

SIXTH REGULAR SESSION

Johnstown, NY

June 9, 2025

Roll Call – Quorum Present

Supervisors: Blackmon, Bradt, Breh, DiGiacomo, Fagan, Fogarty, Goderie, Groff, Howard, Isabella, Kinowski, Lauria, Palcovic, Praught, Roehl, VanValkenburgh, Young

TOTAL: Present: 17 Absent: 3 (Supervisors Lehr, Orfan and Potter)

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

COMMUNICATIONS

1. Letter from NYS Department of State dated 28 April 2025

Subj: Acknowledging receipt of Local Law 1 of 2025 to Extend the Occupancy Tax in Fulton County as Authorized by Act of the New York State Legislature (Chapter 489 of the Law of 2016)

Deputy Administrative Officer Elizabeth Lathers stated that at the Finance Committee meeting there was a discussion about whether or not the County should join a lawsuit against the SUNY Chancellor regarding the appointment of Community College Presidents. She stated that last evening, the FMCC President sent an update stating that on June 3, 2025, the SUNY Board of Trustees adopted a Resolution which authorized rulemaking related to the Community College Presidential Research Process be issued pursuant to the rulemaking requirements of the NYS Administrative Procedures Act (SAPA). Attorneys Ingerman Smith, who represents community colleges in this case, has now recommended that the lawsuit not be filed at this point in time.

REPORTS

- A. Capital District Regional Off-Track Betting Corporation Audited Financial Statements Years Ended December 31, 2024 and 2023 [Priority Reading Rack]

Ms. Lathers stated that Administrative Officer Jon Stead has a special presentation to make. Mr. Stead asked Legislative Aide Justine Lewis to come to the Dais. He stated that Ms. Lewis has completed the requirements prescribed by the New York State Association of Clerks of County Legislative Boards for Certification as of May 14, 2025 and hereby confers the title of Certified Legislative Board Clerk. The Board members applauded Ms. Lewis's accomplishment.

REPORTS OF SPECIAL COMMITTEES

Soil and Water Conservation District: Supervisor Lauria stated that the reconstruction of the Peck's Lake Outlet Bridge is ongoing. He also noted that next Soil and Water District meeting will be held on Wednesday, June 11, 2025.

CHAIRMAN'S REPORT

Chairman Goderie stated that the recent round of Committee meetings kicked off the 2026 Budget season. He noted that State and Federal cuts will need to be watched carefully, as they could seriously impact the 2026 County Budget. Chairman Goderie stated that he had the honor of attending the Fulton-Montgomery Community College (FMCC) graduation this year. He stated that it was good to see so many students graduating from all of the different programs offered by FMCC.

Chairman Goderie stated that he also attended the NYS Downtown Revitalization Initiative to celebrate five (5) completed projects held at St. Thomas Square in the City of Gloversville on May 30, 2025. He stated that it was really great to see the transformations underway.

RESOLUTIONS (TITLES ATTACHED)

No. 204 (Resolution Authorizing a Contract with the Fulton County Center for Regional Growth for Certain Expenses Related to Development of the Johnstown Commerce Park): Ms. Lathers stated that after hearing concerns from Supervisors at Committee meetings, additional language was added to the Resolution. She noted that Resolution No. 45 of 2024 that authorized a contract with the Fulton County Center for Regional Growth (CRG) for certain expenses related to development of a Johnstown Commerce Park did not have a deadline for reimbursement of the advanced funds back to the County. She stated that a deadline was added to this Resolution. Mr. Peters of CRG had mentioned in previous Committee meetings that the Fast NY Grant Program proceeds should be able to reimburse the County within three (3) to six (6) months.

No. 212 (Resolution Amending the 2025 Capital Plan to Include the Purchase of a FARO Accident Reconstruction Scanner Using NYS DCJS BYRNE Grant (Sheriff's Department)): Supervisor DiGiacomo inquired about the maintenance fees being included in the purchase price as discussed at the Committee level. Ms. Lathers stated that the current one-year rate is \$9,443.00 and the third-year rate is \$22,650.00. She stated that the first five (5) years are included for maintenance in the contract price of \$104,900.00.

No. 220 (Resolution Approving Facilities Use Application for Fulton County Airport Use for an FMCC "Aviation Day" Event): Supervisor Lauria stated that he attended this event last year and it was great. Supervisor Young stated that he would be recusing himself from deliberations upon Resolution No. 220 due to his employment with the Fulton-Montgomery Community College.

(Supervisor Young left the meeting at 1:21p.m. and returned at 1:24 p.m. following action on Resolution 220)

No. 224 (Resolution Urging passage of Senate S1004/A5567 to Reform New York State's Competency Restoration Process): Mr. Stead stated that this bill will not fix the problem completely, but is a step in the right direction.

PROCLAMATION

HONORING SUPERINTENDENT OF HIGHWAYS AND FACILITIES MARK YOST FOR HIS CAREER OF COUNTY SERVICE

WHEREAS, Mark Yost served our community with dedication and professionalism for the past 18 years as Fulton County Superintendent of Highways and Facilities since his first appointment on April 1, 2007; and

WHEREAS, throughout his tenure, Mr. Yost demonstrated commendable leadership, overseeing countless infrastructure projects, road maintenance operations and facility upgrades with skill and integrity; and

WHEREAS, Mr. Yost earned a reputation as a knowledgeable department head who could take complex projects from “start-to-finish” successfully; and

WHEREAS, Mark’s commitment to public safety and operational efficiency has significantly improved the quality of life for residents and has set a high standard for public service; and

WHEREAS, Mark’s knowledge, diligent work, and expertise have earned him the respect and admiration of colleagues, elected officials, contractors, and community members alike; and

WHEREAS, his 18-year career of service reflects not only a remarkable professional achievement, but also a genuine commitment to the well-being and progress of our community; now, therefore be it

RESOLVED, That the Board of Supervisors hereby recognizes Mark Yost for his outstanding service as Superintendent of Highways and Facilities and expresses its gratitude for his many years of leadership to the County of Fulton.

Mr. Stead stated that he has met with the future Superintendent of Highways and Facilities Jeff Martin and he is set to start at the scheduled date. He also stated that he believes Mr. Yost plans to meet with him to go over the 2026 Capital Plan and 2026 Budget proposals. He noted that the Road Program will probably be Mr. Yost’s plan for 2026 and next year Mr. Martin will submit his plan.

OLD BUSINESS

Supervisor VanValkenburgh inquired how the public is being notified about the Recycling Bins they will be receiving from the Solid Waste Department. She stated that she is concerned that she has not received any notification regarding the bins yet. Supervisor Fagan stated that the Solid Waste Department hand delivered him a letter regarding the bins not long ago. Mr. Stead stated that Ms. Lathers will speak with the Solid Waste Director about writing a brief memo explaining the process for public outreach for all Supervisors.

ADJOURNMENT

Upon a motion by Supervisor VanValkenburgh, seconded by Supervisor Breh and unanimously carried, the Board adjourned at 1:36 p.m.

Certified by:

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

Resolution No. 203

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING, REAPPOINTING OR CONFIRMING BOARD MEMBERS TO THE FULTON, MONTGOMERY, SCHOHARIE WORKFORCE DEVELOPMENT BOARD

WHEREAS, vacancies currently exist on the F-M-S Workforce Development Board; 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; and

WHEREAS, in accordance with federal regulations, the Fulton County Regional Chamber of Commerce and Industry nominated Lani Pertell, Kathleen Kilmartin and Sarah St. Andrews as private sector board members; now, therefore be it

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

July 1, 2023 through June 30, 2026:

Pamela Goldswor (Private Sector)	Confirmed
Allene Monaghan (Vocational Rehabilitation)	Confirmed
Vacant (Public Sector)	

July 1, 2024 through June 30, 2027

Sarah St. Andrews (Private Sector)	Appointed
Laurie Bargstedt (Local Education)	Confirmed
Ashley Capobianco (Private Sector)	Confirmed

July 1, 2025 through June 30, 2028:

Lani Pertell (Private Sector)	Re-appointed
Kathleen Kilmartin (Private Sector)	Re-appointed
Peter Stearns (Organized Labor)	Re-appointed

and, be it further

RESOLVED, That the above listed 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

Resolution No. 203 (Continued)

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, Fulton County Chamber of Commerce, Lani Pertell, Kathleen Kilmartin, Sarah St. Andrews, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor ROEHL and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 204

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

RESOLUTION AUTHORIZING A CONTRACT WITH THE FULTON COUNTY CENTER FOR REGIONAL GROWTH FOR CERTAIN EXPENSES RELATED TO DEVELOPMENT OF THE JOHNSTOWN COMMERCE PARK

WHEREAS, Resolution 493 of 2024 authorized an annual contract with the Fulton County Center for Regional Growth (FCCRG) for Business Development Marketing for 2025; and

WHEREAS, in 2012, the Board of Supervisors and the FCCRG agreed that the FCCRG would perform primarily as a marketing agency and community development agency to promote economic growth within Fulton County and refrain from direct real estate ownership; and

WHEREAS, through the evolution of the FCCRG since 2012, the organization has expanded its roles in business development marketing, managing community loan pools, attending trade shows to promote the region, managing grant programs, securing financing for local businesses and conducting business training; and

WHEREAS, by Resolution 140 of 2022, the Board of Supervisors approved a procedure whereby FCCRG can undertake real estate development projects within the County to promote economic growth and raise revenue to support its own operations, limited by Article VII, paragraph 7 as follows:

7. To maintain financial stability and lessen the burden upon local government, there may be a need for CRG to engage in projects involving real estate ownership. When such projects are contemplated, CRG shall obtain written approval from the Board of Supervisors prior to obtaining any ownership interest in real estate for said project.

and

WHEREAS, Resolution 45 of 2024 authorized a contract with the Fulton County Center for Regional Growth for certain expenses related to development of a Johnstown Commerce Park in an amount not to exceed \$265,000.00 as follows:

A. Fulton County will provide up to \$50,000.00 reimbursement to FCCRG to be allocated toward the \$550,000.00 purchase price of associated lands.

Resolution No. 204 (Continued)

B. Fulton County will provide up to \$215,000.00 as an advance to be allocated to professional engineering services for said site which will be partially reimbursed to Fulton County by the following sources:

- FCCRG to pay Fulton County proceeds of a \$109,500.00 National Grid grant upon completion of project engineering services.
- FCCRG to pay Fulton County proceeds of a \$43,700.00 NYS ESD grant upon completion of project engineering services.
- Total net cost to the County not to exceed \$61,800.00
- FCCRG shall pay any additional costs that may arise.

and

WHEREAS, the Center for Regional Growth applied the \$109,500.00 grant from National Grid and the \$43,700.00 grant from New York State Empire State Development (ESD) to fund the initial professional engineering services contract with Delaware Engineering, and did not expend the previously allocated \$215,000.00 from Fulton County's 2024 Budget; and

WHEREAS, the Center for Regional Growth is now requesting to utilize the unspent \$215,000.00 in 2024 County funds to cover additional engineering expenses required for continued development at the Johnstown Commerce Park; and

WHEREAS, the Center for Regional Growth is now requesting an additional \$216,200.00 as reimbursable advance to commence additional engineering services for the Johnstown Commerce Park, having been awarded a \$500,000.00 Fast NY Grant from New York State ESD for said work; now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is, authorized to execute a contract with the Fulton County Center for Regional Growth to pay additional expenses for additional engineering services for development of a Johnstown Commerce Park, STHWY 30A, Johnstown, NY as follows:

A. Fulton County authorizes FCCRG to utilize the \$215,000.00 previously advanced in 2024

B. Fulton County will provide an additional \$216,200.00 as an advance to be allocated to professional engineering services for said site which will be reimbursed to Fulton County by the following as follows:

- FCCRG to pay Fulton County proceeds of a \$216,200.00 NYS ESD Fast NY grant upon completion of said additional project engineering services.
- FCCRG to pay Fulton County proceeds of a \$153,200.00 in funding from said 2024 NYS ESD Fast NY grant upon completion of said additional project engineering services.

Resolution No. 204 (Continued)

- All monies specified above in the total amount of \$431,200.00 for reimbursement by the FCCRG to the County shall be repaid no later than June 30, 2026.
- FCCRG shall pay any additional costs that may arise.

and, be it further

RESOLVED, That the 2025 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.1000.6430-2770 - REV- Other Unclassified Revenues	\$216,200.00
--	--------------

Appropriation:

Increase A.1000.6430-4130 - EXP- Contractual	\$216,200.00
--	--------------

and, be it further

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

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

Seconded by Supervisor PRAUGHT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 205

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

**RESOLUTION AWARDING BIDS FOR CHILDREN WITH HANDICAPPING
CONDITIONS TRANSPORTATION PROGRAM FOR 2025 SUMMER PROGRAM
AND 2025-2026 SCHOOL YEAR**

WHEREAS, Resolution 123 of 2025 authorized advertisement for bids for children with handicapping conditions 2025-2026 transportation; now, therefore be it

RESOLVED, That the bids, as hereinafter specified, for the transportation of children with handicapping conditions to various 2025-2026 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. 2025-40-01, dated May 14, 2025:

<u>Program Site/Route</u>	<u>Daily Rate Cost</u>	<u>Low Bidder</u>
Summer Route 1	\$486.20	STA/Brown Transportation
Summer Route 3	\$576.00	STA/Brown Transportation
Summer Route 4A	\$580.72	STA/ Brown Transportation
Summer Route 6	\$525.20	STA/ Brown Transportation
Summer Route 7	\$486.20	STA/ Brown Transportation
Regular School Year Route 1	\$486.20	STA/ Brown Transportation
Regular School Year Route 3	\$576.00	STA/Brown Transportation
Regular School Year Route 4A	\$580.72	STA/Brown Transportation
Regular School Year Route 5	\$597.00	STA/Brown Transportation
Regular School Year Route 6	\$525.20	STA/Brow Transportation
Regular School Year Route 7	\$486.20	STA/ Brown Transportation

and, be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 206

Supervisor FOGARTY offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING GREGORY YOUNG TO THE PUBLIC HEALTH ADVISORY
BOARD FOR 2025**

WHEREAS, a vacancy exists on the Public Health Advisory Board; now, therefore be it

RESOLVED, That the following are hereby reappointed to the Public Health Advisory Board for 2025 as hereinafter indicated:

Gregory D. Young (Consumer)

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 207

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

RESOLUTION AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO
PAY CERTAIN BILLS RELATED TO ADOPTION SUBSIDY RATES
(DEPARTMENT OF SOCIAL SERVICES)

WHEREAS, the Commissioner of Social Services is required to pay the cost of adoption subsidy rates at the “exceptional” rate per the New York State Office of Children and Family Services Bureau of Special Hearings to adoptive parents back to, March 31, 2020 the date of adoption, excluding payments already made; and

WHEREAS, the Commissioner of Social Services requests authorization to make retroactive payments from the “Programs Accounts” for adoption subsidy via the County’s internal New World Finance and Administration accounts payable system to said adoptive parents in an amount not to exceed \$20,576.95 including all future payments; now, therefore be it

RESOLVED, That the upon the recommendation of the Committees on Human Services and Finance, the Board of Supervisors be and hereby authorizes the Commissioner of Social Services to make retroactive payments from the “Programs Accounts” for adoption subsidy rendered in an amount not to exceed \$20,576.95 in accordance with State mandates as identified herein and any ongoing payments until the child turns 21 years of age; 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, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 208

Supervisors FOGARTY and ISABELLA offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE EXTENSION OF A “STUDENT SUCCESS” CASEWORKER POSITION IN THE SOCIAL SERVICES DEPARTMENT (2025-2027)

WHEREAS, Resolution 278 of 2020 created a “Student Success” Caseworker position in the Social Services Department to focus on preventive services for families with young children experiencing educational neglect or chronic absenteeism; and

WHEREAS, Resolution 133 of 2021 authorized extension of a “Student Success” Caseworker Position in the Social Services Department through August 31, 2023; and

WHEREAS, Resolution 288 of 2023 authorized extension of a “Student Success” Caseworker Position in the Social Services Department through August 31, 2025; and

WHEREAS, the Committees on Human Services and Personnel recommend continuing said “Student Success” Caseworker position; and

WHEREAS, continuation or renewal of said position and/or program be contingent upon continued funding from state and federal funds at no additional cost to the County of Fulton; now, therefore be it

RESOLVED, That said “Student Success” Caseworker position (Union Job Group A-17) be and hereby is extended in the Department of Social Services, effective September 1, 2025 through August 31, 2027; and, be it further

RESOLVED, That the Commissioner of Social Services 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, 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 VANVALKENBURGH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 209

Supervisors FOGARTY and ISABELLA offered the following Resolution and moved its adoption:

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

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

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

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

RESOLVED, That two (2) Caseworker positions (Union Job Group A-17) be and hereby are extended in the Department of Social Services, effective July 1, 2025 through June 30, 2026; and, be it further

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

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

Resolution No. 209 (Continued)

RESOLVED, That the Chairman of the Board be and hereby is authorized and to sign a contract, on behalf of the Department of Social Services, with the Gloversville Enlarged School District for School Intervention Partnership Program (SIPP) services, effective July 1, 2025 through June 30, 2026; said contract subject to the approval of the County Attorney; and, be it further

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

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 210

Supervisor ISABELLA offered the following Resolution and moved its adoption:

RESOLUTION RE-APPOINTING THERESA SOUZA TO THE POSITION OF
DIRECTOR OF PERSONNEL

RESOLVED, That Theresa Souza, of Lassellsville, NY be and hereby is appointed as Fulton County Director of Personnel for a six (6) year term beginning July 10, 2025 and concluding July 9, 2031; and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 211

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

RESOLUTION AUTHORIZING THE PURCHASE OF A NEW CHEVROLET TAHOE VIA NYS OGS VEHICLE MARKETPLACE (SHERIFF'S DEPARTMENT 2025 CAPITAL PLAN)

WHEREAS, Resolution 185 of 2025 authorized acceptance of a 2024-2025 U.S. Department of Justice Byrne Grant from NYS DCJS to purchase a SUV Patrol Vehicle in an amount not to exceed \$92,000.00; and

WHEREAS, the Sheriff solicited bids for said vehicle through the NYS Office of General Services Vehicle Marketplace process; and

WHEREAS, said Vehicle Marketplace process has resulted in an available low bid for one (1) New Chevrolet Tahoe Vehicle (PPV) in an amount of \$58,350.18 from Mohawk Chevrolet, of Ballston Spa, New York; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized to purchase one (1) New Chevrolet Tahoe (PPV) from Mohawk Chevrolet, Ballston Spa, NY, via NYS OGS Vehicle Marketplace at a bid price not exceed \$58,350.18, subject to approval by the Purchasing Agent; and, be it further

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

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

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 212

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

RESOLUTION AMENDING THE 2025 CAPITAL PLAN TO INCLUDE THE PURCHASE OF A FARO ACCIDENT RECONSTRUCTION SCANNER USING NYS DCJS BYRNE GRANT (SHERIFF'S DEPARTMENT)

WHEREAS, Resolution 186 of 2025 authorized application and acceptance for Department of Criminal Justice Services (DCJS) Grant funds for an Accident Reconstruction Scanner for use in the Sheriff's Department in an amount not to exceed \$105,000.00; and

WHEREAS, said Resolution directed the Sheriff to return to the Board of Supervisors with a detailed plan for use of said grant funds; and

WHEREAS, the Sheriff recommends the purchase of one (1) FARO Focus Premium Max 400m Accident Reconstruction Scanner including accessories and training for use in the Sheriff's Department; and

WHEREAS, the Sheriff and Committees on Public Safety and Finance recommend amending the 2025 Capital Plan to include the purchase of one (1) FARO Focus Premium Max 400m Accident Reconstruction Scanner including accessories and training utilizing NYS DCJS Byrne Grant; now, therefore be it

RESOLVED, That the 2025 Capital Plan, be and hereby is amended to include the purchase of one (1) FARO Focus Premium Max 400m Accident Reconstruction Scanner including accessories and training for use in the Sheriff's Department in an amount not to exceed \$104,937.63 as follows:

FAROS Focus Premium Max 400m USA	\$55,994.00
Laser Scanner 5-Year Complete Care PSA	21,599.00
(2) Single User Soft Lock	0.00
Standard Carbon Fiber Tripod	1,193.00
Focus standard Tripod Bag	162.00
Panocam Mount	575.00
High Resolution Panocam	1,590.00
VR Ready Notebook	5,480.00
(2) 3D_AC_LS FocusS Battery Power Dock	673.00
#D_AC_LS FocusS 90W Power Supply	67.00
Focus Laser Scanner Backpack Kit	421.00
80 Mm Koppa Target Set	1,262.00
3D_AC_LS 3D-Scale Bar Kit	2,615.00
Scanner Training – Facility POS	0.00
Scanner Trng Forensic-Customer Site UG	8,738.00
FARO on Onsite Training	4,528.00
Shipping & Handling	40.63
	<u>\$104,937.63</u>

Resolution No. 212 (Continued)

and, be it further

RESOLVED, That the 2025 Adopted Budget be and hereby is amended, as follows:

Revenue

Increase A.3110.3110-3118-REV-State Aid-Sheriff Grants \$104,938.00

Appropriation

Increase A.3110.3110-2010-EXP-Capital Expense \$104,938.00

and, be it further

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

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

Seconded by Supervisor ISABELLA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 213

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

**RESOLUTION AUTHORIZING THE PURCHASE OF TWO SHREDDERS AND INMATE
SUPPLIES FOR USE IN THE CORRECTIONAL FACILITY**

WHEREAS, due to an increase of State inmate hold-overs and borders, the Sheriff's Department anticipates \$15,000.00 in additional revenue; and

WHEREAS, the Sheriff has requested the purchase of two (2) shredders and inmate supplies for the Fulton County Correctional Facility; and

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

RESOLVED, That the Sheriff be and hereby is authorized to purchase two (2) shredders and inmate supplies for the Fulton County Correctional Facility in an amount not to exceed \$8,500.00, in accordance with the Fulton County Purchasing & Audit Guidelines; and, be it further

RESOLVED, That the 2025 Adopted Budget be and hereby is amended, as follows:

Revenue

Increase A.3110.3150-2451 - REV- Commissions - Jail	\$8,500.00
---	------------

Appropriation

Increase A.3110.3150-2000 - EXP- Equipment - Fixed Asset	\$3,500.00
Increase A.3110.3150-4931 - EXP- Inmate Supplies	\$5,000.00

and, be it further

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

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 214

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

RESOLUTION WAIVING THE RESIDENCY RULE FOR LAW ENFORCEMENT TECHNICIANS IN THE SHERIFF'S DEPARTMENT

WHEREAS, Resolution 189 of 2025 authorized the hire of per diem Law Enforcement Technicians in the Sheriff's Department; and

WHEREAS, the Sheriff has requested that the Board of Supervisors waive the Residency Rule for the hire of Law Enforcement Technicians vacancies in order to attract qualified candidates; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for hire of Law Enforcement Technicians from contiguous counties, effective immediately through December 31, 2025; 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, Sheriff, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor VANVALKENBURGH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 215

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

RESOLUTION AUTHORIZING ACCEPTANCE OF A 2024-2025 NYS “HIGH VISIBILITY ENGAGEMENT CAMPAIGNS” GRANT FROM THE NYS GOVERNOR’S TRAFFIC SAFETY COMMITTEE (DISTRICT ATTORNEY)

WHEREAS, the District Attorney received a 2024-2025 “NYS High Visibility Engagement Campaigns” Grant, from the NYS Governor’s Traffic Safety Committee in the amount of \$18,500.00 to offset local policy agencies’ patrol costs; and

WHEREAS, the District Attorney has proposed to distribute said funds to local agencies as follows:

Fulton County Sheriff’s Office	\$ 7,033.00
Gloversville Police Department	\$ 4,816.00
Johnstown Police Department	\$ 1,943.00
Northville Police Department	<u>\$ 4,708.00</u>
Total	\$18,500.00

now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said 2024-2025 “NYS High Visibility Engagement Campaigns” Grant from the Governor’s Traffic Safety Committee, in the amount of \$18,500.00, for sponsored activities during 2024-2025; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 216

Supervisors GROFF offered the following Resolution and moved its adoption:

**RESOLUTION SETTING DATE OF A PUBLIC HEARING ON PROPOSED LOCAL LAW
“B” OF 2025 TO ENACT “FULTON COUNTY ANIMAL ABUSE REGISTRY ACT”
PROTECTING ANIMALS FROM ABUSE BY ESTABLISHING A REGISTRY FOR
ANIMAL ABUSERS**

WHEREAS, the Committee on Public Safety has proposed “LOCAL LAW “B” OF 2025 ENACTING “FULTON COUNTY ANIMAL ABUSE REGISTRY ACT” PROTECTING ANIMALS FROM ABUSE BY ESTABLISHING A REGISTRY FOR ANIMAL ABUSERS; and

WHEREAS, by this Local Law, the Board of Supervisors desires to create and maintain a Fulton County Animal Abuse Registry as attached hereto; now, therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law “B” for the year 2025 by the Fulton County Board of Supervisors, on Monday, July 14, 2025, 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 of the Fulton County Office Building, Johnstown, NY, and by publication at least once in the official Fulton County newspaper; and, be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

COUNTY OF FULTON LOCAL LAW “B” OF 2025

A LOCAL LAW TO ENACT “FULTON COUNTY ANIMAL ABUSE REGISTRY ACT” PROTECTING ANIMALS FROM ABUSE BY ESTABLISHING A REGISTRY FOR ANIMAL ABUSERS

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

Section 1. Title & Statement of Intent.

This local law shall be known as the “Fulton County Animal Abuse Registry Act”. The Fulton County Board of Supervisors finds it necessary and appropriate to establish a County – Wide Animal Abuse Registry.

A. The Fulton County Board of Supervisors (the Board) finds and determines that animal cruelty is a serious problem resulting in the abuse of thousands of animals each year and that while the State of New York has criminalized the cruel treatment of animals, animal abuse and cruelty continues to occur in Fulton County and throughout New York State.

B. The Board further finds and determines that people who have abused animals in the past are likely to do so in the future and studies show that there is a high recidivism rate for certain types of abuse such as animal hoarding.

C. The Board further finds and determines that individuals who abuse animals are statistically more likely to commit violence towards humans.

D. The Board further finds and determines that animals in need of homes need to be protected from potential abusers.

E. The Board further finds and determines that it is in the best interests of the residents of Fulton County and their animals that an online registry be established identifying individuals residing in Fulton County convicted of animal abuse crimes that will prevent these individuals convicted of animal cruelty from adopting, purchasing or otherwise obtaining animals from any animal shelter, pet seller or other person or entity involved in the exchange of animals by adoption, sale or other means.

F. The Board determines that in the effort to protect animals, the registry shall be maintained by the Fulton County Sheriff, or designee, and shall have links to all online registries throughout New York State, providing animal shelters, pet sellers or other persons an extensive resource to search animal abuse offenders.

Section 2. Definitions.

Unless the context clearly provides otherwise, the terms set forth below shall have the following meanings:

(a) *Animal Abuse Crime* – means any of the following:

(1) New York State Agriculture and Markets Law (AML) Article 26:

(2) New York State Penal Law:

Section 130.20(3), Sexual misconduct with an animal

Section 195.06 or 195.06-a, Killing or injuring a police animal

Section 195.12, Harming an animal trained to aid a person with a disability

Section 242.10 and Section 242.15, Harming a service animal

(3) Any conviction of a crime based upon a reduced charge when the original offense was a charge listed in Section 2(a)(1) or 2(a)(2) herein.

(b) *Animal* – means any living mammal, bird, reptile, amphibian or fish. It shall not mean a human being

(c) *Animal Abuse Offender* – means any person eighteen (16) years of age or older, convicted of an Animal Abuse Crime, except youthful offenders whose convictions or adjudications include sealed records.

(d) *Animal Abuse Registry* - means the online registry established by this local law for the purpose of registering any person convicted of an Animal Abuse Crime who is currently residing in the County.

(e) *Animal Shelter* - means any public or privately owned organization including, but not limited to, any duly incorporated humane society, pound, animal protective association or animal rescue group which maintains buildings, structures or other property for the purpose of harboring animals which may be stray, surrendered, unwanted, lost, abandoned or abused and seeks to find appropriate temporary or permanent homes for such animals.

(f) *Conviction* - means any adjudication of guilt by any court of competent jurisdiction, whether upon a verdict after trial, plea of guilty or alford plea.

(g) *Farm Animal* - means ungulate, poultry, species of cattle, sheep, swine, goats, llamas, horses or fur-bearing animals, as defined in section 11-1907 of the environmental conservation law, which are raised for commercial or subsistence purposes. Fur-bearing animal shall not include dogs or cats.

(h) *Pet Seller* - means any individual, person, partnership, firm, corporation or other entity which offers Animals for sale, exchange or otherwise transferring ownership of Animals.

(i) *Service Animal* - means any animal that has been trained to do work and/or perform tasks for persons with disabilities as defined under the Americans with Disabilities Act.

- (j) *Companion Animal or Pet* - Any dog or cat or any other domesticated animal normally maintained in or near the household of the owner or person who cares for such domesticated animal. It shall not include a Farm Animal.

Section 3. Establishing an Animal Abuse Registry

- (a) The Fulton County Sheriff, or his/her designee, is hereby authorized, empowered and directed to establish, manage and maintain an on-line Animal Abuse Registry of any animal abuse offenders living in the county.
- (b) The Animal abuse registry shall contain information as listed in Section 4 subsection c of this article and including but not limited to the Animal Abuse Crimes(s) convicted of, date the listing was posted, type of animal, and should the animal(s) related to the charges have a name(s) their name(s) shall be listed.
- (c) The Animal Abuse Registry shall be found on the Sheriff's Office website and contain links to other county Animal Abuse Registries that are available, or as they become available in the future, in the state of New York, with such other county registries to be used by Animal Shelters or Pet Sellers located in Fulton County when they shall sell, exchange or otherwise transfer the ownership of any Animal or pet. The Sheriff's office or their designee must maintain an Animal Abuse Registry in some form easily available for public inspection.
- (d) The Animal Abuse Registry shall contain the required information of each Animal Abuse Offender for a period of fifteen (15) years following their release from incarceration or, if not incarcerated from the date of sentencing.
- (e) Any person(s) registered, required to be registered or previously registered who is convicted of a subsequent Animal Abuse Crime shall be listed on the Animal Abuse Registry for life.
- (f) Upon notification to the Fulton County Sheriff of a successful appeal of a conviction of an Animal Abuse Crime by an individual that has been required to register pursuant to this Local Law, the registration information for that individual shall be removed from the Fulton County Animal Abuse Registry within five (5) days following the notification.

Section 4. Registration Requirements

- (a) Any Animal Abuse Offender who resides in the County and who has been convicted of an Animal Abuse Crime on or after the effective date of this local law must register with the Sheriff's Office within five (5) days of their release from incarceration or, if not incarcerated, from the date of sentencing.
- (b) The Animal Abuse Registry shall contain the required information of each Animal Abuse Offender for a period of fifteen (15) years following their release from incarceration or, if not incarcerated from the date of sentencing.
 - (1) Any persons registered, required to be registered or previously registered who are convicted of a subsequent Animal Abuse Crime shall be listed on the Animal Abuse Registry for life.

- (c) Each person required to register with the Animal Abuse Registry shall submit to the Fulton County Sheriff's Office:
 - (i) Their name and any aliases they may be known by;
 - (ii) Their residence address.
 - (iii) Their date of birth; and
 - (iv) Photograph by the Fulton County Sheriff's Office, Front Head Shot and Side View Shot: and
 - (v) Date Information is updated.
 - (vi) Name of Pet that was involved in the crime: and
 - (vii) Type of animal ex. Dog, Cat.
 - (viii) Crime Committed or reduced charge conviction
 - (ix) Date of Conviction of Crime Committed or Plea charge: and
 - (x) Date to come off Registry
- (d) Within twenty (20) days of the anniversary date of the date an individual originally registered with the Animal Abuse Registry said individual must personally appear at the Fulton County Sheriff's Office. The individual must confirm the accuracy or change the information provided pursuant to Section 4(C) (i), (ii) and (iii) above and must have an updated photograph in compliance with Section 4(C) (iv) above. The individual must comply with this Section 4(D) every year the individual remains on the Animal Abuse Registry.
- (e) Every person required to register with the Animal Abuse Registry shall update their registry information within five (5) days of any change of residential address and/or upon any official change of name.
- (f) Every person convicted of an Animal Abuse Crime in another County of the State of New York, or convicted of a reduced crime in another County of the State of New York whereby the original offense was a charge listed under Section 2(a)(1) or Section 2(a)(2) herein, who establishes residence in Fulton County, shall register with the Fulton County Sheriff's Office within fifteen (15) days of establishing residency.
- (g) Every person required to register with the Animal Abuse Registry shall pay a one-time fee of one hundred twenty-five (\$125.00) dollars to the Fulton County Sheriff's Office at the time of registration. All such fees shall be used to help pay the administrative and maintenance costs of maintaining the registry.

Section 5. Prohibition on Contact with Animals

- (a) No person who is registered or required to register pursuant to Section 5 of this Local Law shall own, possess, reside with, have custody of, or intentionally engage in any physical contact with any Companion Animal or Pet.
- (b) Any person who is convicted of an Animal Abuse Crime shall transfer ownership and control of an animals within (7) Seven days of conviction.

Section 6. Animal Shelters and Pet Sellers Prohibited from Transferring Animal Ownership to Animal Abuse Offenders

- (a) An Animal Shelter, Pet Seller, or other person or entity located in the County shall not sell, exchange or otherwise transfer the ownership of any animal to any person residing in the County who is listed as an Animal Abuse Offender on the Animal Abuse Registry.
- (b) At the time of sale, exchange or other transfer of ownership of any Animal, the Animal Shelter, Pet Seller or other person or entity shall examine the Animal Abuse Registry to confirm that the name of the potential owner of the Animal is not listed.
- (c) In the event an Animal Shelter, Pet Seller or other person or entity cannot access the Animal Abuse Registry they call the Fulton County Sheriff's Office at (518)736-2100 to confirm whether the name of a potential owner appears on the Animal Abuse Registry.
- (d) Any business, nonprofit, entity or other person which, in their normal course of business, has supervision or control of an Animal shall:
 - (1) Inspect the Animal Abuse Registry for names of new employees or volunteers who have supervision or control of any animal.
 - (2) Annually cross-reference a list of employees and volunteers, who have supervision or control of any Animal, with the Animal Abuse Registry.

Section 7. Penalties.

- (a) Any animal Abuse Offender required to register or update their information with the Sheriff's Office who fails to do so shall be guilty of a misdemeanor punishable by incarceration for a period of not more than one (1) year and/or a fine not to exceed two thousand dollars (\$2000.00).
- (b) Any Animal Abuse Offender who violates the prohibition against possessing, owning, adopting or purchasing an animal shall be guilty of a misdemeanor punishable by incarceration for a period of not more than one (1) year and/or a fine not to exceed five thousand dollars (\$5000.00).
- (c) Any animal Shelter, Pet Seller, or other individual or entity that violates any provision of this law shall be guilty of a violation and subject to a fine not to exceed five thousand dollars (\$5000.00).

Section 8. 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 judgment shall not affect, impair, 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 judgment shall be rendered.

Section 9. Effective Date.

This local law shall take effect upon filing with the Secretary of the State of New York.

Resolution No. 217

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR PURCHASE OF
VOLVO 290 EXCAVATOR TRACKS FOR USE IN THE SOLID WASTE DEPARTMENT**

WHEREAS, the Solid Waste Director recommends the purchase of Volvo 290 Excavator Tracks for use in the Solid Waste Department at an estimated cost of \$25,000.00; and

WHEREAS, the Purchasing Agent recommends advertising bid specifications for Volvo 290 Excavator Tracks; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of Volvo 290 Excavator Tracks for use in the Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Building, 223 West Main Street, Room 203, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Building, 223 West Main Street, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, July 9, 2025 at 2:00 p.m., at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 218

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

RESOLUTION AWARDING BID FOR ROOF REPLACEMENT PROJECT AT THE SOLID WASTE DEPARTMENT ADMINISTRATIVE BUILDING AND GARAGE (2025 CAPITAL PLAN)

WHEREAS, the 2025 Capital Plan includes \$215,000.00 for a “Roof Replacement – Administration Building” project at the Solid Waste Department; and

WHEREAS, Resolution 149 of 2025 authorized advertisement for bids for the “Roof Replacement – Administration Building” Project at the Solid Waste Department and three (3) bids were received; now, therefore be it

RESOLVED, That upon the recommendation of the Solid Waste Director and Committees on Public Works and Finance, the net bid, in the amount of \$186,000.00, as submitted by Correll Contracting Corp., Gloversville, NY for the “Roof Replacement – Administration Building” Project at the Solid Waste Department be, and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 219

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

**RESOLUTION AWARDING BID TO M. MAZZA PAVING, LLC FOR PAVING OF THE
LANDFILL ENTRANCE AND ADMINISTRATIVE LOT (2025 CAPITAL PLAN)**

WHEREAS, the 2025 Capital Plan includes \$260,000.00 for a “Paving – Mud Road Entrance & Transfer Station Project at the Solid Waste Department; and

WHEREAS, Resolution 150 of 2025 authorized advertisement for bids for the “Paving – Mud Road Entrance & Transfer Station” Project at the Solid Waste Department and five (5) bids were received; now, therefore be it

RESOLVED, That upon the recommendation of the Solid Waste Director and Committees on Public Works and Finance, the net base bid, in the amount of \$190,398.00, as submitted by M. Mazza Paving, LLC, Gloversville, NY for the Paving – Mud Road Entrance Project at the Solid Waste Department be, and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 220

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING FACILITIES USE APPLICATION FOR FULTON COUNTY
AIRPORT USE FOR AN FMCC “AVIATION DAY” EVENT**

WHEREAS, a Facilities Use Application has been received from the Fulton-Montgomery Community College Science & Technology Program requesting permission to hold an Aviation Day event at the Fulton County Airport; and

WHEREAS, Fulton-Montgomery Community College will provide for sufficient insurance protection coverage as required by County policy; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Works, Fulton-Montgomery Community College be and hereby is authorized to utilize the Fulton County Airport for a Student “Aviation Day” event, Thursday, June 19, 2025 from 12:00 p.m. through 3:00 p.m., contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 390 (16) Nays: 0 Absent: 114 (3) (Supervisors Lehr, Orfan and Potter)
Abstention: 25 (1) (Supervisor Young)

Resolution No. 221

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

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE FUEL FARM CONSTRUCTION PROJECT AT THE FULTON COUNTY AIRPORT (2024 CAPITAL PLAN)

WHEREAS, the 2024 Capital Plan included a “Fuel Farm Design & Construction” project at the Fulton County Airport in an amount of \$2,300,000.00 with a County contribution of \$230,000.00; and

WHEREAS, Resolution 442 of 2023 authorized acceptance of a NYSDOT Aviation Capital Grant for the Fuel Facility Project at the Fulton County Airport in an amount of \$2,015,964.00 with a local share of \$223,996.00 for a total project cost of \$2,239,960.00; and

WHEREAS, Resolution 210 of 2024 authorized a contract with Passero Associates for Engineering Design and Construction Inspection Services for a New Fuel Facility at the Fulton County Airport in an amount of \$407,266.00; and

WHEREAS, Resolution 107 of 2025 authorized advertisement for bids for said project and one (1) bid was received in the amount of \$2,149,000.00, which exceeded the budget by \$316,304.00; therefore, the bid was rejected; and

WHEREAS, the Planning Director now recommends Re-Advertisement for Bids for the “Fuel Farm Design & Construction” Project at the Fulton County Airport; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from contractors for the Fuel Farm Design & Construction Project at the Fulton County Airport (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Supervisors’ Chambers, Room 203, County Building, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY 12095 and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, July 9, 2025, at which time and place they will be publicly opened and read; and, be it further

Resolution No. 221 (Continued)

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

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

Seconded by Supervisor PRAUGHT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 222

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

**RESOLUTION AUTHORIZING PAYMENT OF REPAIR COSTS TO THE 2010 MOD 30
LIFT IN THE HIGHWAYS AND FACILITIES DEPARTMENT**

WHEREAS, the Superintendent of Highways and Facilities has requested to repair the 2010 Rotary Mod 30 Lift in the Highway Garage at a cost of \$24,765.00 to continue plow truck and heavy duty equipment repairs; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Works and Finance, the Superintendent of Highways and Facilities is hereby authorized to repair the 2010 Rotary Mod Lift in the Highway Garage at a cost of \$24,765.00; and, be it further

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

From: DM-0882.0882 - Road Machinery Repair Reserve
To: DM-0909-Unreserved Fund Balance
Sum: \$24,765.00

and, be it further

RESOLVED, That the 2025 Adopted Budget be and hereby is amended as follows:

Revenue
Increase DM.1000.0511-0511 – REV – Appropriated Fund Balance \$24,765.00

Appropriation
Increase DM.5130.5130-4540 - EXP- Vehicle Maintenance \$24,765.00

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: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 223

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH DOMINION VOTING SYSTEMS FOR ICP & ICE SOFTWARE AND HARDWARE FEES FOR ELECTRONIC VOTING MACHINES IN THE BOARD OF ELECTIONS OFFICE

WHEREAS, Resolution 95 of 2024 authorized a contract with Dominion Voting Systems for Voting Machine Replacement and License and Maintenance Fees for the first year as part of the 2024 Capital Plan as follows:

Polling Location Hardware/Parts/Training	\$331,588.00
Election Management Hardware	4,000.00
Election Management Software	10,820.00
Support Services	2,500.00
Training (Staff/End Users)	<u>6,000.00</u>
Total:	\$354,908.00

and

WHEREAS, the Board of Elections Commissioners now requests a contract with Dominion Voting Systems for ICP & ICE Software and Hardware Fees for its Electronic Voting Machines in the Board of Elections Office in an amount of \$10,000.00; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the Board of Supervisors be and hereby authorizes a contract between the Board of Elections and Dominion Voting Systems for ICP & ICE Software and Hardware Fees for its Electronic Voting Machines in the Board of Elections Office effective April 1, 2025 through March 31, 2026 in an amount not to exceed \$10,000.00; 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, Board of Elections Commissioners, County Attorney, Dominion Voting Systems, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 224

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION URGING PASSAGE OF SENATE S1004/A5567 TO REFORM NEW YORK STATE'S COMPETENCY RESTORATION PROCESS

WHEREAS, Senate Bill S1004 and Assembly Bill A5567 aim to modernize Criminal Procedure Law (CPL) § 730 and create a more efficient, cost-effective, and constitutionally compliant competency restoration process; and

WHEREAS, S1004/A5567 bills would include the following:

1. Clarify that Competency Restoration is Not Mental Health Treatment – Judges must be informed that a 730 order does not equate to mental health care but is merely a temporary restoration process.
2. Establish Clear Criteria for Competency Evaluations – Psychiatric examiners must determine whether there is a reasonable change of restoration before a defendant is sent for restoration services.
3. Limit Length of Competency Restoration Stays – The Bill sets clear time limits on how long an individual can remain in restoration to prevent unconstitutional detentions.
4. Allow for Transfers to Mental Health Facilities – Defendants who are unlikely to be restored would be transferred to appropriate mental health treatment centers rather than kept in the criminal justice system.
5. Reinvest Cost Savings into Local Mental Health Programs – Any savings from reforms should be redirected to counties to enhance community-based mental health services.
6. NYSAC has reviewed the legislation and recommends its passage as a step in the right direction to reform this state mandated process.

now, therefore be it

RESOLVED, That the Board of Supervisors hereby urges all members of the New York State Senate and Assembly to support S1004/A5567, “An act to amend the Criminal Procedure Law and the Mental Hygiene Law, in relation to determining the capacity of a defendant to stand trial”; and, be it further

Resolution No. 224 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to County Treasurer, Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Mark Walczyk, Assemblyman Robert Smullen, Assemblyperson Mary Beth Walsh, Assemblyman Matt Simpson, New State Association of Counties, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)

Resolution No. 225

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN BUDGET AMENDMENTS

RESOLVED, That the 2025 Adopted Budget be and hereby is amended as follows:

Emergency Management

Revenue

Increase A.3640.3640-2680 – REV – Insurance Recoveries \$ 3,309.00

Appropriation

Increase A.3640.3640-4540 – EXP – Vehicle Maintenance \$3,309.00

Highway

Revenue

Increase DM.5130.5130-2680 – REV – Insurance Recoveries \$51,425.00

Appropriation

Increase DM.5130.5130-4540 – EXP – Vehicle Maintenance \$12,425.00

Increase DM.9550.9550-5000 – EXP – Transfer to Reserve 39,000.00

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lehr, Orfan and Potter)