

## NINTH REGULAR SESSION

Johnstown, NY

September 13, 2021

Roll Call – Quorum Present

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

TOTAL: Present: 18 Absent: 2 (Supervisors Breh and Potter)

Chairman Callery called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, Chairman Callery asked for a moment of silence for the victims and first responders of the terrorist attacks on September 11, 2001, recognizing that the 20<sup>th</sup> anniversary of that event was this past Saturday.

Chairman Callery asked if there was anyone from the public who wished to address the Board.

### PUBLIC SPEAKERS

*Allicia Rice - 750 Piseco Road, Stratford, NY:* Ms. Rice expressed that the ambulance plan that is being presented today is very important, particularly to the western part of the county. She stated that it will help improve response times and improve the use of resources. She expressed that resources are sometimes wasted due to confusion between the different ambulance agencies. She also expressed that she would like the Board of Supervisors to endorse the idea of a “fly-car”. She stated that the areas on the western part of the county “do not ask for much”.

Chairman Callery invited Michael Anich to the front of the Chambers to receive a Proclamation. Mr. Stead stated that Mr. Anich was one of the first reporters that he met when he started with the County almost 30 years ago and he reported on County government ever since. He presented the below proclamation to Michael Anich on behalf of the Board of Supervisors.

### PUBLIC HEARINGS/SCHEDULED SPEAKERS

2:00 P.M. DIRECTOR OF EMERGENCY MANAGEMENT STEVEN SANTA MARIA  
WILL PRESENT A MS POWERPOINT PRESENTATION REGARDING THE  
POTENTIAL IMPLEMENTATION OF AN AMBULANCE SERVICE  
INCENTIVE PLAN FOR FULTON COUNTY

### COMMUNICATIONS

1. Resolution from Greene County  
Subj: A Resolution Urging New York State to Complete and Settle Prior Year’s Enhanced Federal Medicaid Assistance Program (eFMAP) Reconciliation, and Compensate Greene County According to Federal Requirements

2. Resolution from Seneca County  
Subj: A Resolution Calling Upon the Governor to Complete Overdue Reconciliations for the Affordable Care Act Enhanced Federal Medicaid Assistance Percentage (eFMAP) and Immediately Release Federal Funds Owed to Counties and New York City
3. Letter from NYS Department of Public Service dated August 6, 2021  
Subj: Thanking the Fulton County Board of Supervisors for its June 14, 2021 Resolution regarding opposition to efforts to decouple support for Broadband and Cell Expansion for communities of the Adirondack Park

### **CHAIRMAN'S REPORT**

Mr. Callery stated that he had the honor of attending the 9/11 Ceremony that was held at the Fulton-Montgomery Community College this past weekend. He noted that Assemblyman Robert Smullen and Sheriff Richard Giardino gave great speeches. He also noted that Supervisors John Blackmon and Marie Born were in attendance as well as Administrative Officer Jon Stead. He expressed that it was a very well put together ceremony.

### **RESOLUTIONS**

***No. 264 (Resolution Awarding a Tourism Destination Grant to the Parkhurst Field Foundation for "Legends Park at Parkhurst Field" (Destination: Fulton County)):*** Mr. Stead stated that he is hoping that Mr. Dave Karpinski can attend the October Board of Supervisors meeting on behalf of the Parkhurst Field Foundation and provide an update on the project.

***No. 275 (Resolution Appointing Tracy Gutowski to the Fulton County Planning Board):*** Supervisor Lauria stated the Fulton County Planning Board still has one vacancy. He stated that if anyone knows someone who may be interested, please contact the Planning Department.

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 Resolution 1.

Upon a motion by Supervisor Howard, seconded by Supervisor Bradt and unanimously carried, the Board entered Executive Session at 1:30 p.m. to discuss pending litigation.

Upon a motion by Supervisor Bradt, seconded by Supervisor Howard and unanimously carried, the Board re-entered into Regular Session at 1:45 p.m.

### **PROCLAMATIONS**

#### **PROCLAMATION DECLARING OCTOBER 2021 "DOMESTIC VIOLENCE AWARENESS MONTH IN FULTON COUNTY"**

WHEREAS, domestic violence affects all New Yorkers, and far too many people suffer abuse at the hands of a spouse or partner; and

WHEREAS, domestic violence victims can be of any age, race, religion, or economic status and the resulting damage is inflicted not only on victims, but their children, families and communities; and

WHEREAS, Fulton County's commitment to ending domestic violence is exemplified by the work of county agencies and their employees that are assisting victims and their families; and

WHEREAS, the Board of Supervisors recognizes the outstanding work of the region's dedicated not-for-profit organizations that serve victims and their communities; now, therefore be it

RESOLVED, That the Board of Supervisors hereby proclaims October 2021 to be "Domestic Violence Awareness Month" in Fulton County and encourages all county residents to participate in community awareness events during "Domestic Violence Awareness Month" and, be it further

RESOLVED, That the Board of Supervisors joins with all citizens to support victims of domestic violence and to support the work of victim advocates, public and private entities and many others who have worked tirelessly to bring hope to the millions of individuals, families and communities harmed by crime.

#### PROCLAMATION RECOGNIZING MICHAEL ANICH FOR 37 YEARS IN JOURNALISM

WHEREAS, News Reporter Michael Anich started his journalism career 37 years ago; and

WHEREAS, Mike dedicated his entire career to the Gloversville-Johnstown Leader Herald and was committed to reporting local news; and

WHEREAS, Mike's span of reporting on Fulton County government and the Board of Supervisors' meetings and accomplishments is unparalleled and will likely remain so into perpetuity; and

WHEREAS, Mike also did special stints covering music, collaborations on series stories and other special topics, but his core beat was county and local government happenings; and

WHEREAS, dedicating over 37 years to one craft is a major accomplishment; now, therefore be it

RESOLVED, That the Board of Supervisors hereby recognizes Michael Anich for his record of dedication to journalism within the Fulton County community; and, be it further

RESOLVED, That the Board hereby offers its best wishes on the occasion of his retirement.

Mr. Anich stated that originally he was reluctant to attend the meeting to receive this Proclamation because he always had the mindset that a reporter should "report the news", not "make the news". He stated that this is quite an honor and expressed that he is really appreciative of everything. He stated that he has enjoyed the last 37 years following the County government news.

He reminisced about sitting in the corner of the Chambers while smoking a cigarette many years ago. He stated that he will always remember many current and former Supervisors. He stated that he may have disagreed with some of what Fulton County has done in the past, but recognized that Board members were doing what they believed was right. He said that he felt compelled to report on it to the best of his ability. He thanked the Board of Supervisors.

Chairman Callery called for a five-minute recess at 1:49 p.m.

Chairman Callery called the meeting back to order at 1:54 p.m.

Civil Defense Director/Fire Coordinator Steven Santa Maria presented an MS PowerPoint presentation regarding a proposed County-Wide Ambulance Service Incentive Plan for Fulton County. The slides and explanations covered the history of ambulance agencies and service levels in the Fulton County region and the current weaknesses and gaps in coverage that exist. The demise of Johnstown Area Volunteer Ambulance Corps (JAVAC) and the Ambulance Service of Fulton County was discussed because they were key providers until their closure and decertification.

Mr. Santa Maria explained that the Emergency Management Office has been working on a model plan to stabilize existing ambulance service agencies by creating a contract subsidy payment or “incentive system” to improve their financial footing.

Mr. Santa Maria stated that the next step would be obtaining a Municipal Certificate of Need (CON) to operate ambulance services if the Board decides to endorse this plan.

Mr. Santa Maria explained that the last section of the presentation involved individual contract terms and conditions that would be subject to negotiation with potential contracting ambulance agencies.

Upon a motion by Supervisor Lauria, seconded by Supervisor Kinowski and unanimously carried, the Board entered Executive Session at 2:20 p.m. to discuss potential contracts/employment history of the corporations.

Upon a motion by Supervisor Horton, seconded by Supervisor Greene and unanimously carried, the Board re-entered into Regular Session at 2:51 p.m.

Upon a motion by Supervisor Fagan, seconded by Supervisor Bowman and unanimously carried, the Board adjourned at 2:52 p.m.

*Certified by:*

---

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

**Resolution No. 265**

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

**RESOLUTION REALLOCATING \$5,000.00 FROM VISITOR CENTER OPERATIONS TO COOPERATIVE MARKETING WITHIN THE 2021 TOURISM PROGRAM BUDGET**

WHEREAS, due to COVID-19 pandemic restrictions, the Fulton County Visitor Center was closed in the winter of 2021 creating a surplus of unspent funds in the Tourism Promotion Budget under the line item “Visitor Center/Tourism Associates”; and

WHEREAS, the Director of Tourism Development recommends reallocating \$5,000.00 from the “Fulton County Visitor Center/Tourism Associates” line item to the “Cooperative Marketing” line item; now, therefore be it

RESOLVED, That the Tourism Program Director and Administrative Officer be and hereby are authorized to utilize “Fulton County Visitor Center/Tourism Associates” funds in the amount of \$5,000.00 for “Cooperative Marketing” during the balance of 2021 only; and, be it further

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

Seconded by BLACKMON and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 266**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING THE PLANNING DIRECTOR AS THE FULTON COUNTY  
FAIR HOUSING OFFICER IN ACCORDANCE WITH THE 2021 NYS COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG)

WHEREAS, Resolution 86 of 2021 authorized the Fulton County Center for Regional Growth (FCCRG) to submit a Community Development Block Grant application in the amount of \$300,000.00 to the NYS Office of Community Renewal to operate a Fulton County Microenterprise Grant Program (2021); and

WHEREAS, Resolution 86 of 2021 also identified that the FCCRG would administer, on behalf of Fulton County, a successful grant award to operate the Microenterprise Grant Program; and

WHEREAS, The CDBG Grant Program is federally funded through the Housing and Community Development Act of 1974 and requires recipients of federal funds to comply with the provisions of the Fair Housing Act, including the appointment of a Fair Housing Officer; and

WHEREAS, it is the recommendation of the Committee on Economic Development and Environment to designate the Fulton County Planning Director as Fair Housing Officer for the County of Fulton; now, therefore be it

RESOLVED, That until further notice or change, the Fulton County Planning Director, be and hereby is, designated as the Fair Housing Officer for the County of Fulton; be and hereby is appointed Fair Housing Officer for Fulton County effective immediately; and, be it further

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

Seconded by HORTON and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 267**

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

RESOLUTION AUTHORIZING AN AGREEMENT WITH ENVIRONMENTAL DESIGN PARTNERSHIP (EDP) FOR ENGINEERING SERVICES FOR THE FULTON COUNTY SEWER DISTRICT NO. 5: NYS ROUTE 30/30A PHASE I PROJECT  
(2021 CAPITAL PLAN)

WHEREAS, Resolution 41 of 2020 authorized a contract with Environmental Design Partnership to prepare an Engineering Feasibility Study for the extension of Sanitary Sewer along NYS Route 30/30A in the towns of Johnstown, Mayfield and Northampton (2020 Capital Plan); and

WHEREAS, Resolution 89 of 2021 endorsed the concept of a Sanitary Sewer Construction Project along the NYS Route 30/30A Corridors from Gloversville to Mayfield and Northville; and

WHEREAS, Resolution 128 of 2021 authorized an agreement with Environmental Design Partnership (EDP) to perform an Infiltration and Inflow Study of City of Gloversville and City of Johnstown Sewer Trunk Lines (SMART Waters, 2021 Capital Plan); and

WHEREAS, Resolution 260 of 2021 endorsed *Destination: Fulton County-A Strategic Plan for American Rescue Plan Funds* that included the Route 30/30A Corridor Sewer Project as a key component; and

WHEREAS, The committees on Economic Development and Environment, and Finance have recommended amending the 2021 Capital Plan to include Fulton County Sewer District: NYS Route 30/30A Corridor Map, Plan and Report: Design and Permitting Phase I (\$650,000.00) and “SMART Waters: Phase II I & I Reduction Study to NYS Route 30/30A sewer (\$100,000.00) as one coordinated project; and

WHEREAS, Environmental Design Partnership has submitted a proposal to provide Engineering Services for both projects; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committees on Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to sign a contract with Environmental Design Partnership, of Clifton Park, NY, for Engineering Services for Fulton County Sewer District No. 5: NYS Route 30/30A Phase I, at a cost not to exceed \$750,000.00; and, be it further

RESOLVED, That the 2021 Capital Plan be amended to include Fulton County Sewer District: NYS Route 30/30A Corridor Map, Plan and Report: Design and Permitting Phase I; and, be it further

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



**Resolution No. 267 (Continued)**

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

Revenue:

Increase A.1000.4089-4089-REV-Federal Aid-General Government Aid \$750,000.00

Appropriation

Increase A.1000.9950-9000.1000-EXP-Other-Unrestricted \$750,000.00  
(A.0688.2021-Other Liabilities-American Recovery Act)

and, be it further

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

From: A.1000.9950-9000.1000-EXP-Other-Unrestricted  
To: H.8020.8197-2100.0960-EXP-Sewer District #5 NYS Route 30/30A (NEW)  
Sum: \$750,000.00

and, be it further

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

Seconded by GREENE and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)



**Resolution No. 268**

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

RESOLUTION AWARDING A TOURISM DESTINATION GRANT TO THE PARKHURST FIELD FOUNDATION FOR “*LEGENDS PARK AT PARKHURST FIELD*”  
(*DESTINATION: FULTON COUNTY*)

WHEREAS, Resolution 260 of 2021 endorsed *Destination: Fulton County-A Strategic Plan for American Rescue Plan Funds*, including a \$1,000,000.00 Tourism Destination Grant to the Parkhurst Field Foundation to jumpstart its tournament baseball facility project; and

WHEREAS, Legends Park at Parkhurst Field, its associated satellite fields, concession stand, museum and parking lots, have already been designed and preliminary grading/clearing has been started by the not-for-profit Parkhurst Field Foundation; and

WHEREAS, the total facility will be a modern Little League Baseball tournament complex with a vintage design that acknowledges its 20<sup>th</sup> Century history where many Hall of Fame players played minor league baseball and Major League exhibitions; and

WHEREAS, the proposed approach to the Tourism Destination Grant is outlined below and will be contained in a written grant agreement:

- Installment 1 (\$250,000.00): Advance payment 1 will be issued upon an invoice/written request from the Parkhurst Field Foundation, subsequent to the Board’s grant approval Resolution.
- Installment 2 (\$250,000.00): Advance payment 2 will be issued upon an invoice/written request from the grantee accompanied by documentation of progress and actual expenses associated with Installment 1.
- Installment 3 (\$250,000.00) Advance payment 3 will be issued upon an invoice/written request from the grantee accompanied by documentation of progress and actual expenses associated with Installment 2.
- Installment 4 (Final Balance, not to exceed \$250,000.00): Final installment will not be an advance. This final payment will be issued upon invoice/written request from the grantee accompanied by documentation certifying that all “Premier Stadium Components” identified in the grant agreement have been purchased and completed.

and,

WHEREAS, the Tourism Destination Grant will be for costs associated with “Premier Stadium Components” associated with Grandstands and all Field Fixtures; now, therefore be it

**Resolution No. 268 (Continued)**

RESOLVED, That the Board of Supervisors hereby awards a Tourism Destination Grant to the Parkhurst Field Foundation for “Legends Park at Parkhurst Field” in an amount not to exceed \$1,000,000.00; and, be it further

RESOLVED, That the Chairman of the Board be, and hereby is authorized to execute a written Grant Agreement with the Parkhurst Field Foundation to promote economic growth through hospitality and tourism in accordance with this Resolution; said contract subject to the approval of the County Attorney; and, be it further

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

Revenue:

Increase A.1000.4089-4089-REV-Federal Aid-General Government Aid \$250,000.00

Appropriation:

Increase A.1000.6410-4935-EXP-County Tourism Development  
(A.0688.2021-Other Liabilities-American Recovery Act) \$250,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Parkhurst Field Foundation, Fulton Montgomery Regional Chamber of Commerce, Fulton County Center for Regional Growth, City of Johnstown, City of Gloversville, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 269**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ACCEPTANCE OF 2021-2022 NEW YORK STATE CHILD PASSENGER SAFETY INCENTIVE GRANT (PUBLIC HEALTH)**

WHEREAS, the NYS Department of Health has awarded \$3,740.00 in grant funds through the New York State Child Passenger Safety Incentive Grant to the Public Health Department to promote child passenger safety; 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 Governor's Traffic Safety Committee for a 2021-2022 Child Passenger Safety Incentive Grant, in an amount of \$3,740.00, for the period October 1, 2021 through September 30, 2022; 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 Governor's Traffic Safety Committee, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by GROFF and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 270**

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

RESOLUTION AUTHORIZING USE OF AHI NORTH COUNTRY DELIVERY SYSTEM REFORM INCENTIVE PAYMENTS (DSRIP) PROGRAM FUNDS FOR PURCHASE OF ADVERTISING (PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 35 of 2021 authorized acceptance of Adirondack Health Institute (AHI) Delivery System Reform Incentive Payment (DSRIP) engagement funds in the amount of \$23,840.44 for use in the Public Health Department; and

WHEREAS, said funding constitutes reimbursement to the Public Health Department for completing work tasks related to “P4P” (Pay for Performance) during 2021; and

WHEREAS, the Public Health Director has proposed to use a portion of said Engagement funds to purchase advertising as follows:

\$24,000 Medibags	\$2,400.00
-------------------	------------

now, therefore be it

RESOLVED, That the Public Health Director be and hereby is authorized to purchase the above-listed advertising with said Engagement Funds in an amount not to exceed \$2,400.00; and, be it further

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

Revenue:

Increase A.4010.4010-2770 - REV- Other Unclassified Revenues \$2,400.00

Appropriation:

Increase A.4010.4010-4100 - EXP- Advertising \$2,400.00

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 VANDENBURGH and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 271**

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

RESOLUTION AUTHORIZING A CONTRACT WITH NORTHERN RIVERS AND  
BERKSHIRE FARMS TO PROVIDE QUALIFIED INDIVIDUAL (QI) EVALUATION  
SERVICES FOR FOSTER CHILDREN IN COMPLIANCE WITH FEDERAL AND NEW  
YORK STATE MANDATES

WHEREAS, effective September, 29, 2021 the Federal Family First Prevention Services Act (FFPSA) requires foster children referrals for residential placement to meet two new requirements to be eligible for Title IV-E (50%) funding as follows:

- Assessment by a Qualified Individual as to the level of care needed by the child (foster home vs. residential).
- Placement of the child in a Qualified Residential Treatment Program (QRTP) if deemed by the QI to need a residential level of care.

and,

WHEREAS, the Commissioner of Social Services is requesting to contract with Northern Rivers and Berkshire Farms to provide said services; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Fulton County Department of Social Services and the following providers:

- Northern Rivers, Albany, New York
- Berkshire Farms, Gloversville, New York

for Qualified Individual (QI) Services effective immediately through December 31, 2021, and, be it further

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

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

Seconded by PERRY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 272**

Supervisor KINOWSKI 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**

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)	Days/Month (based on Record of Activities)	Not Submitted (Check box only if official did not submit their ROA)
<b>Elected Officials</b>							
County Clerk	7	Linda Kollar		1/1/18 – 12/31/21	N	30.23	
County Treasurer	7	Edgar Blodgett		1/1/18 – 12/31/21	N	26.49	
District Attorney	7	Chad Brown		1/1/21 – 12/31/24	N	23.43	
Supervisor, Town of Mayfield	6	Richard Argotsinger		1/1/20 – 12/31/23	N	6.53	
Supervisor, City of Gloversville Ward 1	6	Marie Born		1/1/20 – 12/31/21	N	2.82	
Supervisor, Town of Ephratah	6	Todd Bradt		1/1/20 – 12/31/23	N	2.61	
Supervisor, Town of Perth	6	Gregory Fagan		1/1/20 – 12/31/23	N	8.11	
Supervisor, Town of Bleecker	6	David Howard		1/1/20 – 12/31/21	N	3.56	
Supervisor, City of Johnstown Ward 1	6	Jared Goderie		8/17/20 – 12/31/21	N	2.53	
Supervisor, City of Johnstown Ward 4	6	Michael Bowman		1/1/20 – 12/31/21	N	1.67	
Supervisor, City of Johnstown Ward 3	6	John Callery		1/1/20 – 12/31/21	N	2.62	
Supervisor, City of Gloversville Ward 4	6	Charles Potter		1/1/20 – 12/31/21	N	4.37	
Supervisor, City of Gloversville Ward 5	6	Gregory Young		1/1/20 – 12/31/21	N	7.53	
Supervisor, Town of Stratford	6	Heather VanDenburgh		1/1/20 – 12/31/21	N	1.93	
Coroner	6	Margaret Luck		1/1/20 – 12/31/23	Y		
<b>Appointed Officials</b>							
Assigned Counsel Administrator	6	Michael Smrtic		1/1/20 – 12/31/20	N	12.5	
Assigned Counsel Administrator	6	Christopher Stanyon		4/1/21 – 12/31/21	N	12.44	
County Attorney	6	Jason Brott		1/1/20 – 12/31/21	N	13.2	
County Historian	6	Samantha Hall-Saladino		1/1/20 – 12/31/21	N	7.53	

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



**Resolution No. 272 (Continued)**

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 BRADT and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 273**

Supervisor KINOWSKI offered the following Resolution and moved its adoption:

RESOLUTION WAIVING RESIDENCY RULE FOR HIRE OF CERTAIN POSITIONS  
WITHIN FULTON COUNTY

WHEREAS, certain Department Heads and the Personnel Director are experiencing difficulty in filling certain positions with Fulton County; and

WHEREAS, the Personnel Director recommends that applicants who are not residents of Fulton County be considered for the following positions:

Caseworker (Department of Social Services and Office for Aging)  
Social Welfare Examiner (Department of Social Services)  
Account Clerk/Typist (Various County Departments)  
Typist (Various Departments)  
Senior Typist (Various Departments)

and

WHEREAS, after careful review of the hiring procedure utilized, the Committee on Personnel recommends waiving the County's "Residency Rule" to hire an out-of-county resident from a contiguous county for Caseworker, Social Welfare Examiner, Account Clerk/Typist, Typist and Senior Typist; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for hire of the following positions:

Contiguous Counties:  
Caseworker  
Social Welfare Examiner  
Account Clerk/Typist  
Typist  
Senior Typist

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

**Resolution No. 273 (Continued)**

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

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 274**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR FOODSTUFFS FOR  
USE IN THE CORRECTIONAL FACILITY FOR 2022

RESOLVED, That the Fulton County Purchasing Agent be and hereby is authorized to advertise for sealed bids for foodstuffs for the Fulton County Correctional Facility on a periodic basis for the year 2022, in accordance with bidding requirements and at dates and times to be determined by said Purchasing Agent; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Correctional Facility and Administrative Officer/Purchasing Agent.

Seconded by BRADT and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 275**

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

RESOLUTION ACCEPTING 2020-2022 “COUNSEL AT FIRST APPEARANCE” (CAFA)  
317 GRANT FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES  
(PUBLIC DEFENDER)

WHEREAS, Resolution 70 of 2017 authorized application to NYS Office of Indigent Legal Services for Counsel at First Appearance (CAFA) Grant in the amount of \$250,000.00 for three (3) years; and

WHEREAS, Resolution 421 of 2018 authorized acceptance of 2017-2019 “Counsel at First Appearance (CAFA) Grant from the NYS Office of Indigent Legal Services for use in the Public Defender’s Office; and

WHEREAS, the Public Defender has requested permission to accept a Counsel at First Appearance Grant from the NYS Office of Indigent Legal Services in an amount up to \$211,640.00 per year for the three (3) year period 2020 through 2022; and

WHEREAS, the goal will be to utilize the grant funds to maintain a county-wide plan to meet court-mandated protocols related to providing legal counsel to any defendant at any occasion of first arraignment; and

WHEREAS, the Committees on Public Safety and Finance have reviewed and approved the request from the Public Defender for renewal of said grant; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to accept a Counsel at First Appearance (CAFA) 317 grant from the New York State Office of Indigent Legal Services, in an amount up to \$211,640.00 per year effective January 1, 2020 through December 31, 2022; and, be it further

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

Seconded by YOUNG and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 276**

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

RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT BETWEEN THE SOLID WASTE DEPARTMENT AND ONEIDA-HERKIMER SOLID WASTE AUTHORITY FOR PROCESSING OF SINGLE STREAM RECYCLABLES (2022-2026)

WHEREAS, Resolution 372 of 2016 authorized an Inter-Municipal Agreement between the Solid Waste Department and Oneida-Herkimer Solid Waste Authority for processing of Single Stream Recyclables; and

WHEREAS, the adoption of said Inter-Municipal Agreement marked the conversion of Fulton County’s Recycling Program from “source-separated” to “single-stream”; and

WHEREAS, the Director of Solid Waste recommends continuing “single-stream recycling” to promote economy and efficiency within the Department; and

WHEREAS, Oneida-Herkimer Solid Waste Authority has a modern processing facility and capacity to handle single-stream residential recyclables generated in Fulton County; and

WHEREAS, the Director of Solid Waste, Committees on Public Works and Finance recommend a new 5-year agreement with the Oneida-Herkimer Solid Waste Authority to accept and process single stream recyclables; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an inter-municipal agreement with the Oneida-Herkimer Solid Waste Authority to accept and process single-stream recyclables, at a cost of \$76.16 per ton for year one, with a rate increase of 2 percent per year for years 2 through 5, effective January 1, 2022 through December 31, 2026; subject to approval of the County Attorney; and, be it further

RESOLVED, that said contract also include a provision by formula to share in the revenue generated from the sale of processed Fulton County recyclables in accordance with market conditions; and, be it further

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

Seconded by BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 277**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION EXTENDING CONTRACT WITH SUNNKING FOR ELECTRONICS  
RECYCLING FOR THE SOLID WASTE DEPARTMENT (2022)

WHEREAS, Resolution 326 of 2020 awarded a bid to Sunnking, LLC. for Electronics Recycling Services at the Fulton County Solid Waste Department, with the County option to extend said contract in 2021; and

WHEREAS, the Solid Waste Director requests said contract be extended for another year; now, therefore be it

RESOLVED, That upon the recommendation of the Solid Waste Director and Committee on Public Works, the Chairman of the Board be and hereby is authorized to sign an extension to the contract with Sunnking, LLC., of Brockport, NY, for Electronics Recycling Services at the Fulton County Solid Waste Department , effective January 1, 2022 through December 31, 2022; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

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

Seconded by PERRY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)





**Resolution No. 278**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING GRANT APPLICATION FOR A MUNICIPAL WASTE REDUCTION/RECYCLING PROJECT (SOLID WASTE DEPARTMENT)

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, the County of Fulton, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; now, therefore be it

RESOLVED,

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;
2. That the Chairman of the Board of Supervisors is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and Recycling Project.
4. That this resolution shall take effect immediately;

and, be it further

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

Seconded by LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 279**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING TRACY GUTOWSKI TO THE FULTON COUNTY  
PLANNING BOARD

RESOLVED, That the following person be reappointed and/or confirmed as member to the Fulton County Planning Board, for the balance of the term hereinafter specified:

January 1, 2021 Through December 31, 2023:

Tracy Gutowski

Appointed

and, be it further

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

Seconded by GREENE and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 280**

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

RESOLUTION REAPPROPRIATING CERTAIN 2021 CAPITAL PROJECT FUNDS TO  
INSTALL DEDICATED INTERNET ACCESS (DIA) AND ADDITIONAL PARKING  
LOT PAVING AT THE FULTON COUNTY AIRPORT (2021 CAPITAL PLAN)

WHEREAS, the 2021 Capital Plan includes a \$1,250,000.00 project to reconstruct the Main Apron at the Fulton County Airport; and

WHEREAS, Resolution 49 of 2021 authorized pre-application to the Federal Aviation Administration for the Reconstruction of Main Apron Project at the Fulton County Airport (2021 Capital Plan) listing Fulton County’s local share of said project at \$62,500.00; and

WHEREAS, Fulton County was recently notified by the Federal Aviation Administration (FAA) that, as part of the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA), the FAA will fund 100% of the project costs; and

WHEREAS, the Planning Director and Committees on Public Works and Finance reallocating said \$62,500.00 in County local share to the following new projects at the Airport:

Dedicated Internet Access (DIA) Installation	\$ 9,000.00
Parking Lot Paving/Reconfiguration	\$53,500.00

now, therefore be it

RESOLVED, That the \$62,500.00 in local share funding identified in Resolution 49 of 2021, be and hereby is, reallocated for Dedicated Internet Access (DIA) Installation and Parking Lot Paving/Reconfiguration; and, be it further

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

From: H.8020.5610-2100.0949 - EXP - Airport Reconstruction Main Apron  
To: A.1000.9950-9000.1200 - EXP- Capital Improvements Expense  
Sum: \$62,500.00

and, be it further

**Resolution No. 280 (Continued)**

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

Revenue

Increase: H.8020.5610-4592.0949 - REV - Fed Aid - Airport  
Reconstruction Main Apron \$125,000.00

Decrease: H.8020.5610-3597.0949 - REV - State Aid - Airport  
Reconstruction Main Apron \$62,5000

Appropriation:

Increase H.8020.5610-2100.0949 - EXP - Airport Reconstruction  
Main Apron \$62,5000

and, be it further

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

From: A.1000.9950-9000.1200 - EXP- Capital Improvements Expense  
To: A.8020.8020-2010.1200 - EXP- Capital Improvements Expense  
Sum: \$62,500.00

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

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 281**

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

RESOLUTION AUTHORIZING A CONTRACT WITH FRONTIER COMMUNICATIONS FOR INSTALLATION SERVICES OF DEDICATED INTERNET ACCESS (DIA) AT THE FULTON COUNTY AIRPORT

WHEREAS, Resolution 349 of 2021 authorized a contract with Frontier Communications for a 100 MB dedicated internet access (DIA) at the Fulton County Airport); and

WHEREAS, the existing data/internet service at the Fulton County Airport is unreliable and does not provide enough bandwidth to meet the needs of County utilities, Fixed Based Operator Systems and new air medical transport services operations; and

WHEREAS, the original proposal received from Frontier Communications was based upon Frontier Communications supplying a second DIA point to the City of Johnstown water tower located at the Airport, but the City of Johnstown decided to pursue an alternate approach; and

WHEREAS, in order to maintain a \$480.00 per month fee, an installation fee is now required by Frontier Communications at a cost of \$8,800; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract for installation of Dedicated Internet Access (DIA) at the Fulton County Airport, with Frontier Communications, of Gloversville, NY as a component of Dedicated Internet Access (DIA), in an amount not to exceed \$8,800.00; and, be it further

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

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

Seconded by VANDENBURGH and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 282**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A REQUEST FOR QUALIFICATIONS FROM  
ENGINEERING FIRMS FOR PROJECT PLANNING SERVICES FOR THE FULTON  
COUNTY AIRPORT (2022-2026)

WHEREAS, Resolution 160 of 2017 approved Passero Associates as the Federal Aviation Administration Certified Airport Consultant for the Fulton County Airport; and

WHEREAS, Fulton County annually submits an Airport Capital Improvement Plan to the federal Aviation Administration (FAA) that outlines projects it would like to undertake during the ensuing 5-year period; and

WHEREAS, the FAA requires the utilization of a FAA-certified airport engineer; and

WHEREAS, FAA Advisory Circular 150/5100-14E allows municipalities to select airport project consultant contracts for a 5-year period through a Request for Qualifications process as an alternative to seeking annual contracts; now therefore be it

RESOLVED, That the Planning Director be and hereby is authorized and directed to distribute a Request for Qualifications (RFQ) to FAA-certified airport engineers for potential Fulton County Airport projects for a 5-year time period at the Fulton County Airport; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Planning Director, Fixed Base Operator and Administrative Officer/Purchasing Agent.

Seconded by WILSON and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 283**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING EXTENSION TO CONTRACT WITH BREZZY CLEANING SERVICE FOR CUSTODIAL SERVICES IN THE DSS COOPER BUILDING (2022)**

WHEREAS, Resolution 319 of 2020 awarded a contract to Brezzy Cleaning service for custodial services in the DSS Cooper Building, at a cost of \$43,200.00, with the County option to extend said contract in 2022 and 2023; and

WHEREAS, the Superintendent of Highways and Facilities requests said contract be extended for another year; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committees on Public Works, the Chairman of the Board be and hereby is authorized to sign an extension to the contract with Brezzy Cleaning Service, of Gloversville, NY, for custodial services in the DSS Cooper Building, effective January 1, 2022 through December 31, 2022, at a cost not to exceed \$45,600.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

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

Seconded by KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 284**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING EXTENSION TO CONTRACT WITH BREZZY CLEANING SERVICE FOR CUSTODIAL SERVICES IN FULTON COUNTY COMPLEX I AND II (2022)**

WHEREAS, Resolution 231 of 2020 awarded a contract to Brezzy Cleaning service for custodial services in the Fulton County Complex I and II, at a cost of \$42,000.00, with the County option to extend said contract in 2022 and 2023; and

WHEREAS, the Superintendent of Highways and Facilities requests said contract be extended for another year; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committee on Public Works, the Chairman of the Board be and hereby is authorized to sign an extension to the contract with Brezzy Cleaning Service, of Gloversville, NY, for custodial services in the Fulton County Complex I and II, effective January 1, 2022 through December 31, 2022, at a cost not to exceed \$44,400.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

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

Seconded by BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)



**Resolution No. 285**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING EXTENSION TO CONTRACT WITH BREZZY CLEANING SERVICE FOR CUSTODIAL SERVICES IN THE FULTON COUNTY OFFICE BUILDING (2022)**

WHEREAS, Resolution 403 of 2019 awarded a contract to Brezzy Cleaning service for custodial services in the Fulton County Office Building, at a cost of \$79,500.00, with the County option to extend said contract in 2021 and 2022; and

WHEREAS, the Superintendent of Highways and Facilities requests said contract be extended for another year; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committee on Public Works, the Chairman of the Board be and hereby is authorized to sign an extension to the contract with Brezzy Cleaning Service, of Gloversville, NY, for custodial services in the Fulton County Office Building, effective January 1, 2022 through December 31, 2022, at a cost not to exceed \$81,684.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 286**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CUSTODIAL  
SERVICES AT THE FORT JOHNSTOWN, OFFICE FOR AGING AND EMERGENCY  
MANAGEMENT BUILDINGS (2022)

WHEREAS, the current contract for custodial services at the Fort Johnstown and Office for Aging Buildings will expire December 31, 2021; and

WHEREAS, the Committee on Public Works and Superintendent of Highways and Facilities recommend soliciting bids to clean the Fort Johnstown and Office for Aging Buildings along with the newly acquired Emergency Management Building; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for custodial services for the Fort Johnstown, Office for Aging, Emergency Management Buildings (1 East Montgomery Street and 19 North William Street, Johnstown, NY, 231 N. Perry Street, Johnstown, NY, respectively) (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, October 6, 2021, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by LAURIA and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 287**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CUSTODIAL SERVICES AT 57 EAST FULTON (2022)

WHEREAS, Resolution 116 of 2021 amended the OFA/Fort Johnstown Custodial Services Contract with Brezzy's Cleaning Service to Include 57 East Fulton; and

WHEREAS, the Committee on Public Works and Superintendent of Highways and Facilities recommend soliciting bids to clean 57 East Fulton building; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for custodial services for the 57 East Fulton building, 223 West Main Street, Johnstown, NY, (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, October 6, 2021, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by GODERIE and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 288**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR DIESEL FUEL FOR  
USE BY THE HIGHWAYS AND FACILITIES DEPARTMENT AND  
SOLID WASTE DEPARTMENT (2022)

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of diesel fuel for the fuel dispensing system located at the Highways and Facilities Department and Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Office Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That said bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, October 6, 2021; 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, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by PERRY and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 289**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR UNLEADED  
GASOLINE FOR THE CENTRAL FUEL DEPOTS LOCATED AT THE COUNTY  
SERVICES COMPLEX AND SOLID WASTE DEPARTMENT (2022)**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of unleaded fuels for the fuel dispensing system located at the County Services Complex and Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Office Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That said bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., October 6, 2021; 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, Superintendent of Highways and Facilities, Solid Waste Director, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by HORTON and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 290**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR HEATING OIL AND  
50/50 BLEND FOR COUNTY BUILDINGS (2022)

WHEREAS, the current bid for No. 2 heating oil and 50/50 blend expires on December 31, 2021; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is directed to advertise for sealed bids from responsible petroleum dealers for Heating Oil No. 2 and Special Blend of No. 2 for the year 2022 (and according to further specifications which may be obtained at the Office of the Purchasing Agent); said price to identify origin and posted tank wagon price in effect on the date of bid (to be further identified at each instance of delivery), plus vendor margin. Successful bidder must make provisions for emergency delivery on a local basis (within a 20-mile radius of the City of Johnstown), in the event that one of the identified facilities runs out of fuel; and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., October 6, 2021 at which time and place they will be publicly opened and read; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Fire Coordinator, Sheriff, Correctional Facility, Solid Waste, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by BRADT and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)



**Resolution No. 291**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR WASTE REMOVAL SERVICES FOR THE FULTON COUNTY CORRECTIONAL FACILITY (2022)**

WHEREAS, the current bid for waste removal services expires on December 31, 2021; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for bids from waste disposal vendors for the pickup of general office type waste materials at the Fulton County Correctional Facility (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, October 6, 2021, at which time and place they will be publicly opened and read; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Sheriff, Correctional Facility, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by GREENE and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)



**Resolution No. 292**

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

RESOLUTION AUTHORIZING THE PURCHASE OF ROAD SALT TO REPLACE ROAD SALT DEPOSITED BY THE NYS DEPARTMENT OF TRANSPORTATION AT THE COUNTY HIGHWAY BARN

WHEREAS, the Superintendent of Highways and Facilities agreed to temporarily store 1,290 tons of Road Salt owned by the NYS Department of Transportation (NYSDOT) in the Fulton County Highway Barn while a new replacement salt shed was being constructed for the NYSDOT location in Riceville, Town of Mayfield, NY; and

WHEREAS, the Superintendent has recommended purchasing an equivalent tonnage of Road Salt to replenish the new NYSDOT salt shed in Riceville rather than waste additional taxpayer monies by requiring NYSDOT to transport it back to the new facility; now, therefore be it

RESOLVED, That the Superintendent of Highways and Facilities be and hereby is authorized to purchase 1,290 tons of Road Salt at an approximate cost of \$85,000.00, contingent upon fuel costs at the time of delivery, to be delivered to the NYS Department of Transportation Salt Shed in Riceville, Town of Mayfield, NY as a gesture of good will and to promote savings for state taxpayers; and, be it further

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

Seconded by WILSON and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 293**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A TRANSFER FROM CONTIGENT FUND TO COVER A BUDGET SHORTFALL IN THE INFORMATION TECHNOLOGY DEPARTMENT**

WHEREAS, the Information Technology Director has requested to transfer \$27,000.00 due to an error when preparing 2021 budget figures for the Information Technology Department; and

WHEREAS, said error has resulted in a short-fall within the Information Technology Contractual line item without funds to pay for five (5) maintenance contracts pending; and

WHEREAS, the Committee on Finance has reviewed the request from the Information Technology Director and has recommended transferring \$27,000.00 from the Contingent Fund account; now, therefore be it

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.1680.1680-4130 – EXP – Contractual

Sum: \$27,000.00

and, be, it further

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

Seconded by FAGAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)



**Resolution No. 294**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT WITH BENETECH FOR THIRD PARTY  
ADMINISTRATOR SERVICES FOR THE WORKERS COMPENSATION  
SELF-INSURANCE PLAN (2022-2024)

WHEREAS, Resolution 327 of 2018 authorized a contract with Benetech, Inc. to provide Third-Party Administrator Services for the Fulton County Workers Compensation Self-Insurance Program, effective January 1, 2019 through December 31, 2021; and

WHEREAS, Benetech, Inc. has submitted a new three-year contract proposal for the period January 1, 2022 through December 31, 2024; and

WHEREAS, the Administrative Officer and the Committee on Finance have reviewed said proposal and the past work of Benetech and recommend renewal; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a contract with Benetech, Inc., of Wynantskill, NY, to provide Third-Party Administrator Services for the Fulton County Workers Compensation Self-Insurance Plan, at the following costs, effective January 1, 2022 through December 31, 2024:

Administration Base Fee:	2022	\$34,267.00
	2023	34,952.00
	2024	35,561.00

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, Personnel Director, Worker's Compensation Insurance Plan, Benetech, Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by HOWARD and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)



**Resolution No. 295**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE FOR A PUBLIC HEARING REGARDING THE  
2022-2024 CAPITAL PLAN

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 Monday, November 8, 2021, at 1:30 p.m. for the purpose of holding a public hearing on the proposed 2022-2024 Capital Plan for Fulton County; and, be it further

RESOLVED, That the Clerk of the Board of Supervisors give notice of said public hearing on said proposed 2022-2024 Capital Plan for 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, All Affected Departments, Planning Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by FAGAN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)



DEPARTMENT / PROJECT	2022			2023			2024			Fulton County Share 3 Year Total
	Total Cost	Offsetting Revenue	Fulton County Share	Total Cost	Offsetting Revenue	Fulton County Share	Total Cost	Offsetting Revenue	Fulton County Share	
<b>Planning - 8020</b>										
<b>Facilities:</b>										
FJ&G Rail Trail Improvements - Paving	\$ 100,000	\$ -	\$ 100,000			\$ -				\$ -
Fulton County Airport - Parallel Taxiway Rehabilitation - Design	\$ 150,000	\$ 142,500	\$ 7,500			\$ -				\$ -
Fulton County Airport - Pavement Management Program	\$ 60,000	\$ 57,000	\$ 3,000			\$ -				\$ -
Fulton County Airport - Parallel Taxiway Rehabilitation - Construction			\$ -	\$ 1,350,000	\$ 1,282,500	\$ 67,500				\$ -
Fulton County Airport - Fuel Farm			\$ -			\$ -	\$ 1,450,000	\$ 1,305,000	\$ 145,000	
Fulton County Airport - Snow Removal Equipment			\$ -			\$ -	\$ 450,000	\$ 427,500	\$ 22,500	
Subtotal	\$ 310,000	\$ 199,500	\$ 110,500	\$ 1,350,000	\$ 1,282,500	\$ 67,500	\$ 1,900,000	\$ 1,732,500	\$ 167,500	
<b>Economic Development:</b>										
Great Sacandaga Lake History Museum - Construction - Phase II	\$ 600,000	\$ 600,000	\$ -	\$ -	\$ -	\$ -				\$ -
Municipal Water Extension to Vail Mills Primary Development Area - Engineering			\$ -	\$ 75,000		\$ 75,000				\$ -
Fulton County Sewer District 5 - NYS Route 30/30A - Construction - Phase 2			\$ -	\$ 8,000,000	\$ 8,000,000	\$ -				\$ -
Subtotal	\$ 600,000	\$ 600,000	\$ -	\$ 8,075,000	\$ 8,000,000	\$ 75,000	\$ -	\$ -	\$ -	\$ -
<b>Total</b>	\$ 910,000	\$ 799,500	\$ 110,500	\$ 9,425,000	\$ 9,282,500	\$ 142,500	\$ 1,900,000	\$ 1,732,500	\$ 167,500	\$ 420,500
<b>General Fund Total</b>	\$ 3,199,123	\$ 1,712,850	\$ 1,486,273	\$ 10,886,000	\$ 10,032,500	\$ 853,500	\$ 3,663,000	\$ 2,482,500	\$ 1,180,500	\$ 3,520,273
<b>Highway - D/DM</b>										
Paving CR 107, Town Perth	\$ 610,000	\$ 610,000	\$ -							
Paving CR 119, Town of Stratford	\$ 230,000	\$ 230,000	\$ -							
Paving CR 137, Town of Caroga	\$ 132,000	\$ 132,000	\$ -							
Paving CR112, Town of Bleecker	\$ 450,000	\$ 450,000	\$ -							
Paving CR 125, Town of Bleecker	\$ 325,000	\$ 238,000	\$ 87,000							
Paving CR 125, Town of Bleecker			\$ -							
Paving CR 110, Town of Broadalbin			\$ -	\$ 370,000	\$ 370,000	\$ -	\$ 480,000	\$ 480,000		
Paving CR 109, Town of Broadalbin/Northampton			\$ -	\$ 180,000	\$ 180,000	\$ -			\$ -	
Paving CR 123 Town of Northampton			\$ -	\$ 200,000	\$ 200,000	\$ -				
Paving CR 104, Town of Stratford			\$ -	\$ 270,000	\$ 270,000	\$ -				
Paving CR 108, Town of Oppenheim			\$ -	\$ 350,000	\$ 350,000	\$ -				
Paving CR 145, Town of Bleecker			\$ -			\$ -	\$ 150,000	\$ 150,000	\$ -	
Paving CR 107, Town of Johnstown			\$ -			\$ -	\$ 650,000	\$ 650,000	\$ -	
Paving CR 122, Town of Johnstown			\$ -			\$ -	\$ 100,000	\$ 100,000	\$ -	
Paving CR 152, Town of Northampton			\$ -			\$ -	\$ 85,000	\$ 85,000	\$ -	
Paving CR 130, Town of Northampton			\$ -			\$ -	\$ 60,000	\$ 60,000	\$ -	
Subtotal	\$ 1,747,000	\$ 1,660,000	\$ 87,000	\$ 1,370,000	\$ 1,370,000	\$ -	\$ 1,525,000	\$ 1,525,000	\$ -	\$ 87,000
<b>Bridges</b>										
CR 102, Riceville Creek - Mayfield	\$ 80,000	\$ -	\$ 80,000							
Subtotal	\$ 80,000	\$ -	\$ 80,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 80,000
<b>Equipment</b>										
Tandem Dump Truck with Plow	\$ 270,000		\$ 270,000			\$ -				
6 Wheel Tandem Dump Truck			\$ -	\$ 145,000	\$ 145,000					
Subtotal	\$ 270,000	\$ -	\$ 270,000	\$ 145,000	\$ 145,000	\$ -	\$ -	\$ -	\$ -	\$ 415,000
<b>Highway Total</b>	\$ 2,097,000	\$ 1,660,000	\$ 437,000	\$ 1,515,000	\$ 1,370,000	\$ 145,000	\$ 1,525,000	\$ 1,525,000	\$ -	\$ 582,000

DEPARTMENT / PROJECT	2022			2023			2024			Fulton County Share 3 Year Total
	Total Cost	Offsetting Revenue	Fulton County Share	Total Cost	Offsetting Revenue	Fulton County Share	Total Cost	Offsetting Revenue	Fulton County Share	
<b>Solid Waste - CL</b>										
Vertical Landfill Expansion - Design	\$ 100,000	\$ -	\$ 100,000							
Building Addition Planning/Design	\$ 50,000	\$ -	\$ 50,000							
Broadalbin Transfer Station Improvements	\$ 33,000	\$ -	\$ 33,000							
Paving - Ephrathah Transfer Station	\$ 27,000	\$ -	\$ 27,000							
Vertical Landfill Expansion - Construction				\$ 3,000,000		\$ 3,000,000				
Building Addition - Construction				\$ 500,000		\$ 500,000				
Paving Oppenheim Transfer Station				\$ 30,000		\$ 30,000				
Subtotal	\$ 210,000	\$ -	\$ 210,000	\$ 3,530,000	\$ -	\$ 3,530,000	\$ -	\$ -	\$ -	\$ 3,740,000
<b>Equipment</b>										
Landfill Compactor	\$ 1,300,000	\$ -	\$ 1,300,000							
Bulldozer	\$ 380,000	\$ -	\$ 380,000							
Isotope Identifier	\$ 14,500	\$ -	\$ 14,500							
Receiver Containers (2) Transfer Stations	\$ 40,000	\$ -	\$ 40,000							
Ejection Trailer				\$ 90,000		\$ 90,000				
Recycling Truck				\$ 200,000		\$ 200,000				
Tractor Truck				\$ 150,000		\$ 150,000				
Bulldozer				\$ -		\$ -	\$ 375,000	\$ -	\$ 375,000	
Subtotal	\$ 1,734,500	\$ -	\$ 1,734,500	\$ 440,000	\$ -	\$ 440,000	\$ 375,000	\$ -	\$ 375,000	\$ 2,549,500
<b>Solid Waste Total</b>	\$ 1,944,500	\$ -	\$ 1,944,500	\$ 3,970,000	\$ -	\$ 3,970,000	\$ 375,000	\$ -	\$ 375,000	\$ 6,289,500
<b>GRAND TOTAL:</b>	\$ 7,240,623	\$ 3,372,850	\$ 3,867,773	\$ 16,371,000	\$ 11,402,500	\$ 4,968,500	\$ 5,563,000	\$ 4,007,500	\$ 1,555,500	\$ 10,391,773



**Resolution No. 296**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

WHEREAS, the Treasurer 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:

*Treasurer:*

5 Drawer Wooden Desk (0000040)  
Tan Chair w/wheels (0000162)  
Green Metal Desk (0000416)  
Green Locker (0000493)  
4 Drawer Green File Cabinet (0001150)  
Green Metal Table (0001821)  
4 Drawer Putty color File Cabinet (0001947)  
4 Drawer Putty color File Cabinet (0001948)  
Table – from Soc. Svc. (0003430)  
Desk (0003440)  
Desk (0003442)  
5 Drawer Metal Desk- from Soc. Svc. (0003443)  
Gray Table (0007868)  
6 Drawer Tan Desk (No number)  
2 Drawer Computer Desk (No number)  
5' Computer Desk- No Drawers (No number)  
3 Drawer Metal Computer Desk-Putty (No number)  
Metal Desk Top only, Cream color (No number)  
(2) 3 Drawer Metal Desks- Putty color (No number)  
2 Drawer Wooden Desk (No number)  
Metal Desk (No number)  
Green Metal Desk (No number)  
(2) Typewriter Stands (No number)  
(2) Black Metal Desks, Wooden Tops (No number)  
½ Black Metal Desk (No number)  
White Cloth Table Top (No number)  
1 Drawer Desk- Putty color (No number)  
Green Plastic Chair, no wheels (No number)

and, be it further

**Resolution No. 296 (Continued)**

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

Seconded by GROFF and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 297**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING A SETTLEMENT AGREEMENT TO AN ACTION RELATING TO THE OPIOID CRISIS (“BIG THREE SETTLEMENT”)**

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

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

WHEREAS, the Action alleges several causes of action against defendants McKesson Corporation, Cardinal Health, Inc., Amerisource Bergen Drug Corporation, PSS World Medical, Inc., Kinray, LLC, Belco Drug Corporation, and American Medical Distributors, Inc. (the “Distributors”) based on claims that the Distributors contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies and others in Suffolk County, all of which contributed to a public health crisis in Fulton County; and

WHEREAS, the Distributors have offered to settle the County of Fulton’s claims against it by paying the sum of between approximately \$686,427.33 (Worst Case Scenario Value) and \$1,212,564.06 (Best Case Scenario Value) over eighteen (18) years and agreeing to implement injunctive relief under a controlled substance monitoring program; and

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

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

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

**Resolution No. 297 (Continued)**

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

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

Seconded by BORN and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)



**Resolution No. 298**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE FMCC  
WASTEWATER TREATMENT PLANT ALARM SYSTEM PROJECT  
(2020 CAPITAL PLAN)

WHEREAS, Resolution 193 of 2020 amended the 2020 Capital Plan to substitute four (4) Health and Safety Projects in place of the FMCC Classrooms Labs and Classrooms Phase III and Financial Technology Lab Renovation Project; and

WHEREAS, Resolution 283 of 2020 authorized contracts with four (4) Health and Safety projects which included a contract for design services for the FMCC Wastewater Treatment Plant Alarm System project; and

WHEREAS, the Committee on Finance recommends advertising for bids for the FMCC Wastewater Treatment Plant Alarm System project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for the FMCC Wastewater Treatment Plant Alarm System Project (and according to further specifications which may be obtained at the Office of Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, October 20, 2021, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 479 (17) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 47 (2) (Supervisors Breh and Potter)

**Resolution No. 299**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS**

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

Personnel

From: A.1000.1990-4907 – EXP – Contingent Fund Expense	\$567,252.00	
To: A.3110.3110-1000 – EXP – Payroll		\$ 68,302.00
A.3110.3110-8000 – EXP – State Retirement		12,599.00
A.3110.3110-8100 – EXP – Social Security		5,226.00
A.3110.3112-1000 – EXP – Payroll		10,402.00
A.3110.3112-8000 – EXP – State Retirement		1,727.00
A.3110.3112-8100 – EXP – Social Security		638.00
A.3110.3113-1000 – EXP – Payroll		64,099.00
A.3110.3113-8000 – EXP – State Retirement		9,057.00
A.3110.3113-8100 – EXP – Social Security		4,904.00
A.3110.3150-1000 – EXP – Payroll		311,423.00
A.3110.3150-8000 – EXP – State Retirement		55,582.00
A.3110.3150-8100 – EXP – Social Security		23,293.00

Emergency Management

From: A.1000.1990-4907 – EXP – Contingent Fund Expense  
To: A.3640.3640-4130 – EXP – Contractual  
Sum: \$3,350.00  
(Pinsky Law Group Contract for Ambulance Incentive Plan)

District Attorney

From: A.1165.1165-4090 - EXP- Professional Services  
To: A.1165.1165-1100 - EXP- Overtime  
Sum: \$1,000.00

County Clerk

From: A.1410.1460-4530 – EXP – Supplies  
To: A.1410.1410-4530 – EXP – Supplies  
Sum: \$500.00

Sheriff

From: A.3110.3150-4130 - EXP- Contractual  
To: A.3110.3150-4010 - EXP- Equipment - Non-Asset  
Sum: \$600.00  
(3 – Guardian RFID Spartan Devices)





**Resolution No. 299 (Continued)**

Highway

From: D.1000.1720-8500.8500 – EXP – Retiree Hospital Medical

To: D.1000.1720-1500 - EXP - Benefit Time Cash Out

Sum: \$1,000.00

From: DM.9550.9550-5000 - EXP- Transfer to Reserve

To: DM-0882.0883 – Road Machinery Fuel System Reserve

Sum: \$1,200.00

and, be it further

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

Sheriff

Revenue

Increase A.3110.3150-2260 - REV- Public Safety Services- Other Governments	\$82,900.00
---	-------------

Appropriation

Increase A.3110.3110-1110 - EXP- Supplemental	\$25,000.00
---	-------------

Increase A.3110.3150-1100 - EXP- Overtime	\$57,900.00
---	-------------

and, be it further

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

Seconded by KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

**Resolution No. 300**

Supervisor BREH offered the following Resolution and moved its adoption:

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

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

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

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

WHEREAS, the Civil Defense Director/Fire Coordinator has recommended additional system components that will improve radio coverage in areas within the Town of Northampton; now, therefore be it

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

(2) MLC8000	\$3,200.00
(2) 19" Rack Mounts and Hardware	80.00
(2) 120/240VAC to 12VDC Power Adapter	80.00
(2) Simulcast Comparator	1,600.00
ST Optimization Service	2,000.00
Installation or Equipment & Buildout of RF	<u>3,000.00</u>
	\$9,960.00

and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Emergency Management Office and Motorola Solutions of Woodcliff, New Jersey, for the purchase of certain equipment and installation fees identified herein, in an amount not to exceed \$9,960.00; and, be it further

**Resolution No. 300 (Continued)**

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

Revenue

Increase H.3640.3097-3397.0956 - REV - State Aid – \$9,960.00  
VCALL/VTAC Interop Communications

Appropriation

Increase H.3640.3097-2100.0956 - EXP - VCALL/VTAC \$9,960.00  
Interop Communications

and, be it further

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

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

Seconded by GREENE and adopted by the following vote:

TOTAL: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Breh and Potter)

