLVED, That the Superintendent is hereby authorized to appoint a Deputy Superintendent of Highways and a Deputy Superintendent of Facilities, with the approval of the Board of Supervisors, and in accordance with the Non-Union Salary Schedule; and, be it further

RESOLVED, That the Superintendent of Highways and Facilities is required to sign the Fulton County Oath Book located in the County Clerk's Office and submit a Financial Disclosure Statement to the Fulton County Ethics Board; and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)

**Resolution No. 220**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH DOMINION VOTING FOR VOTING MACHINE MAINTENANCE SERVICES FOR THE 2023 PRIMARY ELECTION**

WHEREAS, vacancies exist in the two (2) positions of Voting Machine Custodians within the Board of Elections; and

WHEREAS, the Board of Election Commissioners recommend contracting with Dominion Voting Systems to conduct Voting Machine Maintenance for the 2023 primary election; now, therefore be it

RESOLVED, That the upon the recommendation of the Committee on Finance, the Board of Supervisors, be and hereby, authorizes a contract between the Board of Elections Commissioners and Dominion Voting Systems to provide Voting Machine Maintenance Services for the 2023 Primary Election at a cost not to exceed \$2,200.00; and, be it further

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

From: A.1450.1450-4210 – EXP – Training and Conferences  
To: A.1450.1450-4130 – EXP – Contractual  
Sum: \$2,200.00

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Goderie and Wilson)



**Resolution No. 221**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING THE REPORT OF THE COMMITTEE ON  
MORTGAGE TAX DISTRIBUTION

RESOLVED, That the Report of the Committee on Mortgage Tax (Finance) dated April 27, 2023, be adopted as the act and determination of the Board and that the County Treasurer be and hereby is authorized and directed to issue checks payable to the proper village, town or city officers thereto; 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 BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Blackmon, Goderie and Wilson)

**Resolution No. 222**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT EXTENSION BETWEEN THE FULMONT  
ASSOCIATION OF COLLEGE EDUCATORS AND FULTON-MONTGOMERY  
COMMUNITY COLLEGE, FULTON COUNTY AND MONTGOMERY COUNTY

WHEREAS, negotiations have been completed for a successor employment agreement between the Fulton-Montgomery Community College, Fulton County, Montgomery County and the Fulmont Association of College Educators (FACE); now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Memorandum of Agreement by and between the Fulton-Montgomery Community College, Fulton County, Montgomery County and the Fulmont Association of College Educators (FACE), effective September 1, 2023 through August 31, 2027, as attached hereto and made a part hereof; and, be it further

RESOLVED, That said agreement 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, County Attorney, FMCC, FMCC Board of Trustees, Montgomery County Legislature, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 391 (17) Nays: 0 Abstentions: 25 (1)  
Absent: 113 (3) (Supervisors Blackmon, Goderie and Wilson)



**Resolution No. 223**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT EXTENSION BETWEEN THE FMCC BUILDINGS AND GROUNDS UNIT 6906, CSEA, INC. LOCAL 1000, AFSCME, AFL-CIO AND FULTON-MONTGOMERY COMMUNITY COLLEGE, FULTON COUNTY AND MONTGOMERY COUNTY

WHEREAS, negotiations have been completed for a successor employment agreement between the Fulton-Montgomery Community College, Fulton County, Montgomery County and FMCC Buildings and Grounds Unit, CSEA, Inc., AFSCME, Local 1000, AFL-CIO; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Memorandum of Agreement by and between the Fulton-Montgomery Community College, Fulton County, Montgomery County and FMCC Buildings and Grounds Unit, CSEA, Inc., AFSCME, Local 1000, AFL-CIO, effective September 1, 2023 through August 31, 2025, as attached hereto and made a part hereof; and, be it further

RESOLVED, That said agreement 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, County Attorney, FMCC, FMCC Board of Trustees, Montgomery County Legislature, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 391 (17) Nays: 0 Abstentions: 25 (1)  
Absent: 113 (3) (Supervisors Blackmon, Goderie and Wilson)



**Resolution No. 224**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT EXTENSION BETWEEN THE  
EDUCATIONAL SUPPORT PERSONNEL AND FULTON-MONTGOMERY COMMUNITY  
COLLEGE, FULTON COUNTY AND MONTGOMERY COUNTY

WHEREAS, negotiations have been completed for a successor employment agreement between FMCC, Fulton County, Montgomery County and the Educational Support Personnel (ESP); now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Memorandum of Agreement by and between FMCC, Fulton County, Montgomery County and the Educational Support Personnel (ESP), effective September 1, 2023 through August 31, 2025, as attached hereto and made a part hereof; and, be it further

RESOLVED, That said agreement 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, County Attorney, FMCC, FMCC Board of Trustees, Montgomery County Legislature, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 391 (17) Nays: 0 Abstentions: 25 (1)  
Absent: 113 (3) (Supervisors Blackmon, Goderie and Wilson)

**MEMORANDUM OF AGREEMENT**

This MEMORANDUM OF AGREEMENT is entered into by and between the FULTON-MONTGOMERY COMMUNITY COLLEGE (“College”) and the EDUCATIONAL SUPPORT PERSONNEL (“ESP”) (ESP and College collectively, “Parties”) effective \_\_\_\_\_, 2023.

WHEREAS the parties have entered into a collective Agreement for the period from September 1, 2018 to August 31, 2022; and

WHEREAS the parties previously agreed to extend the Agreement for the period from September 1, 2022 to August 31, 2023; and

WHEREAS the parties agree to extend the terms and conditions of the Agreement for a period of two years commencing on September 1, 2023 and ending on August 31, 2025;

WHEREAS the parties agree that effective September 1 of each corresponding year, the base annual salary of returning bargaining unit members shall be increased by 2.0%;

WHEREAS the parties agree that the salary ranges shall be increased by the base annual salary increases for each year of the Agreement;

NOW, THEREFORE, the parties AGREE as follows:

All terms and conditions of the current Agreement shall continue in full force and effect during the extension period.

FULTON-MONTGOMERY  
COMMUNITY COLLEGE

FULTON-MONTGOMERY COMMUNITY  
COLLEGE EDUCATION SUPPORT  
PERSONNEL UNIT,

\_\_\_\_\_  
Gregory Truckenmiller, Ph.D.      Dated  
President

\_\_\_\_\_  
Marlene Arminio      Dated  
Unit Co-President

\_\_\_\_\_  
Debra Shang      Dated  
Unit Co-President

**Resolution No. 225**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH DEBTBOOK TO PROVIDE LEASING ASSESSMENT AND REPORTING SERVICES RELATED TO THE IMPLEMENTATION OF GASB 87 (COUNTY TREASURER)**

WHEREAS, the Governmental Accounting Standards Board (GASB) has issued new rules to ensure that municipalities are following and maintaining certain lease accounting standards; and

WHEREAS, the County Treasurer recommends a contract with Debtbook to provide services and software to maintain the new lease accounting standards that GASB 87 requires which will be a requirement to be included in the County's 2022 Financial Statements; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Debtbook of Charlotte, North Carolina, to provide services and software for reporting new lease accounting standards GASB 87, for the fiscal year ending December 31, 2022, at a cost not to exceed \$13,700.00; 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.1325.1325-4090 – EXP – Professional Services  
Sum: \$13,700.00

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Blackmon, Goderie and Wilson)





**Resolution No. 226**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH COUNTY AUDITORS BST & COMPANY TO PROVIDE CONSULTING SERVICES FOR AMBULANCE SERVICE INCENTIVE PLAN BILLING PROCEDURES**

WHEREAS, based upon experience with the new Fulton County Ambulance Service Incentive Plan administered by the Emergency Management Office (EMO), the program has stabilized ambulance service availability within the County; and

WHEREAS, one of the challenges of any such system is coordinating third party billing (Medicare, Medicaid and private health insurance) on behalf of some of the volunteer ambulance service companies; and

WHEREAS, the Administrative Officer recommends a special project contract assignment with Independent Auditors BST & Company to analyze the County's current process the County is using and design a monthly billing and reconciliation process for the Ambulance Service Incentive Plan; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with BST & Company of Latham, NY, to provide consulting services for Ambulance Service Incentive Plan billing procedures, as needed, effective May 8, 2023 through December 31, 2023,said contract to be based upon fees billed at 85 percent of the standard hourly rates for the engagement, at a total cost not to exceed \$15,000.00; 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.1340.1340-4090 – EXP – Professional Services  
Sum: \$15,000.00

and, be it further

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

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Blackmon, Goderie and Wilson)



**Resolution No. 227**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE  
FULTON COUNTY PURCHASING AND AUDIT GUIDELINES

WHEREAS, Resolution 406 of 1993 established and adopted the Fulton County Purchasing and Audit Guidelines, in accordance with NYS General Municipal Law, Sections 103 and 104B; and

WHEREAS, periodic review and revision of said Guidelines are necessary for the efficient operation and oversight of County purchasing and fiscal practices; and

WHEREAS, the Purchasing Agent, Budget Director/County Auditor and Finance Committee are recommending the Purchasing and Audit Guidelines be amended to include increasing contract approval thresholds, defining the renewal process for maintenance contracts, subscriptions and licensing requirements, formatting of budget transfers, clarifying exceptions to the purchase order systems and clarifying wording regarding the Claims and Audit process; now, therefore be it

RESOLVED, That upon the recommendation of the Purchasing Agent, the Fulton County Purchasing and Audit Guidelines be and hereby is adopted in its entirety with new amended additions appearing in underline and deletions appearing in strikethrough, as attached hereto and made a part hereof; and be it further

RESOLVED, That said amendments shall become effective immediately; and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Blackmon, Goderie and Wilson)



**RESOLUTION ATTACHMENT (MAY 8, 2023) AMENDMENTS TO  
FULTON COUNTY PURCHASING AND AUDIT GUIDELINES**

Section:

pg. 4      **2.04 Requests for Transfers:**

To request ~~an increase in appropriations~~, a transfer the Department Head should proceed as follows:

1. ~~The request for transfers or increase in appropriations~~ Transfer requests should be ~~in writing~~ typed and directed to the Budget Director (copy to the Purchasing Agent).
2. An explanation as to why the purchase is necessary must be included in the request.
3. ~~The amount needed and the account numbers involved must be indicated.~~ The transfer request must be written in proper format and include the following:
  - Amount(s) needed to transfer
  - Necessary account numbers including the full name of each account

Format Examples:

From: A.1340.1340-4530 – EXP – Supplies  
To: A.1340.1340-4560 – EXP – Printing  
Sum: \$40.00

Or

<u>From:</u>	<u>A.1340.1340-4530 – EXP – Supplies</u>	<u>\$30.00</u>
	<u>A.1340.1340-4570 – EXP – Subscriptions</u>	<u>10.00</u>
<u>To:</u>	<u>A.1340.1340-4560 – EXP – Printing</u>	<u>\$40.00</u>

The Budget Director's recommendation for approval or disapproval should be obtained. If the request is approved, should the transfer fall under the Budget Director's transfer authority per Resolution 233 of 2019, the request may then be submitted to the Treasurer's Office for completion.

~~After accumulation of all related information,~~ If the transfer does not fall under the authority of the Budget Director, the Department Head shall submit the request to the appropriate oversight Committee for action and referral. The full Board of Supervisors must approve transfers, via resolution. The approved resolution will then be forwarded to the County Treasurer and Purchasing Agent. The Department may then submit the purchase requisition to the Purchasing Agent.



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## **8.0 Purchase Orders and Requisitions:**

All purchases over \$100.00 require a purchase order. The purchase order is created via a computerized requisition form residing in the purchase order/requisition ~~program~~ module of the County's financial system. The purchase requisition is transmitted electronically to the Purchasing Office to request ~~preparation~~ of a purchase order. The following types of purchases are exempt from the purchase order requirement. They may be processed as direct payments with an invoice from the vendor or via County vouchers.

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## **8.01 Exceptions to Purchase Order System:**

Contracts (~~i.e. rental, maintenance or service~~) (authorized by the Board of Supervisors via Resolution)

Purchases under \$100.00

Employee travel expenses, conference fees, memberships

Reimbursement of petty cash

Utility bills (water, sewer, electric, gas)

Telephone and Internet bills (not related to a service or maintenance contract)

Postage meter costs

Interdepartmental charges

Publications and subscriptions

Medical payments (physicians, labs., etc.)

Payments for services related to a condition of employment such as:

- Psychological evaluations
- Drug testing
- Finger printing

Newspaper advertisements and legal notices for non-marketing purposes

Inmate penitentiary charges

Urgent real property repair or building repair purchases under \$500.00 by the

Highways and Facilities Superintendent

Emergency towing bills for County owned vehicles

Uniform Allowances

Interpreter and language line services

Process serves fees



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**8.05 Blanket Purchase Order Procedures:**

[Wording to remain as is under Procedures to Follow: for numbered items 1-5]

6. No department should exceed the dollar amount of a blanket purchase order. If the net aggregate total exceeds the encumbered amount before the month it is written against is completed, the blanket purchase order becomes void from the date the dollar overage occurs, and nothing else can be billed against it by the vendor for the month. No blanket purchase order amendments are allowed. Minor overages must be discussed with and approved by ~~the Purchasing Agent before sending the invoice to~~ the County Auditor for payment. From there, the County Auditor will determine whether or not the overage needs the approval of the Finance Committee or a special letter from the Department Head explaining why the overages occurred.

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**8.07 Contract Purchase Orders:**

Contract purchase orders are to be utilized for the purchase of services below ~~\$5,000.00~~ \$15,000.00 in a single instance or in the annual aggregate, when anticipated. Contracts for services over ~~\$5,000.00~~ \$15,000.00 require approval by resolution of the Board of Supervisors and signature by the Chairperson of the Board (see Section 10.0 for further information)

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**10.01 Contracts Under ~~\$5,000.00~~ \$15,000.00**

1. The Board of Supervisors may also elect to delegate its authority for certain contracts or classes of contracts. By adoption of these guidelines contract authority, and signature for same, to the appropriate County Department Head for contracts below ~~\$5,000.00~~ \$15,000.00 in a single instance, or in the annual aggregate when anticipated, under the following circumstances:

[Balance of Section wording to remain as is.]

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**10.02 Contracts over ~~\$5,000.00~~ \$15,000.00**

Contracts totaling ~~\$5,000.00-15,000.00~~ or over in a single instance, or in the annual aggregate when anticipated, must be authorized by resolution of the Board of Supervisors and signed by the Chairman of the Board. The following procedures should be followed:

[Balance of Section wording to remain as is.]

NEW SECTION:

**10.03 Maintenance Contracts, Subscriptions, Software Licenses and Renewals**

Annual Maintenance contracts, subscriptions and/or software license agreements are contracts and should be treated in accordance with the procedures for other contracts within the Guidelines upon their initial purchase.

If the adopted County Budget includes appropriations for renewal of a maintenance contract, subscription or a software licensing agreement, the renewal (extension) agreement may be approved by the appropriate Department Head under the following circumstances:

- a. A written purchase order for the maintenance, subscription or license agreement renewal, a "Contract Purchase Order", has been approved and issued by the Purchasing Agent to authorize the renewal.
- b. Sufficient budget appropriations exist which were previously approved for the services in question.

Nothing herein shall prevent the Purchasing Agent from requiring a renewal to be approved by resolution of the Board of Supervisors, if in his/her judgement, conditions warrant the full Board approval process.

pg. 33      **12.02 Claim Definition**

A claim is a bill, account or demand against ~~a~~ the County and its various departments for the payment of ~~moneys~~ monies due for services rendered or materials furnished. The words "~~voucher~~" "invoice" and "claim" are used interchangeably.

pg. 33      **12.03 Claim Requirements**

In general, the claim, which is presented to the County of Fulton for payment, must be:

- ~~1. written;~~
- ~~2. itemized;~~
- ~~3. reviewed and initialed by the officer or employee who gave rise to the claim;~~
- ~~4. approved by the respective department head or deputy;~~
- ~~5. audited by the County Auditor charged with the auditing function;~~
- ~~6. in a form prescribed and approved by said County Auditor; and~~
- ~~7. certified or verified by the claimant, in the absence of a formal invoice.~~

1. written and itemized,

2. contain necessary backup documentation as requested and approved by said County Auditor,
3. certified or verified by the claimant on a County voucher with an original signature in the absence of a formal invoice,
4. audited by paying department for accuracy prior to input in the County financial system,
5. approved by the respective department head or deputy before being sent to the County Auditor,
6. audited by the County Auditor charged with the auditing function

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#### **12.04 Claim Form**

Most business organizations have standard forms such as invoices, statements, etc. for billing customers, which may be used for audit and payment processes. If a vendor does not provide a formal billing statement ~~a certified standard claim form~~ County Voucher should be used, since it elicits specific information from a vendor and presents it in a systematic manner. If a County voucher is used, it should include an original signature from an authorized employee of said business.

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#### **12.07 Procedural Checks to Assist With Audit Process:**

[Wording below to be added before first numbered check to assist with audit process]

Departments are responsible for auditing claims prior to input in the County Financial system. The following checks should be completed before claims are submitted for payment:

[Wording to remain as is on numbers 1-4]

5. Claims submitted by an officer or employee for reimbursement of expenses should indicate the reason for travel or expense and the authorization for incurring it. Such claims should be submitted to the County Auditor for payment within 30 days of incurring them. Claims not submitted in a timely manner may be delayed or denied.
6. Note that the claimant's certification has been completed ~~where required,~~ if necessary.

[Wording to remain as is on numbers 7 and 8]

9. State, County or local contract number, specification or resolution number with associated year of approval should appear on the face of the claim.

[Wording to remain as is on number 10]

11. Paperwork for vendor payments should be ~~stapled and~~ assembled in the following order:

[Balance of wording to remain as is]

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### **15.03 Meals**

[Wording to remain as in in first five (5) paragraphs]

Employees will be reimbursed for actual documented itemized meal expenses (i.e. with proper receipts) submitted ~~on~~ with a signed voucher. Receipts would be considered proper if they are legible, itemized, and ONLY include charges for the employee requesting reimbursement. Reimbursement for full day meal per diem shall not exceed the IRS allowance for the travel location. When determining the allowance on a per meal basis, the guidelines are as follows:

[Balance of wording in this section to remain as is]

**Resolution No. 228**

Supervisor HOWARD 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:

- 1 – Unimac Washer (7161)
- 1 – Shredder (4412)
- 4 – NEC Monitors (6898, 6899, 6901, 6902)

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 GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Blackmon, Goderie and Wilson)

**Resolution No. 229**

Supervisor HOWARD 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: A.1010.1010-8000 - EXP – State Retirement  
To: A.1010.1345-8000 - EXP – State Retirement  
Sum: \$380.00

From: A.1010.1010-8100 – EXP – Social Security  
To: A.1010.1345-8100 – EXP – Social Security  
Sum: \$306.00

Treasurer

From: A.1325.1325-1000 – EXP – Payroll  
To: A.1325.1325-1100 – EXP – Overtime  
Sum: \$5,000.00

Social Services

From: A.6010.6011-1000 – EXP – Payroll  
To: A.6010.6011-1100 – EXP – Overtime  
Sum: \$30,000.00

From: A.6010.6012-1000 – EXP – Payroll  
To: A.6010.6012-1100 – EXP – Overtime  
Sum: \$65,000.00

Planning

From: A.8020.8020-4560 – EXP – Printing  
To: A.8020.8020-1100 – EXP – Overtime  
Sum: \$200.00

Solid Waste

From: CL.8160.8160-4210 – EXP – Training and Conferences  
To: CL.8160.8163-4030 – EXP – Repairs  
Sum: \$475.00



**Resolution No. 230**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CREATION OF AN ACCOUNTANT POSITION IN THE  
COUNTY TREASURER'S OFFICE

WHEREAS, the County Treasurer and the Committee on Finance have determined that it would be in the best interest of the Fulton County Treasurer's Office to create a position of Accountant to complement the other positions within said department; now, therefore be it

RESOLVED, That there, be and hereby, is created, one (1) Accountant position with a start rate of \$52,305.00 and a permanent rate of \$61,535.00, said position to be placed in Job Group A/T-4 of the Non-Union Salary Structure, in the County Treasurer's Office; effective immediately; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Blackmon, Goderie and Wilson)



**Resolution No. 231**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING LEGAL SETTLEMENT IN THE MATTER OF “ORTIZ & DAMPHIER VERSUS THE FULTON COUNTY SHERIFF, ET AL”

WHEREAS, Ortiz and Damphier filed a lawsuit against the Fulton County Sheriff, et al for an incident that allegedly occurred on August 14, 2019, in the City of Amsterdam during service of an arrest warrant by Sheriff’s Department personnel and assisting mutual aid agencies; and

WHEREAS, NYMIR assigned Murphy Burns, LLP as counsel to represent Fulton County in said action; now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is, authorized to execute a Settlement Agreement and release in regard to “Ortiz & Damphier vs. the Fulton County Sheriff, et al”, wherein the County of Fulton shall contribute \$10,000.00 toward the settlement; and, be it further

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

From: A.1000.1990-4907 – EXP – Contingent Fund Expense  
To: A.3110.3110-4090 – EXP – Professional Services  
Sum: \$10,000.00

RESOLVED, That said Settlement Agreement and Release shall be executed with the advice and consent of the County Attorney; and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Blackmon, Goderie and Wilson)

