

SIXTH REGULAR SESSION

Johnstown, NY

June 8, 2020

CONDUCTED VIA VIDEO TELECONFERENCE

Roll Call – Quorum Present

Supervisors: Argotsinger, Blackmon, Born, Bowman, Bradt, Breh, Callery, Fagan, Greene, Groff, Horton, Howard, Lauria, Perry, Potter, Vandenburg, Wilson, Young

TOTAL: Present: 18 Absent: 2 (Supervisors Handy and Kinowski)

Chairman Greene called the meeting to order at 1:06 p.m. and asked everyone to stand for the Pledge of Allegiance.

Chairman Greene asked for a moment of silence for thoughts and prayers for Supervisor Richard Handy who had taken ill recently.

INVITED SPEAKER

Chairman Greene introduced Assemblyman Robert Smullen who joined the meeting via Zoom video conferencing. Mr. Smullen advised that he was in Albany for meetings and wanted to address the Board with an update on a couple subjects at the State Legislative level:

Police Reform

Legislation directly related to COVID-19 that may have a future impact for Fulton County.

The following are pending and have not been enacted yet:

- Local Governments can defer deadlines for property tax payments at local option
- State Disaster Emergency Loan Program administered by local IDA's
- Local governments can extend building permit applications for up to 120 days
- Local governments can extend re-issue of bond notes that were issued from 2015 through 2021
- Adjustments to length of service awards program for fire firefighters and ambulance personnel

The following legislation has been signed by the Governor:

- Permitting electronic applications for ballots through December 31, 2020
- A bill passed to issue a moratorium on terminating utility services during the pandemic.
- Emergency Rent Relief Act 2020
- School Aid 180 day requirement has been waived

Assemblyman Smullen then asked the Board if anyone had questions for him.

Supervisor Horton asked about the status of a Bill in the Senate and Assembly allowing towns to use reserve funds for urgent needs during the COVID-19 pandemic period. The Assemblyman answered that he did not know the current status, but would check into it and get back to Mr. Horton.

Supervisor Horton also asked if there was any consideration regarding suspending the 2 percent tax cap. The Assemblyman stated that there has been no talk about that, however, the Budget was passed on April 2 and reports on sales tax and income tax receipts are not due until July 15. The projection is that the revenues could be down as much as 10 billion dollars. The Governor will decide where the mid-year cuts will be made, and the effects will be far reaching.

Mr. Smullen advised that the release of CHIPS money to localities had not been determined yet and he has sent a letter requesting that the funds be released.

Mr. Stead, Administrative Officer, asked Mr. Smullen to please bring to the Assembly floor today a request that the State release federal FMAP funding that the federal government has provided

for county governments. The State is supposed to act as a pass-through and send the funding directly to the counties. The total that Fulton County should be receiving is close to \$700,000.00. Mr. Stead explained that many counties have sent Resolutions to the Governor asking that this money be released. Mr. Stead further explained that Fulton County will be sending him a letter this week regarding this subject. Mr. Stead advised that Senator Schumer was the sponsor of this legislation. Assemblyman Smullen advised that he will present this request and will report back to the Board.

COMMUNICATIONS

(No Communications)

REPORTS

(No Reports)

UPDATES FROM STANDING COMMITTEES

Human Services Committee: Supervisor Born commented that the Public Health Department is “doing a great job”.

Public Safety Committee: Supervisor Breh advised that the Committee had a special Zoom Teleconference on June 2 to interview a candidate for Probation Director. The interview lasted 40 minutes with 15 minutes discussion after the interview. She said that during an executive session later in today’s meeting, there will be a Late Resolution presented for hire of a candidate.

REPORTS OF SPECIAL COMMITTEES

Adirondack Government Committee: Supervisor Horton advised that the first meeting of this Committee is at 2:00 p.m. today and he will have a report next month.

Soil and Water Conservation District Board: Supervisor Horton advised that the Board has not been meeting due to the COVID-19 virus. The Board is planning to have an in-person meeting with social-distancing and will have a report next month.

CHAIRMAN’S REPORT

Chairman Greene reported that the COVID-19 virus has dominated this month. He added that Fulton County has now entered Phase II and the County is partially opened under Phase II. He explained that the COVID-19 Task Force is doing a terrific job keeping things moving forward and that precautions have been made in all County Buildings for the re-opening that happened today, June 8, except for this County Building, due to DMV restrictions. Mr. Greene said that the Courts opened up last week at the last minute. People coming for any type of court proceeding must enter through the South William Street entrance. All other entrances into the County Building are closed.

Mr. Greene advised that due to a failing on the State’s part with directives, contradictory messages have been provided and County officials feel like they are behind the decisions even though we shouldn’t be concerning graduation ceremonies and opening of worship services.

Chairman Greene reported that he and Mr. Stead meet daily and have constant phone conversations with the Mohawk Valley Control Group and other groups. The other day they were involved with Presidents of various colleges in the Mohawk Valley Region and acting FMCC President Gregory Truckenmiller, was also on the call. Mr. Greene advised that testing, tracing and distancing are the most obvious challenges we face.

Mr. Greene explained that the County still has 65 workers that are temporarily laid-off and this will be reassessed near the end of June. Sales Tax is lagging, and the County is about a third behind where it normally would be at this point in the year on those tax receipts.

On a positive note, “Phase II” has occurred, and restaurants are now open for outdoor serving only with proper precautions. The positive COVID-19 numbers are going down as we move to Phase III soon. Chairman Greene advised all business owners re-opening should self-certify by going to the website forward.ny.gov and filling out the form and to please adhere to the guidelines on that website as we all move forward.

Mr. Greene advised that he has a background in the criminal justice system and wanted to comment on the protests across the country and in Fulton County. Mr. Greene said that in regard to local protests in Fulton County, he was “proud” of the folks protesting because they are doing it in a just way, without looting and rioting. He thanked the Johnstown Police Department, Gloversville Police Department and also the Fulton County Sheriff’s Department as well as the protesters themselves that their voice is being heard to project positive to change in the future.

RESOLUTIONS

Resolutions on the Agenda were then deliberated upon.

No. 152 (Resolution Authorizing the Administrative Officer/Clerk of the Board Sell Back 40 Hours Vacation Accrual): Supervisor Groff stated that he is not opposed to this, but said that other Department Heads have also worked extra hours during the COVID-19 pandemic and he would like to see this offer made to other Department Heads. Chairman Greene answered, “so noted”.

(Supervisor Horton left the meeting at 1:44 p.m.)

NEW BUSINESS

Supervisor Lauria explained that he has concerns regarding the 96 Harrison Street “pink building” and he hopes that the County Attorney and the City of Gloversville Attorney can work together and get this building transferred to the City soon. He hopes that the City of Gloversville will then provide the funding to have this building demolished.

Supervisor Young then asked for a moment of silence in memory of George Floyd and for other victims of violence. Chairman Greene asked for a second. Supervisor Lauria made the second. All were in favor. A moment of silence was then held.

Upon a motion by Supervisor Fagan, seconded by Supervisor Groff and unanimously carried, the Committee entered into Executive Session at 2:00 p.m. to discuss employment history.

Upon a motion by Supervisor Callery, seconded by Supervisor Fagan and unanimously carried, the Committee re-entered into Regular Session at 2:16 p.m.

Mr. Stead asked permission to allow the Probation Director to fill the pending vacancy in the position of Probation Supervisor. Cheryl Galarneau will be leaving because she was just appointed Probation Director.

RECOMMENDATION: SUPERVISOR FAGAN MADE A MOTION TO APPROVE FILLING A PROBATION SUPERVISOR POSITION IN THE PROBATION DEPARTMENT, SECOND BY SUPERVISOR GROFF AND UNANIMOUSLY CARRIED.

Upon a motion by Supervisor Callery, seconded by Supervisor Groff and unanimously carried, the Committee adjourned at 2:17 p.m.

Certified by:

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

Resolution No. 140

Supervisor WILSON offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING, RE-APPOINTING OR CONFIRMING MEMBERS TO THE
FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD**

WHEREAS, the Federal Workforce Investment Act directed the creation of local Workforce Development Boards to administer job training and workforce development policy on behalf of local governments throughout the United States; and

WHEREAS, Resolution 81 of 2015 reorganized the Workforce Development Board structure and terms to better facilitate operations under the Workforce Innovation and Opportunity Act of 2014; now, therefore be it

RESOLVED, That the following individuals are hereby appointed, reappointed and/or confirmed to the Fulton-Montgomery-Schoharie Workforce Development Board for terms as hereinafter specified:

June 1, 2020 through June 30, 2023:

Kerry Brunner (Private Sector)	Reappointed
Andrea Fettingner (Senior Community Services Employment)	Reappointed
Allene Monaghan (Vocational Rehabilitation)	Appointed

June 1, 2018 through June 30, 2021:

Elijah Braemer (Private Sector)	Confirmed
Amy McCray (Private Sector)	Confirmed
Laurie Bargstedt (Local Education)	Confirmed

June 1, 2019 through June 30, 2022

Peter Stearns (Organized Labor)	Confirmed
Kathleen Kilmartin (Private Sector)	Confirmed
Lani Pertell (Private Sector)	Confirmed

and, be it further

Resolution No. 140 (Continued)

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

RESOLVED, That all subsequent Workforce Development Board appointments will commence on July 1 of a particular year; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Fulton County Ethics Board, Workforce Development Board, 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 Handy and Kinowski)

Resolution No. 141

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2020-2021 IMMUNIZATION GRANT FUNDS FROM THE NYS DEPARTMENT OF HEALTH
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, the NYS Department of Health has offered grant funds for immunization services in the Public Health Department; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and the NYS Department of Health for Immunization Action Plan grant funds, in an amount not to exceed \$31,050.00, for the period April 1, 2020 through March 31, 2021; said agreement subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Handy and Kinowski)

Resolution No. 142

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ACCEPTANCE OF NORTH COUNTRY
DSRIP PROJECT FUNDS (PUBLIC HEALTH DEPARTMENT)**

WHEREAS, Fulton County is to receive \$3,885.11 in project funds via the Adirondack Health Institute under an agreement with North Country Delivery System Reform Incentive Payment (DSRIP) program; and

WHEREAS, said DSRIP funding is administered by the Adirondack Health Institute for distribution to the Public Health Department; and

WHEREAS, said funding constitutes reimbursement to the Public Health Department for completing work tasks related to “P4P” (Pay for Performance) during 2020; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and North Country DSRIP to accept project funds in the amount of \$3,885.11; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, North Country DSRIP, 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 Handy and Kinowski)

Resolution No. 143

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

RESOLUTION AUTHORIZING PURCHASE OF CERTAIN SUPPLIES AND EQUIPMENT FOR USE IN THE PUBLIC HEALTH DEPARTMENT WITH COVID-19 GRANT FUNDS

WHEREAS, Resolution No. 125 of 2020 authorized Acceptance of COVID-19 Funding for Purchase of Certain Supplies and Equipment for Use in the Public Health Department in the amount of \$95,373.00; and

WHEREAS, the Public Health Director previously utilized funds from said grant in the amount of \$8,400.00 for purchase of a Laboratory Refrigerator and Floor Decals; and

WHEREAS, the Public Health Director has proposed to use said COVID-19 funds to purchase additional supplies and equipment for use by the Public Health Department as follows:

<u>Item</u>	<u>Cost</u>
Overtime Costs associated with COVID-19 activities	\$20,000.00
Personal Protection Equipment, Assistance for Isolated and Quarantined Individuals, and Hands Free Sanitizer Dispenser Stands	\$31,769.00
Office Mailings and Other Supplies	\$ 1,000.00
Printing Supplies	<u>\$ 1,000.00</u>
Total	\$53,769.00

now, therefore be it

RESOLVED, That the Public Health Director be and hereby is authorized to purchase the above-listed equipment, supplies and services with said COVID-19 grant funds in an amount not to exceed \$53,769.00; and, be it further

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

Revenue

Increase A.4010.4010-3450 – REV – State Aid-Public Health-Other \$53,769.00

Appropriation:

Increase A.4010.4010-1100 – EXP – Overtime	\$20,000.00
Increase A.4010.4010-4530 – EXP – Supplies	1,000.00
Increase A.4010.4010-4560 – EXP – Printing	1,000.00
Increase A.4010.4189-4530 – EXP – Supplies	31,769.00

and, be it further

Resolution No. 143 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health, Health Research Institute, 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 Handy and Kinowski)

Resolution No. 144

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

RESOLUTION AUTHORIZING EXTENSION OF 2018-2020 “UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION GRANT” FROM NYS OFFICE OF INDIGENT LEGAL SERVICES (PUBLIC DEFENDER)

WHEREAS, Resolution 572 of 2018 authorized Acceptance of 2018-2020 “Upstate Quality Improvement and Caseload Reduction Grant” from NYS Office of Indigent Legal Services in the total amount of \$300,000.00 to improve the quality of legal services provided to indigent individuals in Fulton County for the period ending June 30, 2020; and

WHEREAS, the Public Defender has asked the New York State Office of Indigent Legal Services to extend said grant period through June 30, 2021; 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 through June 30, 2021, for said Upstate Quality Improvement and Caseload Reduction Grant; 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 Handy and Kinowski)

Resolution No. 145

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

RESOLUTION AUTHORIZING A CONTRACT WITH ALBANY LAW SCHOOL TO
PLACE AN INTERN IN THE PUBLIC DEFENDER'S OFFICE

WHEREAS, the Public Defender has requested to contract with Albany Law School to place an intern in the Public Defenders Office to work with the Assistant Public Defender assigned to Family Court; and

WHEREAS, the Supreme Court, Appellate Division, Third Department, approved the Public Defender's application and granted an order approving said Law Intern Program for the period May 18, 2020 through August 31, 2023; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Personnel, the Chairman of the Board be and hereby is authorized to sign a contract with Albany Law School to participate in a Law Intern Program to place a law student intern in the Public Defender's Office at no cost to the County; now, therefore, be it

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, Public Defender, 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 Handy and Kinowski)

Resolution No. 146

Supervisor BREH and ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING 2019 NYS INTEROPERABLE COMMUNICATIONS GRANT
AND PURCHASE OF CERTAIN EQUIPMENT WITH SAID FUNDS**

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

WHEREAS, Fulton County has been notified that it has been awarded a NYS Interoperable Communications Grant in the amount of \$491,882.00; now, therefore be it

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

(1) Directional Antenna	\$ 539.00
(1) Cable	\$ 72.00
(1) Rack Shelf Assembly	\$ 76.00
(1) Power Supply	\$ 196.00
(1) Tone Remote Adapter	\$ 695.00
(2) XPR5500 Control Station	\$ 1,602.00
Labor for Installation & Reprogramming	\$ 3,080.00
(1) Compact Go Kit	\$24,995.00
(1) VCD-2, Inline Video	\$ 399.00
(3) Radio Interface Cables	<u>\$ 510.00</u>
Total	\$32,164.00

and, be it further

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

Revenue

Increase A.3640.3645-3306-REV-State Aid-Homeland Security \$32,164.00

Appropriation

Increase A.3640.3645-2000 – EXP – Equipment – Fixed Asset \$32,164.00

RESOLVED, That the Board of Supervisors hereby accepts said 2019 Interoperable Communications Grant in the amount of \$491,882.00 to improve communication, and control of public safety operations within Fulton County; and, be it further

Resolution No. 146 (Continued)

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director, 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 BLACKMON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Handy and Kinowski)

Resolution No. 147

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF PROPERTY FROM THE FULTON
COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR
COUNTY ROAD 158 RIGHT OF WAY

WHEREAS, Resolution 176 of 2018 approved a “Realign County Road 158” Capital Project as part of the 2018 Capital Plan; and

WHEREAS, said project contemplated the acquisition of property owned by the Fulton County Industrial Development Agency (IDA) for the realigned road right-of-way to improve safety at the intersection of County Road 158 and County Road 107; and

WHEREAS, the Superintendent of Highways and Facilities and County Attorney recommend a formal agreement between the IDA and County of Fulton transferring title to the property for highway purposes; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts the donation of property at the southernmost end of County Road 158 from the Fulton County Industrial Development Agency to accommodate the realigned road bed where it intersects County Road 107; and, be it further

RESOLVED, That the Board of Supervisors hereby directs the County Attorney to prepare the necessary documentation for execution by the Chairperson of the Board to obtain said property from the Industrial Development Agency for purposes of County Road 158; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Industrial Development Agency, 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 BLACKMON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Handy and Kinowski)

Resolution No. 148

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF HELP AMERICA
VOTE ACT GRANT FUNDS (CARES ACT)**

WHEREAS, the Board of Elections Commissioners have received notification that Fulton County can apply for a 2020 Help America Vote Act (HAVA) Coronavirus Aid, Relief, and Economic Security Act (CARES) Grant via the New York State Board of Elections to offset certain expenses incurred by the Board of Elections Office related to the COVID-19 virus prevention and mitigation; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant application and agreement between the Board of Elections Commissioners and the New York State Board of Elections Office to accept Help America Vote Act (HAVA) Coronavirus Aid, Relief, and Economic Security Act (CARES) Grant funds in an amount of \$64,731.00; and, be it further

RESOLVED, That the Board of Elections Commissioner be, and hereby are authorized to make the following purchases with said funds:

Mail Envelopes	\$4,500.00
Polling Site Cleaning Supplies	<u>2,000.00</u>
Total	\$6,500.00

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

Revenue:

Increase A.1450.1450-3089 – REV – State Aid – Other \$6,500.00

Appropriation:

Increase A.1450.1450-4530 – EXP - Supplies \$6,500.00

and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Handy and Kinowski)

Resolution No. 149

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR PAPER SUPPLIES
FOR USE IN THE INFORMATION TECHNOLOGY DEPARTMENT**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of paper for use in the Information Technology Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to the Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, July 22, 2020, 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, Information Technology Director, Printing Division and Clerk of the Board/Purchasing Agent.

Seconded by Supervisor BLACKMON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Handy and Kinowski)

Resolution No. 150

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE COUNTY TREASURER TO CLOSE OUT CERTAIN CAPITAL PROJECTS

WHEREAS, certain projects identified in prior Capital Plans that have been completed and accounts established for said projects are no longer utilized; now, therefore be it

RESOLVED, That the following capital project work has been completed and the Budget Director recommends that said project be closed out and the remaining balance returned to the following accounts:

A-0883.0800 - Capital Improvements Reserve:

H.1620.1624-2100.0945 – EXP – Lighting & Jail Energy Improvements – 2018

(Approx balance: \$0.03)

H.8020.1620-2100.0900 – EXP – County Office Building Ext Renovations – 2017

(Approx balance: \$0)

H.8020.8020-2100.0952 – EXP – FJ & G Trail Right of Way Acquisition – 2019

(Approx balance: \$57,700)

A-0909 – Unrestricted Fund Balance:

H.8020.8397-2100.0780 – EXP – SMART Waters Hales Mills – 2016

(Approx balance: \$41,429.12)

No County Share:

H.8020.2497-2100.0885 – EXP – FMCC Campus Bathrooms & Locker Room Renovation- 2017

(Approx balance: \$1,202.83)

and, be it further

RESOLVED, That the County Treasurer and the Budget Director/County Auditor do each and every other thing necessary to further the purport of this Resolution; and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Handy and Kinowski)

Resolution No. 151

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

WHEREAS, the Purchasing Agent recommends disposal of broken equipment in certain departments; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to dispose of the following County surplus equipment, in accordance with the Fulton County Purchasing and Audit Guidelines:

District Attorney:

1 – Canon IR2530 Copier (0009756)

Solid Waste:

1 – Canon Printer, Copier/Scanner (0009447)

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, District Attorney, 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 Handy and Kinowski)

Resolution No. 152

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE ADMINISTRATIVE OFFICER/CLERK OF THE BOARD SELL BACK 40 HOURS VACATION ACCRUAL

WHEREAS, Resolution 290 of 2007 amended the Non-Union Employee Policy Manual as it relates to Vacation Sell-back for Department Heads; and

WHEREAS, the Non-Union Policy Manual states as follows:

Department Heads who have reached their maximum vacation accrual and who because of operational needs of their Department, determine that they cannot schedule their annual leave at that time will, upon concurrence of their respective oversight committee, be entitled to have their vacation maximum accrual extended for up to three (3) months so that they will not lose their vacation accruals. During that three (3) months extension, it is anticipated that the Department Heads will be able to schedule their annual leave. If unusual operational circumstances exist in their annual leave, the Department Heads may then request that the Board of Supervisors by Resolution approve a vacation sell-back of up to 40 hours.

and,

WHEREAS, due to the time commitments related to the COVID-19 pandemic response, the Administrative Officer/Clerk of the Board is requesting to sell back 40 hours of accrued vacation time; now, therefore be it

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

From: A.1010.1010-4020 – EXP – Travel
To: A.1000.1720-1700 – EXP – Vacation Buyback
Sum: \$2,280.00

RESOLVED, That Administrative Officer Jon Stead be and hereby is authorized to sell back 40 hours of accrued vacation leave, effective immediately; 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 BLACKMON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Handy and Kinowski)

Resolution No. 153

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION SUPPORTING U.S. VETERANS CLAIM TRANSPARENCY ACT

WHEREAS, veterans throughout the United States often rely on veterans service agency representatives to assist them in pursuing assistance from government programs they may be eligible for; and

WHEREAS, the U.S. Department of Veterans Affairs (VA) has proposed to limit representative access to veterans' electronic files in the Veterans Benefits Management System (VBMS); and

WHEREAS, the Veterans Claim Transparency Act has been introduced in the U.S. Senate to ensure that veterans and their representatives have 48 hours to review and dispute disability claims before they are finalized; and

WHEREAS, said legislation would amend Title 38, United States Code, requiring the VA to provide veteran representatives with an opportunity to review disability rating determinations before they are finalized; and

WHEREAS, The Veterans Claims Transparency Act is supported by the Disabled American Veterans (DAV), Veterans of Foreign Wars (VFW), American Legion, AMVETS, and Paralyzed Veterans of America; now, therefore be it

RESOLVED, That the Board of Supervisors hereby supports the U.S Veterans Claim Transparency Act and urges its passage as a reasonable safeguard to ensure a fair claim filing procedure for all veterans; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Veterans Service Agency Director, local VFW, DAV, American Legion Posts, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Horton and Kinowski)

Resolution No. 154

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION SUPPORTING COMMITMENT TO VETERANS SUPPORT AND
OUTREACH ACT (S.3020/H.R. 5516)

WHEREAS, County Veterans Service Officers (CVSO) provide significant work for veteran applicants to the federal and state governments with no federal fiscal support; and

WHEREAS, the National Association of County Veterans Service Officers (NACVSO) supports of the Commitment to Veteran Support and Outreach Act, "CVSO Act", which recognizes the important role of local veteran advocates and the lack of vital federal funding to provide services; and

WHEREAS, The CVSO Act proposes to provide \$250 million dollars to local CVSO agencies over a five (5) year period; and

WHEREAS, said funding will assist local CVSO agencies in promoting veteran health and wellness through coordination, implementation, and evaluation of comprehensive veteran suicide prevention and outreach programs; and

WHEREAS, funding will support additional staffing needs, training and accreditation of personnel and technology updates; and

WHEREAS, the County Veterans Service Officers Act is supported by the National Association of Counties (NACo) and the National Association of County Veteran Service Officers. (NACVSO); now, therefore be it

RESOLVED, That the Board of Supervisors hereby supports the U.S Commitment to Veterans Support And Outreach Act; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Veterans Service Agency Director, local VFW, DAV, American Legion Posts, 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 Handy, Horton and Kinowski)

Resolution No. 155

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

RESOLUTION ADJUSTING THE NON-UNION SALARY STRUCTURE RELATED TO CERTAIN NON-UNION POSITIONS IN THE SHERIFF'S DEPARTMENT

WHEREAS, the Director of Personnel conducted a review of the Non-Union Salary Structure related to certain non-union positions in the Sheriff's Department to evaluate proper separation between the various titles following enactment of the 2017-2020 Collective Bargaining Agreement with the Fulton County Deputy Sheriff's Police Benevolent Unit; and

WHEREAS, in accordance with said review, the Personnel Director and the Committees on Personnel and Finance recommends adjustments for the Non-Union positions as follows:

Undersheriff:	
Non-Union Job Group P/S-9	
Current 1/1/20 Base Salary:	\$71,993.00
Proposed Increase: Base:	\$73,993.00
Captain (Road and Corrections):	
Non-Union Job Group P/S-4	
Current 1/1/20 Base Salary:	\$67,614.00
Proposed Increase: Base:	\$69,614.00
Lieutenant (Corrections):	
Non-Union Job Group P/S-3:	
Current 1/1/20 Base Salary:	\$58,056.00
Proposed Increase: Base:	\$59,556.00

now, therefore be it

RESOLVED, That effective June 8, 2020, the Personnel Director is hereby directed to implement the salary adjustments listed herein to maintain proper salary separation between the various titles within the Sheriff's Department Road Patrol Division and Corrections Division; and, be it further

Resolution No. 155 (Continued)

RESOLVED, That should any other adjustments to said schedule become necessary, the Personnel Director shall submit those requests to the Board of Supervisors through the Personnel Committee for review and dispensation: and, be it further

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

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

Seconded by Supervisor WILSON and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Horton and Kinowski)

Resolution No. 156

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

RESOLUTION AWARDING BID FOR HISTORIC COURT HOUSE RENOVATION
PROJECT (2020 CAPITAL PLAN)

WHEREAS, Resolution 500 of 2019 amended the 2019 Capital Plan to establish a Courthouse Exterior Renovation Design Project; and

WHEREAS, the Superintendent of Highways and Facilities was notified in early 2019 that Fulton County would be receiving \$100,000.00 in SAMS grant funding to be used for exterior renovations at the Historic Fulton County Court House; and

WHEREAS, the 2020 Capital Plan includes exterior renovations for the Historic Fulton County Court House Renovation Project in the amount of \$125,000.00; and

WHEREAS, Resolution 295 of 2019 authorized a contract with Lacey Thaler Reilly Wilson, Architecture & Preservation Company for Historic Architectural Services for design and bidding for the Fulton County Court House Exterior Renovation Project; and

WHEREAS, Resolution 104 of 2020 authorized advertisement for bids for said Project and one (1) bid was received; and

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committees on Public Works, and Finance, the net bid, in the amount of \$124,730.00, as submitted by P.C.C Construction, Schenectady, New York, for the Historic Fulton County Court House Renovation Project be and hereby is awarded as follows:

Base Bid	\$124,730.00
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they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That a project contingency allowance be established for said project in the amount of \$5,720.00 to address unforeseen conditions that may arise; 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.1000.9950-9000.1000-EXP-Other-Unrestricted
Sum: \$30,000.00

Resolution No. 156 (Continued)

From: A.1000.9950-9000.1000-EXP-Other Unrestricted
To: H.1620.1620-2100.0953-EXP-Courthouse Exterior Renovation Project
Sum: \$30,000.00

and, be it further

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

Revenue Account:

Increase H.1620.1620-3097.0953-REV-Courthouse Exterior Renovation Project (NEW)
\$100,000.00

Appropriation Account:

Increase H.1620.1620-2100.0953-EXP-Courthouse Exterior Renovation Project \$100,000.00

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Horton and Kinowski)

Resolution No. 157

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION EXTENDING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK

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

SECTION 1. Section 4-A of Resolution No. 278 of 1967, adopted by the Board of Supervisors of the County of Fulton on December 11, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes. Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2005, and ending November 30, 2023. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (b) of subdivision (1) of section 11 of Resolution No. 278 of 1967, adopted by the Board of Supervisors of the County of Fulton on December 11, 1967, imposing sales and compensating use taxes, as amended, is amended to read as follows:

(b) With respect to the additional one percent rate of taxes imposed for the period beginning December 1, 2005, and ending November 30, 2023, in respect to the use of property used by the purchaser in this county prior to December 1, 2005

Resolution No. 157 (Continued)

SECTION 3. This enactment shall take effect December 1, 2020.

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton County Code Book, NYS Department of Taxation and Finance, 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 LAURIA and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Horton and Kinowski)

Resolution No. 158

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS

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

Emergency Management

From: A.3640.3645-2000 – EXP – Equipment – Fixed Asset
To: A.3640.3645-4010 – EXP – Equipment – Non-Asset
Sum: \$373.00

Personnel:

From: A.1000.1990-4907 – EXP – Contingent Fund Expense
To: A.3110.3110-1000 – EXP – Payroll
Sum: \$220,000.00
(Retroactive pay for Fulton County Deputy Sheriff’s PBA Memorandum of Agreement)

Sheriff:

From: A.3110.3110-4010 – EXP – Equipment – Non-Asset
To: A.3110.3110-2000 – EXP – Equipment – Fixed Asset
Sum: \$4,750.00

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

Highway

Revenue

Increase DM.5130.5130-2680 – REV – Insurance Recoveries \$5,506.00

Appropriation

Increase DM.5130.5130-4540 – EXP – Vehicle Maintenance \$5,506.00

and, be it further

RESOVLED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Personnel Director, Sheriff, Superintendent of Highways and Facilities, 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 Handy, Horton and Kinowski)

Resolution No. 159

Supervisor BREH offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING CHERYL GALARNEAU PROBATION DIRECTOR
(GROUP A)

WHEREAS, a vacancy exists in the position of Probation Director; and

WHEREAS, Probation Supervisor Cheryl Galarneau meets the qualifications for provisional appointment to said position; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Safety, effective June 8, 2020, Cheryl Galarneau, of Broadalbin, NY, be and hereby is appointed Probation Director (Group A) (Job Group D-3), at a one year permanent salary rate of \$78,885.00; and, be it further

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, Probation Director, Personnel Director, All Department Heads, NYS Department of Criminal Justice, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Horton and Kinowski)