

SIXTH REGULAR SESSION

Johnstown, NY

June 12, 2023

Roll Call – Quorum Present

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

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

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

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

PUBLIC HEARINGS

1:30 P.M. PUBLIC HEARING REGARDING PROPOSED LOCAL LAW “B” OF 2023 TO ALLOW RESIDENTS OF FULTON COUNTY OR ANYWHERE IN NEW YORK STATE TO SERVE AS DEPUTY SHERIFF IN FULTON COUNTY

COMMUNICATIONS

1. Letter from NYSDOT Acting Director Thomas Vaughan dated June 1, 2023
Subj: Thanking Fulton County for Supporting Essential Public Transportation Service during the unprecedented public health crisis.
2. Letter from Assemblyman Matthew Simpson dated May 18, 2023
Subj: Acknowledging receipt of Resolution 204 of 2023, Opposing Senate Bill S.6282 That Would Eliminate Certain Supervisory Probation Fees.
3. Letter from NYSAC Executive Director Stephen Acquario dated May 18, 2023
Subj: Acknowledging receipt of Resolutions No. 204 (Opposing Senate Bill S.6282 That Would Eliminate Certain Supervisory Probation Fees) and No. 217 (Opposing the Tonnage “Disincentive Fee” as Proposed in the NYS Department of Environmental Conservation (DEC) Draft Solid Waste Management Plan) of 2023.

UPDATES FROM STANDING COMMITTEES

Personnel Committee: Mr. Callery advised that the Personnel Committee has an important meeting tomorrow to start negotiations with the Fulton County Police Benevolent Association (PBA).

CHAIRMAN'S REPORT

Chairman Horton provided remarks on a number of topics, highlighting some of the meetings he recently participated in. As you know, on May 19, I declared a State of Emergency related to the migrant crisis.

Understanding the current needs and limited resources of our County, I thought it best to join with other counties, now I believe 31 of us, to invoke a State of Emergency to protect our community as I thought reasonable and prudent.

Also, on May 19, he explained that he attended the CRG Board meeting in the morning and was honored to attend the FMCC Commencement ceremonies later that day. Horton noted that from the podium you could watch the faces of each graduate as they walked by to receive their diplomas. He said that it was inspiring and hopeful.

The following day, he and 10 other Supervisors from the Board attended the Opening ceremony at Parkhurst Field. The weather was terrific, and the excitement was electrifying. He said it is a wonderful facility that will bring memories and joy to so many for uncountable years ahead.

He noted that he also spent time with Tourism Coordinator Carla Kolbe on two occasions, one offsite and the second at the Visitor's Center. She is working diligently and is a great ambassador for the County.

He continued that on May 26, Scott Henze, our consulting engineer, Travis Mitchell and he drove up to Ray Brook to meet with the NYSDEC. We discussed some of the aspects of Sewer District 5 permitting. It was very helpful to get both parties in the room with the DEC Director of Region 5.

(Supervisor Kissinger entered the meeting at 1:10 p.m.)

RESOLUTIONS

No. 240 (Resolution Authorizing a Contract with Environmental Design Partnership (EDP) to Perform Phase II and III Surveys for Fulton County Sewer District No. 5: NYS Route 30/30A Project) (2023 Capital Plan): Mr. Callery asked why the Consolidated Funding Application (CFA) grant was “not realized”, as it states in the Resolution. Mr. Stead stated that when Planning Director Henze requested this project for the 2023 Capital Plan, he expected to receive that grant; however, the CFA grant did not get approved, so the county needs to fund the additional \$11,000.00.

Chairman Horton opened the Public Hearing to receive comments regarding “Local Law “B” of 2023 to Allow Residents of Fulton County or Anywhere in New York State to Serve as Deputy Sheriff in Fulton County” at 1:30 p.m. No one came forward.

No. 260 (Resolution Authorizing a Contract with an Abatement Company to Remove Asbestos in the Main Hallway and Breakroom for Highways and Facilities at County Complex I): Mr. Callery expressed that this is a ridiculous amount of money for such a small area in the building.

No. 271 (Resolution Authorizing the Sale of Certain Tax Foreclosed Properties in the City of Gloversville to the City of Gloversville to Promote Neighborhood Rehabilitation (Operation Green Scene): Mr. Stead stated that state government in Albany is dysfunctional and the legislators are making changes that negatively impact Fulton County. He then stated that there was a pending Supreme Court decision in Minnesota and the Supreme Court acted on that on May 25, 2023. The “bottom line” of that decision is that it is improper to take the property through foreclosure and keep the surplus sale proceeds. Mr. Stead stated that the compromise in the NYS Legislature was to put a moratorium on the tax foreclosure process to get the system correct. He stated that foreclosures that are pending prior to July 1, 2023 can move forward and the taxing jurisdictions can auction and sell the properties; however, the proceeds/surplus must be placed in a trust account and not utilized until this moratorium is listed. The Senate passed this and left session, the Assembly was working late and will not be back in session until next week.

Chairman Horton again asked if there were any members of the public who wished to make comments regarding “Local Law “B” of 2023 to Allow Residents of Fulton County or Anywhere in New York State to Serve as Deputy Sheriff in Fulton County”. There being no interested speakers, Chairman Horton closed the Public Hearing at 1:53 p.m.

Proposed No. 43 (Resolution Transferring Deed to the Town of Oppenheim for Property Located on Belden Corners Road (SBL 94.-1-30): County Attorney Brott advised that litigation pending and will be served regarding the property listed on this Resolution that is owned by the “Utica Zoological Society”. He recommended that this Resolution be withdrawn at this time. Mr. Callery asked if the other foreclosure properties owned by the Utica Zoological Society needed to be removed from the auction list as well. Mr. Brott stated, “Not at this time”.

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

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

Upon a motion by Supervisor Groff, seconded by Supervisor Callery and unanimously carried, the Board entered into Executive Session at 2:04 p.m. to discuss the sale or lease of real property.

Upon a motion by Supervisor Callery, seconded by Supervisor Goderie and unanimously carried, the Board re-entered Regular Session at 2:34 p.m.

NEW BUSINESS

Supervisor Callery expressed that he is concerned with this year’s Fulton County Tax Foreclosure Real Estate Property Auction being offered online only. Mr. Callery asked if the online auction has been advertised at all.

Mr. Fagan asked who determined that it be online only.

Mr. Horton then asked to contact County Treasurer Heather Scribner to attend the meeting to answer questions from the Board.

(Supervisor Lauria left the meeting at 2:38 p.m.)

(County Treasurer Scribner entered the meeting at 2:39 p.m.)

Mr. Stead explained to Ms. Scribner that the Board was surprised that the auction will only be online and asked if the auction has been advertised. Ms. Scribner stated that the auction company is supposed to advertise and stated that it should have been in the newspaper by now.

Mr. Callery asked why it isn't going to be an in-person and online Auction. Ms. Scribner stated that it was her decision that it would be online only. She stated that she based her decision on how many other NYS counties offer online only. Ms. Scribner stated that if you can't be online during the Auction, or have issues with the Auction, someone can set up a minimum bid by working with the auction company prior to the Auction.

Mr. Stead asked if it's too late at this point to offer an in-person option. Ms. Scribner stated that most people are prepping for online only and noted that her Office has received many calls regarding the Auction.

Mr. Stead stated that the concern of the Board is whether or not enough notice was given to local residents who may be interested in properties. He stated that additional advertising should be done to make sure as many local residents as possible know when the auction is and that it is online only. Ms. Scribner stated that she will be checking with the radio stations and newspapers to do a major push on advertising this auction.

ADJOURNMENT

Upon a motion by Supervisor Greene, seconded by Supervisor Bowman and unanimously carried, the Board adjourned at 2:47 p.m.

Certified by:

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

Resolution No. 234

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING, REAPPOINTING 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:

July 1, 2021 through June 30, 2024:

Kurt Davignon (Private Sector)	Confirmed
Laurie Bargstedt (Local Education)	Confirmed
Vacant (Public Sector)	

July 1, 2022 through June 30, 2025

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

July 1, 2023 through June 30, 2026:

Pamela Goldswer (Private Sector)	Appointed
Andrea Fettinger (Senior Community Services Employment)	Reappointed
Allene Monaghan (Vocational Rehabilitation)	Reappointed

and, be it further

Resolution No. 234 (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 BREH and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 235

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPROVING 2023-2024 CHIEF LOCAL ELECTED OFFICIALS (CLEO)
AGREEMENT BETWEEN FULTON, MONTGOMERY AND SCHOHARIE
COUNTIES FOR SPONSORSHIP AND OPERATION OF THE F-M-S
WORKFORCE DEVELOPMENT BOARD

WHEREAS, in accordance with the Workforce Investment Act (WIA) of 1998, Fulton, Montgomery and Schoharie Counties entered into an agreement to govern the management structure of the Fulton-Montgomery-Schoharie Workforce Development Board; and

WHEREAS, in 2014, the federal government reorganized its workforce development program via the “Workforce Innovation and Opportunity Act of 2014” (WIOA); and

WHEREAS, the Chief Local Elected Officials (CLEO) agreement authorizes the F-M-S Workforce Development Board to provide planning, guidance, monitoring, support, oversight and regulation to ensure the highest quality workforce development system in accordance with WIOA regulations; and

WHEREAS, the last extension of said CLEO agreement will expire on June 30, 2023; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Chief Local Elected Officials (CLEO) agreement between the County of Fulton, and the Counties of Montgomery and Schoharie to implement requirements of the Workforce Investment Act, effective July 1, 2023 through June 30, 2024; 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, Workforce Development Board, Montgomery County Legislature, Schoharie County Board of Supervisors, 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 YOUNG and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 236

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE OF A PUBLIC HEARING REGARDING LOCAL LAW “C” OF 2023 TO AMEND LOCAL LAW 1 OF 2021 TO EXTEND THE AUTHORIZATION ALLOWING 12 AND 13-YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER

WHEREAS, Local Law 1 of 2021 authorized 12 and 13-year-old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter through December 31, 2023; and

WHEREAS, the program was enacted by the State Legislature to be considered a “Pilot Program”, to extend deer hunting opportunities for 12 and 13-year old licensed hunters through December 31, 2023; and

WHEREAS, as part of 2023-24 State Budget legislation, the State Legislature has extended said youth deer hunting program at local County option, through December 31, 2025; now, therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law “C” of 2023 to amend LOCAL LAW “C” OF 2023 TO AMEND LOCAL LAW 1 OF 2021 TO EXTEND THE AUTHORIZATION ALLOWING 12 AND 13-YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER by the Fulton County Board of Supervisors, on July 10, 2023 at 1:30 p.m., in the Supervisors Chambers, County Office Building, Johnstown, NY, and at least seven days’ notice (excluding Sundays) of such public hearing be given by the Clerk of the Board by duly posting upon the bulletin boards in the Fulton County Office Building, Johnstown, NY, and by publication at least once in the official Fulton County newspaper; and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

**COUNTY OF FULTON, NEW YORK
LOCAL LAW “C” OF 2023**

**LOCAL LAW “C” OF 2023 TO AMEND LOCAL LAW 1 OF 2021 TO EXTEND THE
AUTHORIZATION ALLOWING 12 AND 13-YEAR OLD LICENSED HUNTERS TO
HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON
WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER**

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

Section 1. Legislative Intent

The intent of this Local Law is to authorize Fulton County to permit 12 and 13-year old individuals to participate in new and safe hunting opportunities in accordance with Environmental Conservation Law § 11-0935 throughout any future period permissible under State law. The enacted 2023-2024 New York State Budget, included legislation allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. This local law extends authority for 12 and 13-year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter.

Section 2. Authorization

Pursuant to Environmental Conservation Law, ECL 11-0935, Fulton County elects to allow young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle-loaded firearms or crossbow throughout any future period permissible under the laws of the State of New York.

Section 3. State Requirements to Adhere Once Authorized

Twelve (12) and thirteen (13) year old licensed hunters shall allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercise dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged

in hunting to an extent and covering designated pursuant to the law, rules and regulations promulgated by the State of New York; and

- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year olds with a firearm or crossbow.

Section 4. Local Law Filing Requirements

A copy of this local law shall be sent to the New York State Department of Conservation as well as the NYS Department of State.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

Section 6. Effective Date

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule Law.

Resolution No. 237

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING ROBERT PERRY TO THE BOARD OF DIRECTORS FOR
THE FULTON COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, a vacancy exists on the Fulton County Soil and Water Conservation District Board of Directors; and

WHEREAS, the Fulton County Soil and Water Conservation District has recommended appointing Robert Perry to the vacant Farm Bureau Member position on the Fulton County Soil and Water Conservation District Board of Directors; now, therefore be it

RESOLVED, That Robert Perry be and hereby is appointed as a member of the Board of Directors of the Fulton County Soil and Water Conservation District, for the balance of the term as specified:

Three-Year Term - January 1, 2023 Through December 31, 2025:

Robert Perry	Farm Bureau Member	Appointed
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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 Soil and Water Conservation District and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 238

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE RULES OF ORDER TO INCLUDE WEIGHTED VOTING PLAN AND ASSIGNED COUNSEL OVERSIGHT

WHEREAS, periodically, the oversight structure of the Board of Supervisors Standing Committee System requires evaluation related to department interaction, changing priorities of the community and Committee workloads; and

WHEREAS, the Administrative Officer/Clerk of the Board and Committee of Economic Development and Environment (Rules) have proposed amending the Rules of Order to include the Weighted Voting Plan as adopted by Resolution No. 486 of 2022 and to add the Assigned Counsel Office under the oversight of the Public Safety Committee; now, therefore be it

RESOLVED, That effective June 12, 2023, the Rules of Order be and hereby are amended to include the Board of Supervisors official Weighted Voting Plan as adopted by Resolution 486 of 2022 and to include, the Assigned Counsel Office under the oversight of the Standing Committee on Public Safety Committee; and, be it further

RESOLVED, That the Clerk of the Board review and edit the Rules of Order in accordance with the amendments specified herein and re-title responsibilities under all Standing Committees as appropriate; and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 239

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

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CONSTRUCTION OF
SEWER COLLECTION SYSTEM FOR FULTON COUNTY SEWER DISTRICT
NO. 5: NYS ROUTE 30/30A – PHASE 1 PROJECT (2023 CAPITAL PLAN)

WHEREAS, Environmental Design Partnership’s 2020 “SMART Waters Findings Report”, commissioned by the Board of Supervisors, concluded that it was feasible for the County to develop a regional water and wastewater system in Fulton County; and

WHEREAS, the 2023 Capital Plan identifies a Fulton County Sewer District No. 5: NYS Route 30/30A Phase 1 Construction project; and

WHEREAS, the Committees on Economic Development and Environment, and Finance recommend advertising for bids for a Fulton County Sewer District 5: NYS Route 30/30A Phase 1 Construction project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for a Sewer Collection and Treatment System for the Fulton County Sewer District 5: NYS Route 30/30A Phase 1 Construction 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, September 13, 2023 at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 240

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

RESOLUTION AUTHORIZING A CONTRACT WITH ENVIRONMENTAL DESIGN PARTNERSHIP (EDP) TO PERFORM PHASE II AND III SURVEYS FOR FULTON COUNTY SEWER DISTRICT NO. 5: NYS ROUTE 30/30A PROJECT
(2023 CAPITAL PLAN)

WHEREAS, the Fulton County 2023 Capital Plan includes a \$55,000.00 appropriation for survey work on Phase II and III of Fulton County Sewer District No. 5: NYS Route 30/30A as a component of the County’s SMART Waters Initiative; and

WHEREAS, a proposal was received from the Environmental Design Partnership (EDP) to provide said survey services; and

WHEREAS, an anticipated NYS Consolidated Fiscal Application Grant to offset some costs of the project was not realized, additional County funds must be allocated to the project; now therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between Fulton County and Environmental Design Partnership of Clifton Park, New York, to provide survey services for Phases II and III of the “SMART WATERS: - Fulton County Sewer District No. 5: NYS Route 30/30A – Survey – Phase 2 & 3” as follows at a cost not to exceed \$55,000.00:

1. Topographic and Planimetric Surveys
2. Coordination with Dig Safe NY to map all utility infrastructure within the Phase II and Phase III area
3. Mapping existing built features
4. Mapping drainage areas
5. Identify of existing curbs, roadways and other corridor features necessary

and, be it further

Resolution No. 240 (Continued)

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: \$11,000.00

From: A.1000.9950-9000.1000 - EXP- Other - Unrestricted
To: H.8020.8197-2100.0960 - EXP - Sewer District #5 NYS Route 30/30A
Sum: \$55,000.00

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 Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 241

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

RESOLUTION AUTHORIZING FULTON COUNTY CENTER FOR REGIONAL GROWTH TO PROCEED WITH PHASE II SITE ASSESSMENT AT THE FORMER FASHION TANNING SITE (2021 US EPA BROWNFIELD COMMUNITY-WIDE ASSESSMENT GRANT)

WHEREAS, the Fulton County Center for Regional Growth has a grant-based program in place to conduct preliminary environmental hazard assessments and offer recommendations on such sites via contract with HRP Associates engineering firm; and

WHEREAS, Resolution No. 447 of 2022 authorized an access agreement with HRP Associates to access the “Fashion Tanning” Site (SBL #149.-1-36-11) to perform a Phase I Environmental Site Assessment; and

WHEREAS, the Fulton County Center for Regional Growth’s Committee, the “Brownfield Task Force”, recommends utilizing \$120,000.00 of the 2021 US EPA Brownfield community-Wise Assessment Grant for Phase II Environmental Site Assessments at three (3) locations, including the County-owned “Fashion Tanning” site; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an Access Agreement with HRP Associates to access the “Fashion Tanning” site (SBL #149.-1-36-11) to perform a Phase II Environmental Site Assessment in accordance with the Center for Regional Growth-administered grant program at no cost to the County of Fulton; and be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 242

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

RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE LICENSES UTILIZING
NYS PUBLIC HEALTH CORPS FELLOWSHIP PROGRAM GRANT
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution No. 224 of 2022 authorized an MOA with the New York State Department of Health to provide Community Outreach and Educational Services Staff in the Public Health Department via a NYS ELC COVID-19 Grants; and

WHEREAS, Resolution No. 187 of 2023 accepted NYS ELC COVID-19 Grant for the Public Health Corps. Fellowship Program in the Public Health Department in an amount of \$493,824.00 for the term of July 1, 2023 through June 30, 2024; and

WHEREAS, the Fulton County Public Health Department is eligible to utilize a portion of said grant for the purchase of Adobe Software Licenses; now, therefore be it

RESOLVED, That the Public Health Director is hereby authorized to expend COVID-19 grants funds in the amount of \$600.00 to purchase Adobe Software Licenses; and, be it further

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

Revenue

Increase A.4010.4010-2770 - REV- Other Unclassified Revenues \$600.00

Appropriation

Increase A.4010.4010-4570 - EXP- Subscriptions \$600.00

and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 243

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

RESOLUTION AUTHORIZING ACCEPTANCE OF AMERICAN RESCUE PLAN GRANT FUNDS FOR OFFICE FOR AGING COVID-19 EXPENSES (U.S. CARES ACT)

WHEREAS, Resolution No. 174 of 2021 authorized acceptance of American Rescue Plan Grant Funds to reimburse Office for Aging COVID-19 Expenses in an amount of \$230,655.00 for the period of April 1, 2021 through September 30, 2024; and

WHEREAS, the OFA Director has requested to accept additional Federal American Rescue Plan Act (ARPA) Funds to offset Department mileage costs in an amount of \$7,000.00; now, therefore be it

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a grant agreement between the Office for Aging and Youth and NYS Office for Aging to accept American Rescue Plan Funds (U.S. CARES ACT) in the amount of \$7,000.00; said agreement subject to the approval of the County Attorney; and, be it further

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

Revenue:

Increase A.7610.7610-4772 - REV- Federal Aid - Programs for the Aging \$7,000.00

Appropriation:

Increase A.7610.7610-4020 - EXP- Travel \$7,000.00

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 244

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN THE
FULTON COUNTY CHILD AND FAMILY SERVICES PLAN UPDATE (2023)

WHEREAS, Resolution 148 of 2018 authorized the Chairman of the Board to sign Fulton County Child and Family Services Plan for the period April 1, 2018 through March 31, 2023; and

WHEREAS, New York State has extended the prior 5-tear plan for an additional year (2018-2024), allowing the Department of Social Services to complete an updated rather than a full 5-year plan; now, therefore be it

RESOLVED, That the Chairman of the Board hereby is authorized to sign the one-year extension to the Five-year Child and Family Services Plan for the Department of Social Services, Probation department and Youth Bureau (2018-2024); and, be it further

RESOLVED, That the Commissioner of Social Services 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, Commissioner of Social Services, NYS Officer of Children and Family Services, Youth Bureau Director, Probation Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 245

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

RESOLUTION ACCEPTING NYS RENTAL SUPPLEMENT PROGRAM FUNDS TO
SUPPLEMENT RENT EXPENSES FOR INDIVIDUALS AND FAMILIES FACING
HOMELESSNESS (SOCIAL SERVICES DEPARTMENT)

WHEREAS, the Department of Social Services was awarded a New York State Rental Supplement Program Grant in the amount of \$116,749.00; and

WHEREAS, the Rental Supplement Program Grant funds are allocated to supplement rent expenses for individuals and families facing homelessness and the Commissioner of Social Services recommends accepting said grant funds for said purposes; and

WHEREAS, the Committees on Human Services and Finance have determined that the Commissioner of Social Services should use a portion of said funds to provide a supplemental rent program for individuals and families in Fulton County in 2023; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts the NYS Rental Supplement Program Grant funds to be utilized to provide a supplemental rent program for individuals and families served in the Social Services Department through March 31, 2024 in an amount not to exceed \$116,749.00; and, be it further

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

Revenue

Increase A.6010.6010-3610-REV-State Aid-Social Services Administration	\$16,749.00
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Appropriation

Increase A.6010.6010-4170 - EXP-Programs	\$16,749.00
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and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 246

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

RESOLUTION AUTHORIZING EXTENSION OF A TEMPORARY PART-TIME SOCIAL WELFARE EXAMINER IN THE SOCIAL SERVICES DEPARTMENT

WHEREAS, Resolution 48 of 2023 authorized a temporary backfill of a Social Welfare Examiner position as part-time for three months to allow a retiree to assist with Medicaid work; and

WHEREAS, the Commissioner of Social Services has requested to extend said part-time position through July 31, 2023 to assist in the Medicaid Unit; now, therefore be it

RESOLVED, That the Board of Supervisors hereby authorizes the Personnel Director to extend the part-time Social Welfare Examiner position in the Social Services Department through July 31, 2023, not to exceed 17 hours per week; and, be it further

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

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 247

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

RESOLUTION AUTHORIZING CONTRACTS BETWEEN THE FULTON COUNTY
COMMUNITY SERVICES BOARD AND CERTAIN CONTRACTORS TO ADMINISTER
ADDICTION TREATMENT AND PREVENTION SERVICES USING
OASAS OPIOID SETTLEMENT FUNDS

WHEREAS, the NYS Office of Alcoholism and Substance Abuse Services (OASAS) has notified the Community Services Director that Fulton County will be receiving an additional \$314,512.00 in Addictive Services funding for 2023; and

WHEREAS, in accordance with State Aid guidelines, the Community Services Director recommended using said funding for Medication Assistance Treatment (MAT) in the County Correctional Facility, serving Pregnant or Parenting women with a Chemical Dependency Navigator, providing a Youth Chemical Dependency Specialist for the community and distribution of Narcan for families; now, therefore be it

RESOLVED, That a portion of said funds be used toward the Medication Assistance Treatment (MAT) program at the Fulton County Correctional Facility in an amount not to exceed \$90,000.00; and, be it further

RESOLVED, That after a review by the Committees on Human Services and Finance, the following contracts were approved for use of said funds; and the Chairman of the Board be and hereby is authorized to sign contracts between the Community Services Department and the following agencies:

<u>Agency</u>	<u>Program</u>	<u>Contract Amount</u>
HFM Prevention Council	Chemical Dependency Navigator For Pregnant or Parenting Women	\$110,089.00
Catholic Charities	Youth Chemical Dependency Specialist	\$ 65,000.00

and, be it further

Resolution No. 247 (Continued)

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

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

Revenue

Increase A.4310.4230-3486 - REV- State Aid - Narcotics Addiction Control \$314,512.00

Appropriation

Increase A.4310.4230-4130 - EXP- Contractual \$314,512.00

and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 248

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION WAIVING THE 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, after careful review of a recommendation from the Personnel Director, the Committee on Personnel recommends waiving the County's "Residency Rule" to hire an out-of-county resident from contiguous counties for certain positions; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for hire of the following positions, effective immediately through December 31, 2023:

Contiguous Counties:

- Heavy Equipment Operator (12/31/23)
- Skilled Laborer (12/31/23)
- Motor Equipment Operator (12/31/23)
- Registered Professional Nurse (RN) (12/31/23)
- Account Clerk/Typist
- Aging Services Specialist
- Caseworker
- Typist
- Senior Typist
- Social Welfare Examiner
- Legal Clerk
- Tax Enforcement Clerk
- Tax Enforcement Clerk
- Emergency Services Dispatcher
- Licensed Practical Nurse (LPN) (per diem) (12/31/23)
- Civil Clerk
- Senior Account Clerk
- Automotive Mechanic (12/31/23)
- Automotive Mechanic Helper (12/31/23)

Resolution No. 248 (Continued)

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 249

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

RESOLUTION SUPPORTING SENATE BILL S.2048 TO INCREASE THE STATE INCOME TAX CREDIT AVAILABLE TO VOLUNTEER FIREFIGHTERS AND AMBULANCE SERVICE WORKERS

WHEREAS, in 2007 the State Legislature and the Governor enacted the volunteer firefighters' and ambulance workers income tax credit whereby active volunteer firefighters and volunteer ambulance workers are entitled to a state income tax credit of \$200.00; and

WHEREAS, volunteer firefighters and ambulance workers are on call 24 hours a day, 7 days a week answering the call to keep their neighbors and communities safe, while selflessly serving with heroic commitment and dedication; and

WHEREAS, EMS and Fire department membership has been declining in recent years and these incentives can be used as a tool to increase recruitment; and

WHEREAS, if approved, S.2048 would increase the volunteer firefighters' and ambulance workers' personal income tax credit to \$500.00 for eligible individuals and \$1,000.00 for eligible married joint filers for taxable years beginning on or after January 1, 2024; now, therefore be it

RESOLVED, That the Board of Supervisors hereby endorses Senate Bill S.2048 Increasing the State Income Tax Credit Available to Volunteer Firefighters and Ambulance Service Workers; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Hochul, Senator Walczyk, Assemblyman Smullen, Assemblywoman Walsh, Assemblyman Matthew Simpson, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 250

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

RESOLUTION ACCEPTING DONATION OF VACANT CEMETERY PLOTS LOCATED AT THE FERNDALE CEMETERY FROM WILLING HELPERS' HOME (CORONER)

WHEREAS, the Coroner's Office is in possession of several unclaimed human remains related to the Barnett Funeral Home Investigation; and

WHEREAS, The Willing Helpers' Home, Johnstown, New York has offered a donation of ten (10) vacant burial plots located at The Ferndale Cemetery, Johnstown, New York to the Fulton County Coroner's Office for its use in proper burials as deemed necessary by the Coroner; now, therefore be it

RESOLVED, That the Fulton County Coroner be, and hereby is authorized to accept said burial plots reserved at The Ferndale Cemetery from The Willing Helpers' Home of Johnstown, NY on behalf of the County of Fulton; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, The Willing Helpers' Home, County Coroner, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 251

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

**RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF YEAR 5
INDIGENT LEGAL SERVICES GRANTS FOR CASELOAD REDUCTION, QUALITY
IMPROVEMENT AND COUNSEL AT FIRST APPEARANCE (PUBLIC DEFENDER)**

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

WHEREAS, each County must prepare and implement a transition plan for its Public Defender’s Office and Assigned Counsel plan in order to receive State grant funds for increased staffing, monitoring and other new costs; and

WHEREAS, the Public Defender has submitted a proposed transition plan to the NYS Office of Indigent Legal Services and has been notified that Fulton County has been awarded Year 5 allocations for Caseload Reduction, Quality Improvement and Counsel at First Appearance as follows:

Public Defender Caseload Relief	\$ 758,000.00
Public Defender Quality Improvement	\$ 145,700.00
Public Defender Counsel at First Appearance	\$ 52,775.00
Assigned Counsel Caseload Relief	\$ 346,862.04
Assigned Counsel Quality Improvement	\$ 185,116.77
Assigned Counsel at First Appearance	<u>\$ 3,000.00</u>
Total for Year 5	1491453.81

WHEREAS, the grant herein is a portion of a five-year distribution from the Indigent Legal Services Fund in an amount up to \$4,465,875.00 for the period April 1, 2018 through December 31, 2024; now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is, authorized to execute a Grant Agreement with the NYS Indigent Legal Services Commission to accept Year 5 Grant funds for Caseload Reduction, Quality Improvement and Counsel at First Appearance as identified herein; and, be it further

RESOLVED, That once said Year 5 Plan is formally approved by ILS, the Public Defender will return to the Board of Supervisors with appropriate budget amendments for anticipated personnel changes, fringe benefits and equipment/supplies; and, be it further

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

Resolution No. 251 (Continued)

RESOLVED, That the Public Defender and the Personnel Director do each and everything necessary to further the purport of this Resolution; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 252

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

RESOLUTION AUTHORIZING A CONTRACT WITH MOTOROLA SOLUTIONS FOR
SIX-SITE ALARM MONITORING SYSTEM COMPONENT OF THE INTEROPERABLE
COMMUNICATIONS UPGRADE PROJECT
(EMERGENCY MANAGEMENT OFFICE, 2023 CAPITAL PLAN)

WHEREAS, Resolution 61 of 2023 authorized application and acceptance of a 2021-2022 Interoperable Communications Grant in the amount of \$993,962.00; and

WHEREAS, Resolution 62 of 2023 amended the 2023 Capital Plan to establish Interoperable Communications Upgrade Project; and

WHEREAS, the Civil Defense Director/Fire Coordinator recommends a contract with Motorola Solutions, Inc. for the purchase and installation of said Remote Diagnostic/Monitoring System as a component of the Interoperable Communications Upgrade Project via NYSOGS Contract PM67989; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract between the Civil Defense Director/Fire Coordinator and Motorola Solutions, Inc., of Chicago, IL, for purchase and installation of said Remote Diagnostic/Monitoring System as follows:

Equipment	\$ 127,571.00
Installation	\$ 236,525.00
NYS OGS Discount	\$ 26,021.20
Additional System Discount	<u>\$ 39,074.80</u>
Total Cost	\$ 299,000.00

and, be it further

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

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

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 253

Supervisors GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING POLICE SERVICES MUTUAL AID AGREEMENT
BETWEEN THE FULTON COUNTY SHERIFF, GLOVERSVILLE POLICE AND
JOHNSTOWN POLICE

WHEREAS, the Sheriff requests execution of a Police Services Mutual Aid Agreement between the Sheriff's Department and the Gloversville Police Department and Johnstown Police Department, which, among other things, will:

1. Formalize the relationship between the local governments and their police departments and enhance and define the scope of the inter-agency cooperation;
2. Eliminate the need to follow the formal procedure set forth in GML §209-m to request assistance from the other party in the form of personnel and or equipment;
3. Provide for more efficient utilization of law enforcement resources and services, including public safety dispatch services and animal control services;
4. Provide for enhanced effectiveness of response to requests to handle and resolve law enforcement intervention situations;
5. To ensure an adequate number of trained and equipped law enforcement officers to handle and resolve emergency, disaster, and violent situations; as well as routine law enforcement services which cannot be met with the resources of one of the parties to this Agreement;
6. Provide for the development of joint policies, procedures and use of training exercises or programs where skills, knowledge, procedures and expertise are shared with each department and personnel; and
7. Provide for the possibility of obtaining and maintaining shared equipment.

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Police Services Mutual Aid Agreement between the Sheriff's Department and the Gloversville Police Department and Johnstown Police Department, as attached hereto and made a part hereof, effective upon execution through December 31, 2028; said agreement subject to the approval of the County Attorney; and, be it further

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

Resolution No. 253 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Gloversville Police Department, Johnstown Police Department, 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 BRADT and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

**FULTON COUNTY POLICE SERVICES PROPOSED MUTUAL AID AGREEMENT
(OUTSIDE SERVICE BY LOCAL LAW ENFORCEMENT)**

THIS AGREEMENT made this the _____ day of _____ 2023 by and between

The Fulton County Sheriff's Office, a municipal corporation with its principal place of business located at 2712 State Highway 29, in the City of Johnstown, County of Fulton, State of New York, 12095, and

The City of Johnstown Police Department, a municipal corporation with its principal place of business located at 33-41 East Main Street, in the City of Johnstown, County of Fulton, State of New York, 12095; and

The City of Gloversville Police Department, a municipal corporation with its principal place of business located at 3 Frontage Road, in the City of Gloversville, County of Fulton, State of New York, 12078

The parties are sometimes referred to as a "local government" or collectively as "local governments".

RECITALS

WHEREAS, Section 119-o of the General Municipal Law (GML) permits municipal corporations to enter into agreements for the performance amongst themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service; and

WHEREAS, §119-n(c) and § 119-o GML further provide that municipal corporations that enter into such agreements for a joint service may extend the appropriate territorial jurisdiction of the participants necessary to fulfill said service, and personnel assigned to a joint service shall possess the same powers, duties, immunities and privileges they would ordinarily possess if they performed them in the area where they are employed; and

WHEREAS, the Fulton County Sheriff's Office, the City of Johnstown, and the City of Gloversville, are all located entirely within the County of Fulton with all of the jurisdictions employing their own full-time police departments which currently provide police service exclusively to their own respective jurisdictions; and

WHEREAS, the parties have determined that it is in the best interests of the respective communities and of mutual advantage to enter into this Agreement for the provision of inter-agency law enforcement services on a day-to-day basis;

NOW THEREFORE, pursuant to the above considerations and the covenants and mutual benefits herein expressed, the parties agree as follows:

ARTICLE ONE
Purpose of the Agreement

The purpose of this Agreement is to:

8. Formalize the relationship between the local governments and their police departments and enhance and define the scope of the inter-agency cooperation;
9. Eliminate the need to follow the formal procedure set forth in GML §209-m to request assistance from the other party in the form of personnel and or equipment;
10. Provide for more efficient utilization of law enforcement resources and services, including public safety dispatch services and animal control services;
11. Provide for enhanced effectiveness of response to requests to handle and resolve law enforcement intervention situations;
12. To ensure an adequate number of trained and equipped law enforcement officers to handle and resolve emergency, disaster, and violent situations; as well as routine law enforcement services which cannot be met with the resources of one of the parties to this Agreement;
13. Provide for the development of joint policies, procedures and use of training exercises or programs where skills, knowledge, procedures and expertise are shared with each others department and personnel; and
14. Provide for the possibility of obtaining and maintaining shared equipment.

ARTICLE TWO
Scope of Agreement

Inter-jurisdictional law enforcement service and assistance (mutual aid) may be provided among the local governments during those times of both:

1. Emergency, and
2. Routine law enforcement work of a non-emergency nature to fulfill a mutual aid request. Examples of this type of situation would include but not be limited to:
 - Temporary assignment of law enforcement officers and/or equipment of one party to the other for patrol purposes and response to calls for service where the officers and/or equipment of the party requesting assistance may be unavailable due to prior calls for service;
 - Response of officer(s) of one party into the other parties jurisdiction to provide backup for officers on or responding to calls which would require a two officer response, and only one officer of the requesting party is available;
 - Response of officer(s) of one party into the other parties jurisdiction to provide a specialized function or service in which officers of the responding police department are uniquely trained and/or equipped for (i.e. conductive energy device deployment, tactical team deployment, forensic response)
 - Temporary assignment of public safety dispatchers of one local government to another for purposes of assisting in receiving and dispatching of calls for service;

- Temporary assignment of dog control and/or animal control officers of one local government to another should their officer be unavailable due to prior calls for service or inability to respond;
- Conducting joint investigations and executions of warrants;
- Conducting joint fatal and serious physical injury motor vehicle accidents and maintaining a multi-jurisdictional investigative team and on call list;
- Developing and maintaining a multi-jurisdictional forensic crime scene response team and on call list;
- Conducting joint responses to high risk tactical incidents and maintaining a multiple agency tactical team;
- Conducting joint investigations into the operation of motor vehicles while under the influence of drugs utilizing trained Drug Recognition Experts from the various local governments and maintaining a rotating on-call list;
- Conducting joint training.
- Development of policies and procedures for multiple agency teams. In the case of a joint tactical team, rules and regulations shall be established providing for a single team commander and team leaders, a single set of standard operational procedures, training records maintenance, and the fiscal responsibilities of each agency.
- With the goal to pursue consistency in response and possible joint accreditation; and
- Sharing of all categories and types of equipment and facilities.

It is not the intent of this Agreement to circumvent any collective bargaining agreements in place within either jurisdiction in regards to staffing and payment of overtime to cover shift shortages. Rather it is the intent of this Agreement to maximize the effectiveness, efficiency and safety of the officers and personnel of all of the local governments while working their pre-scheduled shift with the exception of pre-established on-call specialized investigative teams.

ARTICLE THREE

Power and Authorization

Each party authorizes the officers working at the time mutual aid is needed to request temporary assistance from the other party. This request should come from the supervisor or officer in charge of the shift of the requesting agency at the time, whenever possible. Any request for assistance that is pre-planned and/or will be of longer duration (i.e. training, large scale pre-planned events) should come through the respective Police Chief, Sheriff, or their designee. The judgment of the officer authorized under this Agreement of each municipality rendering aid as to the amount of personnel, supplies and equipment available shall be final.

1. The obligation to render mutual aid is strictly voluntary in nature. It does not place any of the local governments under any obligation to respond to a request for mutual aid or assistance of the other party that it is unable or unwilling to honor. Such law enforcement aid may be provided on an actual or standby basis.
2. Each party agrees that the responding party may hold back sufficient personnel and equipment to provide adequate protection within the territory of the responding party. Should a need for the loaned personnel and equipment arise within the territory of the responding party, then the responding party may recall such personnel and equipment or

any part thereof. The responding party shall inform the requesting party of its intent to withdraw from the situation.

3. Pursuant to sections § 119-n(c) and § 119-o GML, officers assisting another local government outside their normal geographical area of employment shall have all powers and authority of law enforcement officers in such other jurisdiction as provided by law, including the power of arrest.

ARTICLE FOUR Control of Personnel and Equipment

The officer in charge of the requesting party shall be in command of the operation(s) under which the equipment and personnel sent by the responding party shall serve; provided, that the responding personnel and equipment shall be under the immediate supervision of the officer in charge of the responding party, if more than one officer responds. Command, however, may be relinquished to a ranking or senior officer of the party rendering assistance under the terms of this Agreement.

Further, each party authorizes the respective Police Chiefs, Sheriff, or their designee, to pre-arrange training exercises and programs, as well as temporary assignment of officers and/or equipment to another law enforcement agency for training or investigatory purposes.

ARTICLE FIVE Compensation and Expenses

All individuals shall retain all of their pension, disability, contractual and compensation rights (including workers' compensation and GML 207-C benefits) while performing duties in accordance with this Agreement. All salaries, legal and contractual benefits, and other personnel costs together with equipment and supply costs will be the responsibility of the respective local government employing the officer.

Neither participant, as a requesting party, shall be obligated to compensate the responding party for services rendered by or injuries to the responding party's personnel, or for the use or damage to the responding party's equipment. Specifically, and without limiting the foregoing, the requesting party shall have no obligation for payment of wages or withholding for unemployment, workers compensation, GML 207-C benefits, or for the payment of any other benefits to the personnel of the responding party. Each participant hereto hereby expressly waives all claims of whatever type or nature, except for gross negligence, against the other and its personnel, which may arise out of the performance of this Agreement. The terms of this provision may be altered if agreed to separately by the parties Police Chief's, Sheriff, and respective municipal board.

ARTICLE SIX
Liability and Indemnification

Neither party shall incur any liability or responsibility for the failure to respond to any request for assistance made pursuant to this Agreement. This Agreement shall not be construed as or deemed to be an Agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action whatsoever hereunder for any cause whatsoever.

Neither party shall be required to indemnify the other for any claim arising out of participating under this Agreement. Each party shall be responsible for defending its own respective entity in any action or dispute that arises in connection with or as a result of this Agreement and that each party will be responsible for bearing their own costs, damages, losses, expenses and attorney fees. Each party shall be obligated to notify the other of any claims or lawsuits received arising out of any mutual aid operations.

All immunities from liability enjoyed by the local government within its boundaries shall extend to its participation in rendering aid under this Agreement outside of its boundaries unless otherwise provided by law. All the immunities from liability and exemptions from laws, ordinances and regulations which law enforcement officers employed by local governments which are parties to this Agreement have in their own jurisdictions shall be effective in the jurisdiction in which they are giving aid unless otherwise provided by law or this Agreement.

ARTICLE SEVEN
Rules and Regulations

The Sheriff and the Police Chiefs of the local governments shall establish uniform rules and regulations for requesting and rendering mutual aid as necessary and appropriate to implement this Agreement. Vehicles, firearms, equipment and apparatus furnished in or for mutual aid shall be operated by personnel trained in the proper use of same.

It is understood that under no circumstance will privately owned vehicles or equipment be utilized in providing mutual aid unless commandeered or authorized by the commanding officer of the local government receiving aid, with the exception of individual officer equipment that is authorized by the employing agency.

ARTICLE EIGHT
Cooperation and Line of Duty Death or Injury

In the event a mutual aid or assistance situation results in an officer-involved shooting, accidental injury or other event or results requiring investigation or review, both parties will cooperate and consult with each other in the conduct of such investigation or review. Each local government and each law enforcement agency will make available to the other any information or resources necessary to conduct such investigation or review.

The Police Chiefs and Sheriff will fully communicate, consult and cooperate with each other to ensure that a thorough, efficient and effective investigation or review is conducted and that unnecessary duplication is avoided. The results of such investigation shall be shared with each local government.

The effect of the death, injury or disability of any officer who is killed, injured or disabled outside the territorial limits of either participating entity while in the performance of this Agreement, shall be the same as if they were killed, injured or were to become disabled while that officer was functioning within its own territorial limits, and such injury or death shall be considered to be in the line of duty.

ARTICLE NINE

Approval, Modification and Termination.

This Agreement shall not be effective until approved by a majority vote, as required by section 119-o of the General Municipal Law, of the governing body of each party.

This Agreement may be changed, modified or amended by written Agreement of the participants, subject to the requirements of the first paragraph of this Article.

This Agreement may be terminated at any time by passage of a resolution terminating same by the governing board of a party to the Agreement. A copy of the resolution shall be promptly filed with the Clerk of each local government following its passage. However, obligations previously incurred are not extinguished by the termination of the Agreement.

This agreement shall terminate on December 31, 2028. The terms herein shall continue, however, until both legislative bodies have held their annual organizational meetings. At such meetings, this agreement shall be considered for renewal, and if approved by each legislative body, such renewal shall be made effective January 1, 2023. [*Intermunicipal agreements may be in effect for up to five years §119-n (2) (j)*]

ARTICLE TEN

Miscellaneous

This Agreement constitutes the entire Agreement between the parties and cannot be modified or amended except by written Agreement of the parties pursuant to Article Nine, above.

The laws of the State of New York shall govern this Agreement.

Each participant agrees that each will comply with all applicable, federal, state and local laws, rules and regulations applicable to the respective entities and employees in connection with the performance of this Agreement.

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original.

For the purposes of this Agreement, when involved in routine law enforcement work of a non-emergency nature, temporary assignments and training exercises, the law enforcement agency from which the equipment is assigned, or which is providing the training, or which is sponsoring the training exercise shall be deemed the assisting local government.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date and year written above.

By: _____

Richard C. Giardino, Sheriff
Fulton County Sheriff's Office

By: _____

Scott Horton
Chairman of the Board of Supervisors, County of Fulton

By: _____

David Gilbo, Chief of Police
Johnstown Police Department

By: _____

Amy Praught, Mayor
City of Johnstown

By: _____

Michael Garavelli, Chief of Police
Gloversville Police Department

By: _____

Vincent DeSantis, Mayor
City of Gloversville

Resolution No. 254

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

RESOLUTION AUTHORIZING EMERGENCY PURCHASE OF A REPLACEMENT
KITCHEN RANGE FOR FULTON COUNTY CORRECTIONAL FACILITY

WHEREAS, the Sheriff has requested the emergency purchase of a replacement Kitchen Range at Fulton County Correctional Facility to replace a broken unit that is beyond repair; and

WHEREAS, the Committees on Public Safety and Finance have reviewed said proposal and recommend replacement immediately; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized to purchase a Kitchen Range with installation for the Fulton County Correctional Facility to replace a broken unit in an amount not to exceed \$8,000.00, in accordance with the Fulton County Purchasing & Audit Guidelines; and, be it further

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

From: A.3110.3150-4530-EXP-Supplies
To: A.3110.3150-2000-EXP-Equipment-Fixed Asset
Sum: \$8,000.00

and, be it further

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

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 255

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

RESOLUTION AUTHORIZING PURCHASE OF A SIX-MONTH TRIAL VERSION OF
E-SCHEDULE ONLINE WORK SCHEDULING APPLICATION FOR USE IN THE
SHERIFF'S DEPARTMENT

WHEREAS, the Sheriff's Office work schedule for the Road Patrol, Correctional Facility and Emergency Service Dispatch Center requires a 24 hours per day, 7 days per week scheduling; and

WHEREAS, work and shift assignment coverage are currently managed via a Microsoft Excel spreadsheet that is inefficient in assigning employees to work open shifts and call-ins to employees; and

WHEREAS, the Sheriff projects that utilizing an on-line work scheduling application will enable scheduling supervisors to have an efficient process for all shift coverage; and

WHEREAS, the Sheriff requests a six-month trial of "e-schedule" on-line scheduling software at an initial 6-month cost not to exceed \$825.00 for the balance of 2023, with an annual projected cost of \$3,700.00; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized to purchase a six-month trial subscription of e-schedule on-line scheduling software application in an amount not to exceed \$825.00; and, be it further

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

From: A.3110.3110-2000 - EXP- Equipment - Fixed Asset
To: A.3110.3110-4130 - EXP- Contractual
Sum: \$825.00

and, be it further

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 256

Supervisors WILSON, ARGOTSINGER and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING BUILDING FINANCING AGREEMENT AND REAL PROPERTY LEASE AGREEMENT TO FACILITATE A NEW OFFICE FACILITY FOR THE FULTON COUNTY SOIL AND WATER CONSERVATION DISTRICT AT 174-188 SOUTH MELCHER STREET EXTENSION

WHEREAS, Resolution 173 of 2023 endorsed an office relocation and financial support plan for the Fulton County Soil and Water Conservation District; and

WHEREAS, the Committees on Public Works, Economic Development and Environment, and Finance have reviewed a financing agreement and real property lease agreement to facilitate a new office facility for the Fulton County Soil and Water Conservation District; and

WHEREAS, the Board of Supervisors has received a briefing on the details of said lease proposal; now, therefore be it

RESOLVED, That in accordance with the recommendation of the Committees on Public Works, Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to sign a “Building Agreement” and Real Property Lease Agreement between the County of Fulton and the Fulton County Soil & Water Conservation District, including the following terms and conditions:

1. Building Agreement

- County to Finance Office Building construction costs up to a maximum of \$530,000.00 by paying installment financing payments as follows:
 - Draw No. 1:
Foundation Work Complete \$100,000.00
 - Draw No. 2:
Framing and Roofing Complete \$150,000.00
 - Draw No. 3:
Mechanicals/Electric/HVAC Complete \$100,000.00
 - Draw No. 4:
Walls/Ceilings/Flooring Complete \$100,000.00
 - Draw No. 5:
Final Completion/Acceptance by County \$ 80,000.00
Total Construction Funding \$530,000.00

- Prior to any construction commencing, the Building Agreement requires the SWCD to submit a detailed Site Plan and Office Building Specifications for approval by the Board of Supervisors.

Resolution No. 256 (Continued)

2. Real Property Lease Agreement:

- The County will continue to own all real property and any improvements upon the property and will execute a Lease-to-Own for the entire premises, including new buildings to SWCD at terms as follows:
 - Two (2) Year Land Lease (2023 and 2024) at \$1.00 per year.
 - Twenty-five (25) year Lease-to-Own Schedule:

	<u>Annual Payment</u>	<u>Period Total</u>
2025-2029	\$20,000.00	\$100,000.00
2030-2034	\$22,000.00	\$110,000.00
2035-2039	\$25,000.00	\$125,000.00
2040-2044	\$29,000.00	\$145,000.00
2045-2049	\$34,000.00	\$170,000.00
Total Purchase Price		\$650,000.00

- SWCD will have the option to pay-off the full Purchase Amount at any time and obtain title to the entire premises.
- This Lease and the Associated Building Agreement have specific milestones and terms which will be monitored and reported on by the Planning Director and County Attorney.
- The County will retain title to the property and all buildings and fixtures until the full Lease-to-Own amount is satisfied.

and, be it further

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

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Planning Director, Soil & Water Conservation District, Superintendent of Highways and Facilities, Director of Solid Waste, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 257

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

RESOLUTION AUTHORIZING A GRANT AGREEMENT TO ACCEPT FEDERAL AVIATION ADMINISTRATION (FAA) FUNDS FOR A PAVEMENT MANAGEMENT PROGRAM (PMP) STUDY AT THE FULTON COUNTY AIRPORT

WHEREAS, the 2022 Capital Plan included an Airport-Pavement Management Program Project in the amount of \$60,000.00; however, said project was not commenced in 2022; and

WHEREAS, Fulton County has now received a grant from the Federal Aviation Administration (FAA) to pay 90% of total allowable costs incurred up to \$77,115.00 to accomplish the following project for Fulton County Airport:

- Pavement Management Program (PMP) Study at the Fulton County Airport

and;

WHEREAS, the NYSDOT has offered a matching grant for 50% of the non-federal share of eligible project costs; and

WHEREAS, Fulton County has committed funds for the local share of the project cost. Funding shares for project costs are as follows:

Federal Share	:	\$ 69,403.00
State Share	:	\$ 3,856.00
Local Share	:	<u>\$ 3,856.00</u>
Total Project Cost	:	\$ 77,115.00

now, therefore be it

RESOLVED, that Fulton County enter into an Agreement with the State of New York for financial assistance for the project described above for the Fulton County Airport, and be it further

RESOLVED, that the Chairman of the Board of Supervisors be authorized to execute all the necessary documents on behalf of Fulton County with New York State in connection with the project, and be it further

RESOLVED, that a certified copy of this Resolution be filed with the NYS Commissioner of Transportation by attaching it to any necessary documents in connection with the project; and, be it further

Resolution No. 257 (Continued)

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

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 258

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

RESOLUTION AMENDING THE 2023 CAPITAL PLAN TO INCLUDE UPDATED
PROJECT COSTS TO THE FULTON COUNTY AIRPORT – PAVEMENT MANAGEMENT
PROGRAM (PMP) PROJECT

WHEREAS, the 2022 Capital Plan included an Airport-Pavement Management Program Project in the amount of \$60,000.00; however, said project was not commenced in 2022; and

WHEREAS, Resolution 51 of 2022 authorized pre-application to the FAA and established accounts for said project in the amount of \$75,800.00; and

WHEREAS, by Resolution dated June 12, 2023, The Board of Supervisors authorized a grant agreement with the FAA for said project in a revised total amount of \$77,115.00; and

RESOLVED, That the 2023 Capital Plan be and hereby is amended to include a Pavement Management Program (PMP) Project in the amount of \$77,115.00; and, be it further

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

From: A.1000.9950-9000.1000 – EXP – Other – Unrestricted
To: H.8020.5610-2100.0963 – EXP – Airport Pavement Management Program
Sum: \$66.00

and, be it further

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

Revenue	
Increase A.1000.0599-0599 – REV – Appropriated Fund Balance	\$ 66.00
Increase H.8020.5610-3597.0963 – REV – State Aid – Airport Pavement Management Program	\$ 66.00
Increase H.8020.5610-4592.0963 – REV – Federal Aid – Airport Pavement Management Program	\$1,184.00

Appropriation	
Increase A.1000.9950-9000.1000 – EXP – Other – Unrestricted	\$
66.00	
Increase H.8020.5610-2100.0963 – EXP – Airport Pavement Management Program	
\$1,250.00	

Resolution No. 258 (Continued)

and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 259

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

**RESOLUTION AUTHORIZING PAYMENT OF EMERGENCY REPAIR COSTS TO THE
MECO SEWER PUMP STATION**

WHEREAS, an emergency pump repair at the Meco Sewer Pump Station was required to continue operations at Meco Sewer District No. 3; and

WHEREAS, the Superintendent of Highways and Facilities requests that an appropriation be made from the Sewer District No. 3 Fund Balance to cover the cost of the emergency repair; now, therefore be it

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

Revenue

Increase G.1000.0599-0599-REV-Appropriated Fund Balance \$1,750.00

Appropriation

Increase G.8110.8113-4030-EXP-Repairs \$1,750.00

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/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 260

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

RESOLUTION AUTHORIZING A CONTRACT WITH AN ABATEMENT COMPANY TO REMOVE ASBESTOS IN THE MAIN HALLWAY AND BREAKROOM FOR HIGHWAYS AND FACILITIES AT COUNTY COMPLEX 1

WHEREAS, the 2023 Highways and Facilities Budget includes monies for renovation of the hallway floor in County Complex I in the amount of \$12,000.00 for resurfacing with epoxy coating; and

WHEREAS, when evaluating the project further during 2023, it was determined that the associated tiles contain asbestos-containing mastic that must be abated; and

WHEREAS, the Superintendent of Highways and Facilities solicited quotes for said work and an initial quote was received in the amount of \$31,000.00 to include tile removal, mastic removal and epoxy flooring installation; now, therefore be it

WHEREAS, the Committees on Public Works and Finance recommend proceeding with said work with Contingency Fund proceeds to address the unanticipated abatement process; 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.1620.1621-4180-EXP-Renovations
Sum: \$19,000.00

and, be it further

RESOLVED, That the Superintendent of Highways and Facilities shall return to the Board of Supervisors with additional quotes and proceeding shall be subject to the Board of Supervisors approval by Resolution; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 261

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

RESOLUTION AWARDING BIDS FOR THE SOLID WASTE ADMINISTRATION
BUILDING ADDITION PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes a “Building Addition – Construction” project in the amount of \$1,175,000.00; and

WHEREAS, Resolution 118 of 2023 authorized advertisement for bids for Construction of the Solid Waste Department Administrative Building Addition Construction Project; and

WHEREAS, bids were received on May 3, 2023 for the Construction of the Solid Waste Department Administrative Building Addition Construction Project; and

WHEREAS, project engineers Barton & Loguidice, the Solid Waste Director, Purchasing Agent, and Committees on Public Works and Finance recommend awarding contracts to the following bidders; they providing the lowest responsible bids in accordance with specifications dated May 3, 2023;

<u>General Construction</u>	<u>Base Bid</u>	<u>Alternates Awarded</u>	<u>Total Award</u>
Gallo Construction Corp. Watervliet, NY	\$1,030,800.00	\$21,500.00 (Alt No. 2)	\$1,052,300.00
<u>Mechanical</u>			
A.Treiff Eisen & Sons Oneonta, NY	\$ 131,600.00		\$ 131,600.00
<u>Plumbing</u>			
A.Treiff Eisen & Sons Oneonta, NY	\$ 83,800.00		\$ 83,800.00
<u>Electrical</u>			
Executive Electric Amsterdam, NY	\$ 65,000.00		\$ 65,000.00
	Total: \$ 1,311,200.00	\$21,500.00	\$1,332,700.00

and,

WHEREAS, the total of said bids exceeds the amount budgeted by the Solid Waste Director; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts with the identified contractors listed above for base bids and alternate bids specified for the “Solid Waste Administration Building Addition Project”; and, be it further

Resolution No. 261 (Continued)

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

From: CL- 0898.0878 – Landfill Building-Equipment Depreciation Reserve
To: CL-0909-Unreserved Fund Balance
Sum: \$157,700.00

From: CL. 1000.9950-9000.1700-EXP-CL Building- Equipment Depreciation Expense
To: H.8160.8160-2100.0969-EXP-DSW Admin Building Addition
Sum: \$1,332,700.00

and, be it further

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

Revenue		
Increase CL.1000.0511-0511-REV-Appropriated Reserves	\$157,700.00	
Expense		
Increase CL.1000.9950-9000.1700-EXP-CL Building-Equipment Depreciation Expense		\$157,700.00

and, be it further

RESOLVED, That said cost be a charge against H.8160.8160.2100-0969 – EXP – DSW Admin Building Addition; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 262

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

RESOLUTION AUTHORIZING A CONTRACT AMENDMENT WITH BARTON & LOGUIDICE FOR CONSTRUCTION ADMINISTRATION FOR THE ADMINISTRATION BUILDING ADDITION PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes the Construction of the Solid Waste Department Administration Building Addition Construction Project; and

WHEREAS, Resolution 236 of 222 approved a contract with Barton & Loguidice for design services for the Solid Waste Administration Building Addition; and

WHEREAS, the Solid Waste Director, Committees on Public Works and Finance, recommend a contract with Barton & Loguidice for Construction Administration Services on said project, based upon its proposal for said work; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an Agreement with Barton & Loguidice of Syracuse, New York to provide Construction Administration Services for the Solid Waste Department Administration Building Addition Construction Project, in an amount not to exceed \$46,000.00; and, be it further

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

From: CL-0898.0878 – Landfill Building-Equipment Depreciation Reserve
To: CL-0909-Unreserved Fund Balance
Sum: \$46,000.00

From: CL. 1000.9950-9000.1700-EXP-CL Building- Equipment Depreciation Expense
To: H.8160.8160-2100.0969-EXP-DSW Admin Building Addition
Sum: \$46,000.00

and, be it further

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

Revenue

Increase CL.1000.0511-0511-REV-Appropriated Reserves \$46,000.00

Expense

Increase CL.1000.9950-9000.1700-EXP-CL Building-Equipment Depreciation Expense \$46,000.00

Resolution No. 262 (Continued)

and, be it further

RESOLVED, That said contract be charged to account H.8160.8160.2100-0969 – EXP – DSW Admin Building Addition; and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 263

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

**RESOLUTION AUTHORIZING PAYMENT OF UNANTICIPATED REPAIR COSTS TO A
2003 TRACTOR TRUCK IN THE SOLID WASTE DEPARTMENT**

WHEREAS, the 2023 Solid Waste Department Budget includes body work, maintenance and repair of a 2003 Tractor Truck in the Department of Solid Waste in the amount of \$30,000.00; and

WHEREAS, the Solid Waste Director received an initial estimate from Brown's Ford Collision in the amount of \$21,164.87 and the Purchasing Agent issued a Purchase Order to proceed with said work; and

WHEREAS, Brown's has now projected additional parts and labor costs in an amount not to exceed \$3,775.11 for a total of \$31,939.98 are required for additional hydraulic, exhaust and hardware parts; now, therefore be it

RESOLVED, That the Solid Waste Director be and hereby is authorized to make an additional payment in an amount not to exceed \$3,775.11 to Brown's Collision of Amsterdam, New York for the additional specified work; and, be it further

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

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 264

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

RESOLUTION AUTHORIZING REDUCED TIPPING FEE RATE FOR THE FULTON COUNTY SOIL AND WATER CONSERVATION DISTRICT'S SOUTH MELCHER STREET PROJECT

WHEREAS, Resolution 173 of 2023 endorsed an Office Relocation and Financial Support Plan for the Fulton County Soil and Water Conservation District; and

WHEREAS, the Fulton County Soil and Water Conservation District has requested a reduced Tipping Fee rate for debris from cleanup of 174-188 South Melcher Street in the Town of Johnstown; and

WHEREAS, the Board of Supervisors wishes to assist the Fulton County Soil and Water Conservation District by reducing the normal \$100.00 per ton Tipping Fees normally charged for said waste; now, therefore be it

RESOLVED, That the Director of Solid Waste be and hereby is directed to charge the reduced tipping fee rate of \$25.00 per ton (Municipal/County Demolition Rate) as a charge to the Fulton County Soil and Water Conservation District exclusively for the receipt of debris from 174-188 South Melcher Street, Johnstown; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Fulton County Soil and Water Conservation District, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 265

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

RESOLUTION RECLASSIFYING A SKILLED LABORER POSITION TO MAINTENANCE MECHANIC IN THE SOLID WASTE DEPARTMENT

WHEREAS, to promote efficient operation of the Department, the Director of Solid Waste recommends reclassifying of a Skilled Laborer position to Maintenance Mechanic; and

WHEREAS, based upon the Job Duties Statement prepared by the Director of Solid Waste, the Personnel Director recommends reclassification of a Skilled Laborer position to Maintenance Mechanic; now, therefore be it

RESOLVED, That upon the recommendation of the Director of Solid Waste, and Committees on Public Works, Personnel and Finance, effective June 12, 2023, one (1) Skilled Laborer position (Union Job Group M-8A; 2023 start rate: \$17.60 per hour, permanent rate: \$20.69 per hour) be and hereby is reclassified to Maintenance Mechanic (Union Job Group M-12; 2023 start rate: \$19.53, permanent rate: \$22.98 per hour) in the Solid Waste Department; and, be it further

RESOLVED, That the Director of Solid Waste and Personnel Director does 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, Director of Solid Waste, Personnel Director, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 266

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING ON-CALL PAY FOR VOTING MACHINE TECHNICIAN POSITIONS IN THE BOARD OF ELECTIONS

WHEREAS, the Board of Elections Commissioners have requested the establishment of “on-call” pay for Voting Machine Technician positions during early voting periods in the Board of Elections Office to facilitate prompt maintenance for polling systems; now, therefore be it

WHEREAS, the Committee on Finance has reviewed the request and recommend establishing an On-call pay procedure to improve election management; now, therefore be it

RESOLVED, That rates for Voting Machine Technician positions in the Board of Elections who are assigned On-call duty by the Commissioners for Early Voting periods, be established at the following rates effective June 12, 2023:

Early Voting Period On-Call Rate Schedule:

(June Primaries, November General Elections, Special-declared Elections)

Two (2) designated weekends, 9:00 a.m. to 5:00 p.m. for each election	\$50.00 per day
Three (3) designated weekdays, 9:00 a.m. to 5:00 p.m. for each election	\$25.00 per day
Two (2) designated weekdays, 12:00 p.m. to 8:00 p.m. for each election	\$25.00 per day

and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 267

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A MAINTENANCE AGREEMENT WITH TYLER
TECHNOLOGIES FOR 2023-2024 COUNTY ERP SYSTEM MAINTENANCE
(INFORMATION TECHNOLOGY DEPARTMENT)

WHEREAS, since 2014, the County of Fulton has utilized a New World Systems Finance and Human Resources Enterprise Software System from Tyler Technologies to support its departments; and

WHEREAS, the Information Technology Director has requested to renew an agreement with Tyler Technologies for maintenance of the Finance and Human Resources Enterprise Software System for 2023-2024; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a maintenance agreement between the Information Technology Department and Tyler Technologies of Troy, Michigan for maintenance of said software at a cost of \$46,916.05, for the period July 1, 2023 through June 30, 2024; 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, Information Technology Director, Tyler Technologies, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 268

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH NEW CASTLE COMMUNICATIONS FOR FAX SERVICES (INFORMATION TECHNOLOGY DEPARTMENT)

WHEREAS, the cost of Fulton County government’s existing fax lines system through Frontier Communications continues to increase; and

WHEREAS, the Information Technology Director recommends a contract with New Castle Communications for Cloud Based Fax Services as a less-expensive alternative; now, therefore be it

RESOLVED, That the Information Technology Director be and hereby is authorized to sign a contract with New Castle Communications for Cloud Based Fax Services for all participating County Departments, effective on or about July 1, 2023 for a total of 36 months, as follows:

<u>Department</u>	<u>Fax Number</u>	<u>Cloud Fax Monthly</u>
Information Technology	518-762-2404	\$ 23.39
Board of Elections	518-736-1612	\$ 23.39
Community Services	518-773-3561	\$ 23.39
Treasurer	518-736-1794	\$ 23.39
District Attorney	518-762-2042	\$ 23.39
Highways & Facilities	518-736-1135	\$ 23.39
Office for Aging	518-762-0698	\$ 23.39
Personnel	518-736-1027	\$ 23.39
Planning	518-762-4597	\$ 23.39
Probation	518-773-7958	\$ 23.39
Real Property	518-736-1417	\$ 23.39
Sheriff	518-736-2126	\$ 23.39
DSS	518-762-0080	\$ 23.39
Solid Waste	518-762-2859	\$ 23.39
Public Health	518-762-1382	\$ 23.39
	Total Monthly cost:	\$ 350.85
	Total Annual cost:	\$ 4,210.20

and, be it further

Resolution No. 268 (Continued)

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 269

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION WAIVING THE “60 MILE RADIUS RULE” FOR
NEW WORLD USERS GROUP CONFERENCE IN CLIFTON PARK
(INFORMATION TECHNOLOGY DEPARTMENT)

WHEREAS, Resolution 188 of 1992 established a 60-mile radius minimum for overnight conferences for all employees of the County of Fulton; and

WHEREAS, the Information Technology (IT) Director has requested a waiver of said rule for three (3) IT employees to attend the 2023 New World Users Group Conference in Clifton Park, NY, October 11 through October 12, 2023; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the “60-mile radius rule” as identified in Resolution 188 of 1992, be and hereby is waived to allow the Information Technology Director and two (2) other employees to attend the 2023 New World Users Group Conference in Clifton Park, NY, October 11 through October 12, 2023 at a total cost not to exceed \$387.00; 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 Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 270

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING ACCOUNTS FOR THE FMCC STUDENT COMPUTER REPLACEMENT PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan identified a “Student Computer Replacement” Project at the Fulton-Montgomery Community College (FMCC) in the amount of \$407,840.00, with a County share of \$101,960.00; now, therefore be it

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

From: A.1000.9950-9000.1000 – EXP – Other - Unrestricted
To: H.8020.2497-2100.0978 – EXP – FMCC Student Computer Replacement (NEW)
Sum: \$101,960.00

and, be it further

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

Revenue	
Increase H.8020.2497-2397.0978– REV – Montgomery County - FMCC Student Computer Replacement (NEW)	\$101,960.00
Increase H.8020.2497-3286.0978 –REV – State Aid - FMCC Student Computer Replacement (NEW)	\$203,920.00
Appropriation	
Increase H.8020.2497-2100.0978 – EXP – FMCC Student Computer Replacement (NEW)	\$305,880.00

and be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 504 (19) Nays: 0 Abstentions: 25 (1) (Supervisor Young) Absent: 0

Resolution No. 271

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SALE OF CERTAIN TAX FORECLOSED PROPERTIES IN THE CITY OF GLOVERSVILLE TO THE CITY OF GLOVERSVILLE TO PROMOTE NEIGHBORHOOD REHABILITATION (OPERATION GREEN SCENE)

WHEREAS, via a letter from Gloversville Mayor Vincent DeSantis dated May 26, 2023, the City of Gloversville requested to purchase 23 tax-foreclosed County-owned properties in the City of Gloversville and to obtain seven (7) other properties for its own demolition; and

WHEREAS, in said letter, the City of Gloversville proposed to purchase said parcels for its pilot program to systematically acquire tax-foreclosed properties in need of rehabilitation and improve them through the oversight of a City Property Disposition Committee; and

WHEREAS, the goal of the pilot program will be to re-sell said properties to local contractors to renovate the properties, reduce the number of tax foreclosures within the city and broaden the tax base by increasing the assessed value of the subject properties as well as neighboring properties; and

WHEREAS, the City has proposed to pay the County the full amount of delinquent taxes and fees owing for all 23 parcels; and

WHEREAS, the Treasurer and Committee on Finance recommend that 29 of the 30 parcels be removed from the annual auction process and sold to the City of Gloversville in this unique instance to promote neighborhood rehabilitation and to reduce any further costs being incurred by the County; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to sell the following 29 parcels in the City of Gloversville to the City at the Proposed Purchase Price as listed:

<u>Property Address:</u>	<u>Proposed Purchase Price:</u>	<u>Delinquent Taxes:</u>
310 Bleecker Street	\$26,783.78	\$26,783.78
84 Bleecker Street	11,430.10	11,430.10
118 North Street	114.39	114.39
246 Bleecker Street	4,968.70	4,968.70
77 Kingsboro Ave	6,482.00	6,482.00
70 East Fulton Street	21,963.31	21,963.31
35 Monroe Street	15,292.08	15,292.08
91 Park Street	9,439.14	9,439.14
106 Third Avenue	19,558.38	19,558.38
296 North Main Street	13,170.39	13,170.39
10 Union Street	7,491.05	7,491.05
5 West Eleventh Ave	1,254.30	1,254.30
120 North Street	10,320.91	10,320.91

Resolution No. 271 (Continued)

<u>Property Address Cont'd:</u>	<u>Proposed Purchase Price Cont'd:</u>	<u>Delinquent Taxes Cont'd:</u>
27 McLaren Street	\$ 8,162.40	\$ 8,162.40
14 Grove Street	12,898.87	12,898.87
15 Alexander Street	12,747.95	12,747.95
8 Eagle Street	23,579.34	23,579.34
97 Newman Street	21,418.75	21,418.75
16 Poole Avenue	11,082.42	11,082.42
58 Woodside Avenue	12,083.83	12,083.83
17 Cedar Street	3,289.92	3,289.92
227 South Main Street	5,954.16	5,954.16
12 North Street	No Cost	17,809.62
44 Maple Ave	No Cost	26,046.56
261 S. Main Street	No Cost	10,718.50
14 Third Ave	No Cost	13,383.33
53 West Eighth Ave	No Cost	17,657.97
125 Washington Street	No Cost	11,066.75
133 Washington Street	<u>No Cost</u>	<u>6,769.06</u>
	\$259,516.17	\$362,967.96

and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to record the appropriate deed after the execution thereof and after the City pays the proper amount due; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 272

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION REFERRING CERTAIN PARCELS TO THE FULTON COUNTY
DEMOLITION TEAM (OPERATION GREENE SCENE)

WHEREAS, Resolution 49 of 2001 formally established a Municipal Demolition Team, with basic operating guidelines identified in the "Municipal Demolition Team Proposal", dated February 12, 2001; and

WHEREAS, Resolution 400 of 2004 authorized an inter-municipal agreement with the City of Groversville for the County to assume property tax collection and enforcement responsibilities for the City of Groversville; and

WHEREAS, the Board of Supervisors has established "Operation Green Scene" to demolish dilapidated residential properties and foster community rehabilitation in the community; and

WHEREAS, the County has established a list of demolition projects on certain County-owned tax foreclosure properties in the City of Groversville; now, therefore be it

RESOLVED, That the Solid Waste Director is hereby authorized to mobilize the County Demolition Team to raze any structures and clean up the following County-owned parcels in the City of Groversville:

<u>Tax Map #</u>	<u>Address</u>	<u>Former Owner</u>
SBL# 134.11-7-31	406 N. Main Street	Charles Potter
SBL# 149.5-22-10	79 Broad Street	Zevel, LLC
SBL# 1334.19-4-3	44 Fourth Ave	Joseph Hine
SBL# 134.18-21-4	17 Lincoln Street	Evelyn L. Farr

and, be it further

RESOLVED, That said projects shall be completed in the most efficient and cost-effective manner possible, in accordance with the Municipal Demolition Team Proposal approved by the Board of Supervisors on February 12, 2001; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 273

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH LASERFICHE FOR A DOCUMENT MANAGEMENT SYSTEM IN THE COUNTY TREASURER'S OFFICE

WHEREAS, the County Treasurer has recommended a contract with Laserfiche for a document management system in the Treasurer's Office; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized and directed to sign a contract between the County of Fulton and Laserfiche, of Long Beach, CA, for a document management system license at \$110.00 per user for use in the County Treasurer's Office, effective July 1, 2023 through December 31, 2023 and at a total cost not to exceed \$700.00; and, be it further

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

From: A.1325.1325-4200 – EXP – Miscellaneous
To: A.1325.1325-4130 – EXP – Contractual
Sum: \$700.00

and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 274

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION REALLOCATING CERTAIN CAPITAL EXPENSES TO COVER A
SHORTFALL FOR THE PURCHASE OF AN EVIDENCE LOCKER FOR USE IN THE
SHERIFF'S DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes an "Upfit install/labor" project for two (2) Dodge Chargers for a total of \$8,000.00 and an "Evidence Locker" project for a total of \$12,000.00 for the Sheriff's Department; and

WHEREAS, updated quotes for said Evidence Locker project total \$13,114.00; and

WHEREAS, the "Upfit install/labor" for the aforementioned vehicles has been completed at an approximate final cost of \$6,000.00, leaving \$2,000.00 available in capital funding; and

WHEREAS, the Sheriff recommends reallocating \$1,114.00 in 2023 Capital Project funds to cover said shortfall for the purchase of the Evidence Locker for use in the Sheriff's Department; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized to use \$1,114.00 of the "Upfit install/labor" project funds to cover a shortfall for the purchase of an Evidence Locker for use in the Sheriff's Department as an amendment to the 2023 Capital Plan; and, be it further

RESOLVED, That said cost be charged to A.3110.3110-2010-EXP-Capital Expense; and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 275

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

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

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

Public Health:

- 1 – Office Chair (4335)
- 3 – File Cabinets (3861, 3810, 3793)

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 276

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BIDS FOR CHILDREN WITH HANDICAPPING
CONDITIONS TRANSPORTATION PROGRAM FOR 2023 SUMMER PROGRAM AND
2023-2024 SCHOOL YEAR

WHEREAS, Resolution 134 of 2023 authorized advertisement for bids for children with handicapping conditions 2023-2024 transportation; now, therefore be it

RESOLVED, That the bids, as hereinafter specified, for the transportation of children with handicapping conditions to various 2023-2024 school programs be and hereby are accepted, as reviewed and recommended by the Public Health Director and Purchasing Agent; they being the lowest responsible bidders in accordance with Specification No. 2023-40-01, dated May 31, 2023:

<u>Program Site/Route</u>	<u>Daily Rte. Cost</u>	<u>Low Bidder</u>
Summer Route 5	\$980.00	Amazing Grace
Summer Route 6	\$449.00	Upstate Transit
Summer Route 7	\$431.00	Brown Transportation
Regular School Year Route 1	\$445.20	Brown Transportation
Regular School Year Route 6	\$459.00	Upstate Transit
Regular School Year Route 7	\$445.20	Brown Transportation
Regular School Year Route 8	\$355.00	Brown Transportation

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 277

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS

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

Sheriff

From: A.3110.3113-4130 - EXP- Contractual
To: A.3110.3112-2000 - EXP- Equipment - Fixed Asset
Sum: \$6,454.00
(Linstar Printer)

Public Health

From: A.4010.4010-2000 – EXP – Equipment – Fixed Asset
To: A.4010.4010-4010 – EXP – Equipment – Non-Asset
Sum: \$282.00

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

Board of Supervisors

Revenue

Increase A.1010.1010-2770 – REV – Other Unclassified Revenues \$ 450.00

Appropriation

Increase A.1010.1010-4210 – EXP – Training and Conferences \$450.00

Social Services

Budget Amendment

Revenue

Increase A.6010.6010-2680 – REV – Insurance Recoveries \$ 459.00

Appropriation

Increase A.6010.6010-4540 – EXP – Vehicle Maintenance \$459.00

Office for Aging

Revenue

Increase A.7610.7610-2705 – REV – Gifts and Donations \$7,000.00
(TA-0098.0102 - Meals Program Endowments)

Appropriation

Increase A.7610.7610-4170 - EXP- Programs \$7,000.00

and, be it further

Resolution No. 277 (Continued)

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

Resolution No. 278

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW “2” OF 2023 TO ALLOW RESIDENTS OF
FULTON COUNTY OR ANYWHERE IN NEW YORK STATE TO SERVE AS DEPUTY
SHERIFF IN FULTON COUNTY

WHEREAS, proposed Local Law “2” of 2023 entitled, “A Local Law to Allow Residents of Fulton County or Anywhere in New York State to Serve as Deputy Sheriff in Fulton County; and

WHEREAS, a public hearing was held on June 12, 2023, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law “2”, as attached hereto and made a part hereof, be and hereby is approved; and, be it further

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

RESOLVED, That the Chairman of the Board of Supervisors and County Attorney be authorized and empowered to do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Secretary of State, Fulton County Code, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0 Absent: 0

**COUNTY OF FULTON, NEW YORK
LOCAL LAW NO. "2" OF 2023**

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

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

Section 1: INTENT

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

Section 2: RESIDENCY REQUIREMENT FOR DEPUTY SHERIFF'S

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

Section 3: SEPARABILITY

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

Section 4: EFFECTIVE DATE

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