

THIRD DAY OF ANNUAL SESSION

Johnstown, NY

November 24, 2025

Roll Call – Quorum Present

Supervisors: Blackmon, Bradt, DeGiacomo, Fagan, Fogarty, Goderie, Groff, Howard, Isabella, Kinowski, Lauria, Orfan, Palcovic, Potter, Praught, Roehl, VanValkenburgh, Young

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

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

PUBLIC SPEAKERS

Richard Giardino, Sheriff, Fulton County: Sheriff Giardino stated that as a taxpayer and local elected official, he wanted to recognize that the Standing Committee on Finance has put in a lot of effort to lower the 2026 County Budget as much as possible. He stated that he commends them, as well as the full Board of Supervisors.

PUBLIC HEARINGS/SCHEDULED SPEAKERS

1:30 P.M. PUBLIC HEARING TO RECEIVE COMMENTS ON THE TENTATIVE BUDGET FOR THE COUNTY OF FULTON FOR FISCAL YEAR BEGINNING JANUARY 1, 2026

UPDATES FROM STANDING COMMITTEES

Finance Committee: Chairman Fagan expressed that he is hopeful that the 2026 Budget will be adopted today.

CHAIRMAN'S REPORT

Chairman Goderie stated that he will keep the meeting moving and asked Administrative Officer Stead to begin Resolutions.

Mr. Stead then reminded the Board that an Executive Session will be needed to discuss Resolution No. 407 related to approving a collective bargaining agreement.

Upon a motion by Supervisor Fagan, seconded by Supervisor Groff and unanimously carried, the Board entered into Executive Session at 1:13 p.m. to discuss collective bargaining.

Upon a motion by Supervisor Groff, seconded by Supervisor Howard and unanimously carried, the Board re-entered Regular Session at 1:26 p.m.

RESOLUTIONS

(Supervisor Potter left the meeting at 1:26 p.m.)

(Supervisor Potter returned at 1:28 p.m.)

PUBLIC HEARING REGARDING THE TENTATIVE BUDGET FOR THE COUNTY OF FULTON FOR FISCAL YEAR BEGINNING JANUARY 1, 2026:

Chairman Goderie opened the Public Hearing to receive comments regarding the Tentative Budget for the County of Fulton for fiscal year beginning January 1, 2026 at 1:30 p.m. No one came forward to address the Board and the Chairman stated that he would keep the Public Hearing open until later in the meeting.

Upon a motion by Supervisor Fagan, seconded by Supervisor Lauria and unanimously carried, the Board entered into Executive Session at 1:31 p.m. to discuss employment history.

Upon a motion by Supervisor Lauria, seconded by Supervisor DiGiacomo and unanimously carried, the Board re-entered Regular Session at 2:15 p.m.

Chairman Goderie again asked if there were any members of the public who wished to make comments regarding the Tentative Budget for the County of Fulton for fiscal year beginning January 1, 2026. There being no interested speakers, Chairman Goderie closed the Public Hearing at 2:21 p.m.

No. 417 (Resolution Setting Date of 2026 Organizational Meeting): Mr. Stead explained that this Resolution is written to schedule the 2026 Organizational Meeting on Friday, January 2, 2026. He stated that if the Board of Supervisors prefers to have it on a Monday instead, it could be held on Monday, January 5, 2026. It was the consensus of the Board to hold the 2026 Organizational Meeting on Friday, January 2, 2026 at 10:00 a.m.

No. 418 (Resolution Appropriating Monies for Fulton-Montgomery Community College): Supervisor Young recused himself from this Resolution due to his employment with the College.

(Supervisor Young left the meeting at 2:30 p.m.)

(Supervisor Young returned to the meeting at 2:31 p.m.)

Budget Director Alicia Cowan advised that after last week's Budget Workshop meeting, additional changes were done. She also stated that as of right now, the 2026 Tax Levy totals \$35,958,136.00 and the Average County Tax Rate is \$12.06 per thousand. She noted that the 2025 Average County Tax Rate was \$11.20 per thousand. She noted that the increase to the average tax rate is 7.68 percent and an increase on the tax levy of 8.14 percent. She stated that the 2026 Tentative Budget exceeds the tax cap by \$1.66 million. She stated that on a hypothetical \$120,000.00 home, the County tax increase would equate to approximately \$103.20.

Supervisor Potter asked how much remains in the Appropriated Fund Balance after applying the \$7,501,000.00 to the 2026 Tentative Budget. Ms. Cowan answered, that there is approximately \$23 million remaining based upon the figures supplied by the County Treasurer last week. Mr. Potter asked if an additional \$1.4 or \$1.5 million of Appropriated Fund Balance was applied, would that bring the 2026 tax rate down to the 2025 tax rate. Ms. Cowan responded that if another \$1.5 million was applied, it would bring it to \$11.56 per thousand, which would be above the \$11.20 per thousand from 2025. Mr. Potter asked how much would need to be applied to be at a tax rate of \$11.20 per thousand.

Supervisor VanValkenburgh interjected that utilizing more Fund Balance would not be the right choice. Ms. Cowan then stated that if an additional \$2.5 million was applied, it would bring the Average County Tax Rate to \$11.23 per thousand. If \$2.6 million was applied, the tax rate would be \$11.19 per thousand.

Mr. Stead stated that the Fulton County Police Benevolent Association (PBA) Memorandum of Agreement that was approved earlier in the meeting, is an extensive cost to 2026 due to the buy-in cost to the Section 553 20-year Retirement Plan. Mr. Stead expressed that the overall tax increase seems reasonable given this year's tentative budget pressures and the nearly \$1 million for the PBA Collective Bargaining Agreement.

Supervisor Howard stated that it is ill-advised at this point to apply more fund balance. He stated that utilizing too much fund balance this year could create a financial problem in future years. Supervisor Groff agreed with Mr. Howard.

No. 426 (Resolution Adopting the 2026 Fulton County Budget): Supervisor DiGiacomo expressed that he would like to add an additional Assistant Public Defender position in the Public Defender's Office, contingent upon it being funded with 100 percent NYS Indigent Legal Services (ILS) grant funds. This position was proposed by the department head, but not included in the Tentative Budget by the Finance Committee.

Supervisor Praught thanked Budget Director Cowan and Deputy Budget Director Hulsaver, the entire Finance Committee, and his fellow Board members. He stated that the Budget process was very long but he learned a lot throughout it. He expressed that Finance Chairman Fagan provided great leadership this year.

OLD BUSINESS

Supervisor Potter noted that Resolution No. 388 of 2025 denied the Chris Rizzo Trucking, Inc. Permit Application to Operate a Transfer Station in Fulton County on November 10. He stated that he would like the Board to reconsider this Resolution and get more clarity on if this company filed the paperwork inadequately, or what happened to cause the denial. He then stated that NYS Department of Environmental Conservation (DEC) hadn't made a decision yet on the application that was filed by Mr. Rizzo.

Mr. Stead stated that Fulton County Code, Section 260-71 (Fulton County Solid Waste Management Facilities Law) governed the process. Barton and Loguidice (B&L) completed its

review of the permit application, and recommended denial. Mr. Stead stated that this process is mandated by the Fulton County Solid Waste Management Facilities Law. Mr. Potter asked if he could get the permit application fee refunded since it was denied.

Mr. Stead stated that to reconsider Resolution 388 of 2025, a Reconsideration vote would be required. Reconsideration would require two-thirds vote to pass and be moved by a Supervisor that voted with the majority's decision at the previous meeting.

Supervisor Potter made a motion to reconsider Resolution No. 388 of 2025 that denied Chris Rizzo Trucking, Inc. Permit Application to Operate a Transfer Station in Fulton County, seconded by Supervisor Orfan.

Chairman Goderie then called for a roll call vote whether or not to Reconsider Resolution 388 of 2025. Motion denied, 79 in favor, 371 opposed. (Supervisors Blackmon, Bradt, DiGiacomo, Fagan, Fogarty, Goderie, Groff, Howard, Kinowski, Lauria, Palcovic, Praught, Roehl, VanValkenburgh and Young were opposed)

NEW BUSINESS

Chairman Goderie recognized Stump City Brewing on its recent win in the Schenectady Gazette "Battle of the Brews" competition. He stated that it came down between Stump City Brewing and Wolf Hollow of Schenectady, NY.

Chairman Goderie then wished everyone a Happy Thanksgiving.

ADJOURNMENT

The Board recessed at 3:06 p.m. until Monday, December 8, 2025 at 1:00 p.m.

Certified by:

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

Resolution No. 406

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING RENEWAL OF AGRICULTURAL DISTRICT NO. 1 WITH AMENDED BOUNDARIES FOR THE EIGHT YEAR PERIOD 2025-2033

WHEREAS, Resolution 333 of 2025 set the date of a public hearing regarding adding certain properties into Fulton County Agricultural District No. 1; and

WHEREAS, Resolution 334 of 2025 declared the Fulton County Board of Supervisors as Lead Agency and Authorizing the Filing of a Negative Declaration under SEQRA related to adding certain parcels to Fulton County Agricultural District No. 1; and

WHEREAS, a public hearing was held on November 10, 2025, to receive comments regarding proposed revisions to Agricultural District No. 1, which include adding and removing certain parcels and everyone who wanted to speak was heard; and

WHEREAS, in accordance with Section 303.7(c) of Article 25AA of the Agriculture and Markets Law, the County legislative body, after holding said public hearing, may

1. Terminate the District by filing a Notice of Termination with the County Clerk and Commissioner of Agriculture and Markets;
2. Modify the district; or
3. Leave the district unchanged

now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby authorizes the renewal of Agricultural District No. 1 for an additional eight-year period with revisions as follows:

Parcels to be added				
SBL #	ACREAGE	OWNER	LOCATION	TOWN
171.-1-33	45	Mark Christman	School Street	Ephratah
171.-1-60	1.5	Mark Christman	New Turnpike Road	Ephratah
171.-1-62.1	2.6	Mark Christman	588 New Turnpike Road	Ephratah
171.-1-62.22	69.9	Mark Christman	New Turnpike N/SDIE Rd	Ephratah
148.-1-47	7.53	Judith Kopps and Anne Lauzon	Johnson Avenue Ext W.	Johnstown
162.15-7-4	0.39	John Szurek	Johnson Avenue W	Johnstown
162.-1-58	9.1	Judith Kopps and Anne Lauzon	Johnson Avenue	Johnstown
163.-1-19.2	67.1	Larry Hollenbeck	Hales Mills Road	Johnstown
164.-2-36.1	3.832	Herbert Root, Jr.	160 Maloney Road	Johnstown
173.-1-58	6.9	Richard Sammons	State Highway 334	Johnstown

Resolution No. 406 (Continued)

174.1-1-13	3.9	Natalie Geier	1643 State Highway 67	Johnstown
103.-5-3	7	Mark Zimmerman	County Highway 146	Mayfield
103.-5-8.1	1.3	Mark Zimmerman	County Highway 102	Mayfield
151.-5-13	2.6	Keith Canary, Executor for the Estate of Phyllis Canary	1736 State Highway 29	Mayfield
125.-1-19.21	3.00	Dennis Gray	431 E County Hwy 151	Oppenheim
126.-4-7	54.568	Anthony Valentino	362 State Route 331	Oppenheim
140.-1-18	3.2	Gary Schwansick	Twin Church Road	Oppenheim
140.-1-3.5	80.3	Gary Schwansick	Twin Church Road	Oppenheim
156.-1-32.2	3.16	Kevin Smith	760 Kringsbush Road	Oppenheim
156.-1-34	67.1	Francis Battisti	Headline Road	Oppenheim
156.-1-38	45	Francis Battisti	Headline Road	Oppenheim
157.-2-16	54.78	Richard Hart	1172 Youkers Bush Road	Oppenheim
157.-2-26	9.42	Richard Hart	Youkers Bush Rd.	Oppenheim
166.-1-50	0.5	Joseph Kobas	351 Smith Road	Perth
177.-1-57	19.25	Frank Ryan Alvarez	Opalka Rd S/Side	Perth
189.-3-1	41.3	Michael DeStefano	337 Lepper Road	Perth
180.-1-2	137.2	Grant Palmer	482 Stairs Road	Perth
121.-21.11	13.60	Nancy Parker and Frank Crisafulli	377 Griffis Road	Mayfield
173.-1-46.25	120.60	Sheila Sammons	151 Electric Light Road	Johnstown
Total	881.62			

Parcels to be removed					
SBL #	ACRES	OWNER	LOCATION	TOWN	REASONING
149.8-13-3.5	0.43	Sabahh Reality	1012 State Highway 29A	Johnstown	Dunkin Donuts at NYS-30A, Elmwood Ave, and 29A
150.-2-23	0.12	CEMETARY	Steele Ave Ext	Johnstown	An abandoned cemetery
162.-1-17.111	0.15	Sarah and Michael Richardson	Johnson Avenue	Johnstown	Cellphone Tower
162.-1-17.12	57.9	Hopewell Ventures	127 County Highway 131A	Johnstown	No reasoning by owner
162.-1-18	1.35	Euroya Lauzon	Co Hwy 131	Johnstown	No reasoning by owner
162.-1-57	6.43	Euroya Lauzon	Johnson Avenue	Johnstown	No reasoning by owner
167.-5-26	1.53	William Hill	165 Royal Coachman Drive	Perth	Single-family home construction on a subdivided lot

Resolution No. 406 (Continued)

173.-1-22	100.75	Mary Lou Miller	1497 State Highway 67	Johnstown	No reasoning by owner
177.-1-23.11	110.2	Kurt and Deborah Jordan	135 Lepper Road	Perth	Looking to Subdivide
88.-4-20	6.19	Paradise 88420 LLC	Paradise Pt Rd	Mayfield	Part of Sunset Bay RV Park Expansion
88.-4-51.12	3.59	Lakeview Village at Paradise Point HOA, Inc.	Paradise Pt Rd	Mayfield	Use for the Septic System of Lakeview Village
151.1-6-9.12	32.09	Karen and Eugene Joubert	1639 NY-29	Mayfield	solar array and no agricultural activity
151.-6-9.111	68.12	Karen and Eugene Joubert	1639 NY-29	Mayfield	solar array and no agricultural activity
151.-6-9.2	4.75	Karen and Eugene Joubert	1639 NY-29	Mayfield	solar array and no agricultural activity
189.-1-14.5	19.51	Rose Industries	W of State Hwy 30	Perth	solar array and no agricultural activity
189.-1-17.5	29.88	Rose Industries	State Hwy 30	Perth	solar array and no agricultural activity
Total	442.99				

and, be it further

RESOLVED, That the Planning Director be and hereby is authorized and directed to file the necessary and required maps and reports with the NYS Department of Agriculture and Markets; and, be it further

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

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

Resolution No. 407

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

**RESOLUTION APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE
COUNTY OF FULTON, FULTON COUNTY SHERIFF AND THE FULTON COUNTY
DEPUTY SHERIFFS' POLICE BENEVOLENT ASSOCIATION (2026-2027)**

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Collective Bargaining Agreement by and between the County of Fulton, the Fulton County Sheriff and the Fulton County Deputy Sheriffs' Police Benevolent Association, reflecting the Memorandum of Agreement as attached hereto and made a part hereof; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Deputy Sheriffs' Police Benevolent Association, Personnel Director, Roemer, Wallens, Gold & Mineaux, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor VANVALKENBURGH and adopted by the following vote:

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

Memorandum of Agreement

The County and Sheriff of Fulton Co. (“the Employer”) and the Fulton County Deputy Sheriffs’ Police Benevolent Association, Inc. (the “Union”) are parties to a Collective Bargaining Agreement for the term January 1, 2013 – December 31, 2025 (the “Agreement”). The Union and Employer wish to modify the Agreement as follows:

1. Term: January 1, 2026 – December 31, 2027
2. Effective January 1, 2026 (or as soon as practical) the County will implement the NYS Retirement Plan Section 553 as the Plan is detailed on the attached July 23, 2025 letter from the NYSRS (See attached); contract provisions, as applicable, will be revised.
3. Article III, Compensation and Appendix A (PBA Salaries) shall be amended to reflect:
 - Effective January 1, 2026: \$500.00 added to the base
 - Effective January 1, 2027: \$500.00 added to the base

4. Article III, Section 2.G, Uniform Allowance, shall be amended as follows:

All uniformed employees of the bargaining unit shall be entitled to an annual clothing allowance of up to \$500.00.

(new) Items to be purchased with the allowance must be approved in advance, by the FCSO Sheriff or designee based on the actual needs of the employee.

5. Appendix “D” – Employee Drug Testing shall be deleted and replaced with the attached FCSO Policy and Procedure (§1130, date amended 7/20/2025)
6. Items not detailed herein are deemed withdrawn.
7. The Memorandum of Agreement constitutes the entire understanding by and between the parties as to modification to the Agreement.
8. The Union reserves the right to bring this tentative agreement to its membership for a ratification vote; the County reserves the right to bring this tentative agreement before the Board of Supervisors for its ratification vote.

Agreed to this 5th day of November 2025

County of Fulton/FCSO

Fulton County PBA

Attachments (· NYSRS Letter · Drug Testing Policy)

Office of the New York State Comptroller
Thomas P. DiNapoli



New York State and Local Retirement System

110 State Street, Albany, New York 12244-0001

Phone: 518-474-0167
Fax: 518-474-8357
Email: RTempSer@osc.ny.gov
Web: www.osc.state.ny.us/retirement

Kimberly Zeto, Director, Member & Employer Services Bureau

July 23, 2025
Location Code: 10017

Chad Simonson
Investigator
Fulton County Sheriff's Office
2712 State Highway 29
Johnstown, NY 12095

Re: Plan cost request – Article 14-B

Dear Chad Simonson:

This letter is in response to the request for information regarding the retirement benefit plans provided under Article 14-B of the Retirement and Social Security Law, and the costs associated with the possible adoption of these plans, for the Fulton County Sheriff's Department.

Eligibility for plans under Article 14-B is limited to those members who are:

- In a sheriff, deputy sheriff, or undersheriff position
- Engaged in 50% criminal law enforcement activities*
- Police Officers under the criminal procedure law

This information is to be certified by the County Sheriff.

*For purposes of determining eligibility for these plans, NYSLRS has interpreted criminal law enforcement to mean the apprehension, detention, and investigation of crimes. It is expected that the member is performing all three activities, totaling 50% or more of their service.

- **Section 552:** This section allows those in eligible titles to retire upon completion of at least 20 years of creditable service regardless of age. The benefit payable under this section is 50% of the member's final average earnings (FAE).

- **Section 553:** This section provides for an additional 1/60th (1.66 percent) of the FAE for each year of creditable service beyond 20 years, up to a maximum of 15 years. The total benefit cannot exceed 75% of the member's FAE.

- **Section 553(b):** Upon completion of 20 years of service creditable under Section 552, this section provides for an additional 1/60th (1.66 percent) of the FAE for each year of any allowable service rendered *prior* to the sheriff service. A maximum of 15 years can be credited under this section, with the total benefit not to exceed 75% of the member's FAE.

If the member is at least 55 years old at retirement, and an alternative regular plan would provide a greater benefit, the greater benefit will be paid.

Based on the roster of members submitted and applicable billing rates for the New York State fiscal year, the *estimated additional annual cost*, and the *past service cost* for the election of Section 552, Section 553, and Section 553(b) would be as follows:

Plan Section	Art14b Option	Estimated Annual Cost	Past Service Cost (lump sum)	5 Year Amortization of Past Service Cost	10 Year Amortization of Past Service Cost
<u>\$552</u>	20 Years (Sheriff service)	\$ 160,000	\$ 571,000	\$ 128,000	\$ 72,900
<u>\$553</u>	20 Years with Additional 1/60 th (Sheriff Service)	\$ 180,000	\$ 748,000	\$ 167,000	\$ 95,600
<u>\$553(b)</u>	20 Years with Additional 1/60 th (All Service)	\$ 210,000	\$ 1,040,000	\$ 232,000	\$ 132,000

The amounts quoted in this letter are valid until March 31, 2026.

If Fulton County is interested in providing any of these benefits to its eligible employees, the appropriate resolution(s) and affidavit(s) must be completed and submitted to the Retirement System to the attention of: 'Member & Employer Services Bureau, Mailstop 5-3'.

Benefit adoptions cannot become effective until certified copies of the resolution(s) and affidavit(s) are filed with the Retirement System. Language in these documents may not be altered or amended. Once elected, this benefit(s) can never be rescinded.

The most current information regarding plans available, or any retirement related information, may be found on our website at <http://www.osc.state.ny.us/retirement>. If you have any questions or require additional information, contact our office at (518) 474-0167, or by email at RTEmpSer@osc.ny.gov.

Regards,

Member & Employer Services
New York State and Local Retirement System

KZ:jh

Enclosures

cc: Heather Scribner, County Treasurer
Mike Surprenant, Council 82 Staff Director



Fulton County Sheriff's Office
Policy and Procedures

Section Topic: Employee Drug Testing			Section: 1130
Operational Area: All		Rescinds:	
Date Originally Issued: 09/11/2003	Date Amended: 07/20/2025	Date Purged:	
Issuing Authority: Richard C. Giardino Sheriff		Signature:	

I. Policy

The Sheriff's Office will maintain a drug-free workplace, in part, through the use of random employee drug testing.

II. References

- A. §8103 of Title 41 of the United States Code (41 USC 8103) Drug-free workplace requirements for Federal grant recipients.

III. Definitions

- A. **Drug Test** – The compulsory production and submission of urine or submission to a Breathalyzer, in accordance with agency procedures, to detect prohibited drug usage. While this policy provides for only the submission of urine for detection and analysis of controlled substances, it does not preclude the agency from using a blood or other test for the same purposes.
- B. **Probationary Employee** – For the purposes of this policy only, a probationary employee will be considered to be any person who is conditionally employed with the Sheriff's Office as a sworn or non sworn employee.
- C. **Sensitive Employment Positions** – Non-sworn employees working in positions accessible to restricted or confidential information and who are designated as such by collective bargaining agreement, state law or the agency chief executive.
- D. **Random Selection** – A method of selection in which each and every employee in selected classifications, has an equal chance to be selected for drug testing each and every time a selection is conducted.
- E. **Controlled Substance** – Any substance that is illegal to consume, possess, manufacture or distribute or any psychoactive substance, drug or medication that requires the prescription of a licensed medical practitioner.
- F. **Drug** – Any substance, including alcohol that is restricted or prohibited by this policy.

IV. General Information

- A. The critical mission of law enforcement establishes a compelling need to maintain a drug-free work environment. Employees who engage in unauthorized use of drugs and controlled substances risk their safety, and that of their fellow employees and the community they serve, undermine the integrity of the agency and increase the potential for corruption.

V. Procedures

A. Prohibited Activity

1. No employee will illegally possess any controlled substance.
2. No employee will ingest any controlled substance unless prescribed by and taken in accordance with directions of a licensed medical practitioner.
3. Employees will notify their immediate supervisor when required to use prescription medicine, which they have been informed, has the potential to impair job performance.
 - a) The employee will advise the supervisor of the known side effects of such medication and the prescribed period of use.
 - b) Supervisors will document this information through the use of an internal memorandum and maintain this memorandum in a secured file
 - c) The employee may be temporarily reassigned to other duties, where appropriate.



4. Any employee who unintentionally ingests, or is made to ingest, a drug or controlled substance will immediately report the incident to their supervisor so that appropriate medical steps may be taken to ensure the officer's health and safety.
5. Any employee having a reasonable basis to believe that another employee is illegally using or in possession of any controlled substance or drug will immediately report the facts and circumstances to their supervisor.
6. No employee will consume any intoxicating beverage while on duty or on police premises unless authorized by a supervisor in the course of their employment.
7. No employee will:
 - a) Be under the influence of alcohol in a public place, while on duty or in uniform.
 - b) Report for duty with the odor of alcohol on his or her breath.
 - c) Report for work or be on duty as a law enforcement officer when his or her judgement or physical condition has been impaired by alcohol or medication.

B. Applicant Drug Testing.

1. Applicants for the position as sworn, law enforcement officers will be required and will be notified in writing that they must take a drug test as a condition of continued employment consideration. They will be notified further that the agency conducts random drug testing on all sworn officers and that refusal to take such a test will constitute grounds for termination of employment.
2. The test may be administered on the basis of either a pre or post conditional offer of employment as determined by the Sheriff or their designee.
3. Applicants will be disqualified from further consideration for employment should they refuse to submit to a required drug test or fail a drug test.

C. Drug Testing Frequency by Employee Classification.

1. Personnel may be required to undergo additional drug testing as a condition of assignment or transfer to specific duties as established by agency policy.
2. A drug test will be considered a condition for application to specialized units within the agency. Specialized units/assignments are designated by the Sheriff.
3. Personnel holding commercial driver's licenses and who are engaged in the transport of prisoners or agency personnel will be subject to the post-accident drug and alcohol testing requirements as specified in federal regulations 49 CFR 382 or comparable state law or regulations.

D. Reasonable Suspicion Drug Testing.

1. Supervisory and command personnel may request the Sheriff or their designee to order a drug test of any employee when there is reasonable suspicion to believe the employee is under the influence of or abuses a drug or controlled substance.
2. A summary of the facts supporting the request will be forwarded to the Sheriff or their designee and a summary of pertinent facts provided to the employee prior to conducting any test.
3. Reasonable suspicion to request a drug test is based on a totality of circumstances that include but are not limited to:
 - a) Abnormal conduct or aberrant behavior.
 - b) Information provided by reliable and credible sources.
 - c) Observed difficulty or unusual speech, concentration, movement or the behavior characteristics symptomatic of controlled substance usage.
4. An employee under reasonable suspicion may be removed from duty, and placed on paid administrative leave, pending the outcome of a drug test.

E. Drug-Testing Procedures.

1. Employees will be selected for drug testing on a random basis.

2. The Sheriff's Office will establish the actual number of employees to be tested during each testing cycle from each employee classification based on staffing size and selection rates.
3. Any employee who discloses the identity of another employee selected for random testing, that a random selection is scheduled or the date on which urine specimens will be collected, is subject to disciplinary action.
4. Urine specimens will be collected using equipment, supplies and personnel meeting professionally accepted standards established by local, state or national authorities and as approved by the Sheriff's Office.
5. Unless collection personnel can positively identify employees to be tested, employees will be required to provide photo identification and verify their identity for the record by applying a thumb print impression on the pre-test interview form.
6. To ensure confidentiality of test results, only a personal identification number will be used to identify the test sample.
7. A pre-test interview will be conducted by testing personnel with each employee in order to ascertain and document the recent use of prescription or non-prescription drugs and direct or indirect exposure to drugs that may result in a false positive test result.
8. Where possible, testing will be conducted at or near the employee's place of assignment.
9. The rest room facility of the testing area will be private and secure. Authorized testing personnel will take appropriate measures to ensure the integrity of the test.
10. Where the employee appears unable, or unwilling to give a specimen at the time of the test, testing personnel will document the circumstances on the drug-test report form.
 - a) Reasonable amounts of water may be given to the employee to encourage urination.
 - b) The employee will be permitted a reasonable amount of time to give a sample, during which he/she will remain in the testing area and under observation.
 - c) Failure to submit a sample will be considered a refusal to submit to a drug-test.
11. Whenever there is reason to believe that the employee may have altered or substituted the specimen to be provided, a second specimen will be obtained immediately under direct observation of the testing personnel.
12. Employee's urine samples will be split and stored if verification is required.
 - a) The urine samples must be provided at the same time and marked and placed in identical specimen containers by authorized testing personnel.
 - b) One sample will be submitted for immediate drug testing. The second specimen will remain at the collection facility in a controlled-access refrigerated storage environment.
13. The second specimen will be released by this agency under the following conditions and circumstances.
 - a) The first specimen tested positive for a controlled substance.
 - b) The subject officer wishes to have the second specimen tested by an independent laboratory.
 - c) The laboratory confirms to professionally accept local, state or federal requirements for drug analysis.
 - d) A representative of the laboratory selected by the member takes control of and observes chain of custody.
14. Specimen samples will be sealed, labeled and checked against the identity of the employee.
15. Samples will be stored in a secured and refrigerated atmosphere until tested or delivered to the testing lab representative.

F. Drug-Testing Methodology.

1. The testing or processing phase will consist of a two-step procedure: (1) initial screening test and (2) confirmation test.

2. All urine drug testing performed under this policy will be performed by a professionally qualified laboratory meeting standards defined by local, state, or federal authorities and approved by the Sheriff's Office.
3. The urine sample will be tested first using the initial drug screening procedure. An initial positive test result will not be considered conclusive; rather, it will be classified as "confirmation pending." Notification of test results to the supervisor or other agency designee will be held until the confirmation test results are obtained.
4. A specimen testing positive will undergo a confirmatory test that will be technologically different and more sensitive than the initial screening test. The drug screening tests selected will be capable of identifying marijuana, cocaine, and every major drug of abuse including heroin, amphetamine and barbiturates.
5. Concentrations of a drug at or above the following levels will be considered a positive test result when using the initial fluorescence polarization immunoassay analysis drug screening test:

Initial Test Cutoff Levels in nanogram/milliliter (ng/ml)*

	<u>Level (ng/ml)</u>
Marijuana metabolite	50
Cocaine metabolite	300
Opiate metabolites	2,000
Phencyclidine	25
Amphetamines	1,000

6. Concentrations of a drug at or above the following levels will be considered a positive test result when performing a confirmatory gas chromatography/mass spectrophotometer (GC/MS) test on a urine specimen that tested positive using a technologically different initial screening method:

Confirmatory Test Cutoff Levels in nanogram/milliliter (ng/ml)*

	<u>Level (ng/ml)</u>
Marijuana metabolite (1)	15
Cocaine metabolite (2)	150
Opiates:	
Morphine	2000
Codeine	2000
6-Acetyl morphine	10
Phencyclidine	25
Amphetamines:	
Amphetamines	500
Methamphetamine	500

- (1) Delta-9-tetrahydrocannabinol-9-carboxylic acid
- (2) Benzoylceogiline
- (3) Test for 6-AM when morphine concentrations exceed 2,000 ng/ml.
- (4) Specimen must also contain amphetamine at a concentration of 200 ng/ml
- (*) Test thresholds employed by D.E.A., effective 1999.

7. All reports of positive confirmatory test results will be submitted in writing to this agency from the laboratory.
8. Any employee receiving a confirmed positive drug test result will be removed from duty pending a hearing for termination of employment.
9. The legal right of all personnel to maintain confidentiality in the results of their drug test will be observed by all employees.

G. Chain of Evidence-Storage

1. Each step in the collection and processing of urine specimens will be documented to establish procedural integrity and the chain of custody.
2. Where a positive result is confirmed, urine specimens will be maintained in secured, refrigerated storage for an indefinite period.

H. Drug Test Results

1. All records pertaining to required drug tests will remain confidential and will not be provided to other employers or agencies without the written permission of the person whose records are sought.
2. Drug test results and records will be stored and retained in compliance with law.
3. The Internal Affairs Coordinator will maintain all records relating to drug testing of applicants, trainees, sworn and non-sworn employees.

VI. Rules

No rules for this section.

Resolution No. 408

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

RESOLUTION RECLASSIFYING A SENIOR ACCOUNT CLERK TO A PRINCIPAL ACCOUNT CLERK IN THE PROBATION DEPARTMENT (2026)

WHEREAS, the Probation Director has requested that the Senior Account Clerk position be reclassified to Principal Account Clerk to more accurately reflect the current responsibilities of the job being performed and the Personnel Director has reviewed the applicable Job Duties Statement and classified the position accordingly; and

WHEREAS, part of the justification for additional responsibilities is that the Probation Department were assigned to manage the Citizens in Community Services Programs which require additional accounting and administrative duties; now, therefore be it

RESOLVED, That upon the recommendation of the Probation Director and the Committees on Human Services, Personnel and Finance, effective January 1, 2026, the Senior Account Clerk position (Union Job Group A-7, 2026, \$24.21 per hour) be and hereby is reclassified to Principal Account Clerk (Union Job Group A-12, 2026, \$26.73 per hour) in the Probation Department; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Probation Director, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor VANVALKENBURGH and adopted by the following vote:

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

Resolution No. 409

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

RESOLUTION AUTHORIZING THE CREATION OF A SPECIAL PATROL OFFICER POSITION TO PROVIDE SECURITY SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES (SHERIFF'S DEPARTMENT)

WHEREAS, the Sheriff has requested that a Special Patrol Officer be created to provide dedicated security officer services to the Department of Social Services as a certified peace officer; and

WHEREAS, based upon the recommendation of the Sheriff, Committees on Public Safety, Personnel and Finance, the Board of Supervisors has determined that the creation of a Special Patrol Officer will best serve the security needs of the Department of Social Services; now, therefore be it

RESOLVED, That there be, and hereby is, created one (1) Special Patrol Officer position (FCSOEA, OEA S-7A, 2026 Start Rate: \$23.26 per hour; One year Permanent Rate: \$27.36 per hour) in the Sheriff's Department, for the specific purpose of providing security officer services to the Fulton County Department of Social Services; effective January 1, 2026; and, be it further

RESOLVED, That at all times said Special Patrol Officer shall only be employed and dedicated to security detail assignment at the Fulton County Social Services Department; and, be it further

RESOLVED, That the Sheriff 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, Sheriff's Department, Personnel Director, Commissioner of Social Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor ORFAN and adopted by the following vote:

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

Resolution No. 410

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

RESOLUTION ESTABLISHING AN ON-CALL ROTATING PAY SCHEDULE FOR ASSISTANT DISTRICT ATTORNEY'S IN THE DISTRICT ATTORNEY'S OFFICE (2026)

WHEREAS, the District Attorney has requested the establishment of "on-call" pay for Assistant District Attorney positions on a rotating basis; and

WHEREAS, the Committees on Public Safety and Finance have reviewed the request and recommend establishing an On-call Rotating Pay Schedule to assist police agencies with charges for defendants, bail recommendations, search warrant applications and/or other needs of police agencies and judges when completed outside the normal work day; now, therefore be it

RESOLVED, That rates for Assistant District Attorney positions in the District Attorney's Office who are assigned On-call duty by the District Attorney on a rotating basis, be established, effective January 1, 2026, with certain work rules as follows:

- One Assistant District Attorney shall be assigned to on-call duty and shall receive a flat stipend of \$600.00 per week, with such pay covering all required availability outside regular business hours beginning at 5:00 p.m. (Summer Hours 4:00 p.m.) and ending at 9:00 a.m. Monday through Friday, inclusive of all day Saturday, Sunday and holidays, in the assigned week.
- The Assistant District Attorney receiving the on-call stipend shall not receive additional pay of any kind, including overtime pay, compensatory time, or other compensation for work performed while on call during the designated period.
- The District Attorney shall only assign one (1) Assistant District Attorney per week to the weekly On-call assignment.

and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 405 (16) Nays: 45 (2) (Supervisor Goderie and Lauria)
Absent: 79 (2) (Supervisors Breh and Lehr)

Resolution No. 411

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION REJECTING ALL BIDS FOR DIESEL FUEL FOR THE CENTRAL FUEL DEPOT AT COMPLEX I AND THE SOLID WASTE DEPARTMENT AND AUTHORIZING REBIDDING (2026)

WHEREAS, Resolution 316 of 2025 authorized advertisement for bids for Diesel Fuel for use by the Highways and Facilities Department and Solid Waste Department; and

WHEREAS, the Purchasing Agent recommends that all bids be rejected and that Diesel Fuel be re-bid in an attempt to procure better pricing; now, therefore be it

RESOLVED, That all bids opened on October 15, 2025 for Diesel Fuel at the Highway and Facilities Department Complex I and the Solid Waste Department, be and hereby are rejected; and, be it further

RESOLVED, That the Purchasing Agent be and hereby is authorized to solicit NYS OGS Contract pricing or to advertise for sealed bids for the purchase of diesel fuel for the fuel dispensing system located at the Highways and Facilities Department and Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, 223 West Main Street, Room 203, County Office Building, Johnstown, NY 12095, during usual business hours); and, be it further

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

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

Seconded by Supervisor FOGARTY and adopted by the following vote:

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

Resolution No. 412

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION REJECTING ALL BIDS FOR HEATING OIL AND 50/50 BLEND FOR COUNTY BUILDINGS AND AUTHORIZING REBIDDING (2026)

WHEREAS, Resolution 318 of 2025 authorized advertisement for bids for Heating Oil and 50/50 Blend for County Buildings for 2026; and

WHEREAS, the Purchasing Agent recommends that all bids be rejected and that Heating Oil and 50/50 Blend be re-bid in an attempt to procure better pricing; now, therefore be it

RESOLVED, That all bids opened on October 15, 2025 for Heating Oil and 50/50 Blend for County Buildings, be and hereby are rejected; and, be it further

RESOLVED, That the Purchasing Agent be and hereby is authorized to solicit NYS OGS Contract pricing or to advertise for sealed bids from responsible petroleum dealers for Heating Oil No. 2 and Special Blend of No. 2 for the year 2026 (and according to further specifications which may be obtained at the Office of the Purchasing Agent); said price to identify origin and posted tank wagon price in effect on the date of bid (to be further identified at each instance of delivery), plus vendor margin. Successful bidder must make provisions for emergency delivery on a local basis (within a 20-mile radius of the City of Johnstown), in the event that one of the identified facilities runs out of fuel; and, be it further

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

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

Seconded by Supervisor GROFF and adopted by the following vote:

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

Resolution No. 413

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

**RESOLUTION ACTIVATING A SENIOR TAX MAP TECHNICIAN IN THE REAL
PROPERTY TAX SERVICES AGENCY (2026)**

WHEREAS, Resolution 447 of 2024 placed a “One Dollar Hold” on a Senior Tax Map Technician position in the Real Property Tax Services Agency effective November 25, 2024; and

WHEREAS, the Real Property Tax Services Director has now requested to activate said Senior Tax Map Technician position because a qualified candidate is eligible for promotion; and

WHEREAS, the Committees on Personnel and Finance have reviewed the current department structure and recommend activating a Senior Tax Map Technician position in this instance to ensure adequate staffing in 2026 and beyond; now, therefore be it

RESOLVED, That the vacant Senior Tax Map Technician position (Union Job Group A–16, 2026, \$29.13 per hour) in the Real Property Tax Services Agency, be and hereby is activated effective January 1, 2026; and, be it further

RESOLVED, That upon the anticipated promotion from Tax Map Technician to Senior Tax Map Technician, said resulting vacant Tax Map Technician position is hereby directed to be placed on a “One Dollar Hold” in reciprocal relation within the budget; and, be it further

RESOLVED, That the Real Property Tax Services Director 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, Personnel Director, Real Property Tax Services Director, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

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

Resolution No. 414

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION CREATING THE POSITION OF DEPUTY ADMINISTRATIVE OFFICER/CLERK OF THE BOARD (2026)

WHEREAS, the Administrative Officer/Clerk of the Board recommends creating a full-time Deputy Administrative Officer/Clerk of the Board position in the Board of Supervisors Office, effective January 1, 2026; and

WHEREAS, the Personnel Director has reviewed the applicable Job Duties Statement and classified the position accordingly; and

WHEREAS, the Committee on Finance has reviewed the current Office structure and recommends creating a Deputy Administrative Officer/Clerk of the Board position in the Board of Supervisors Office in this instance; now, therefore be it

RESOLVED, That a Deputy Administrative Officer/Clerk of the Board position (Non-Union Job Group P/S-9, 2026 Rate: \$86,444.00 per year), be and hereby is created effective January 1, 2026; and, be it further

RESOLVED, That in conjunction with said restructuring, one (1) Legislative Aide position (Non Union Job Group A/T-1, 2026 Rate: \$56,453.00) in the Board of Supervisors Office be placed on a "One Dollar Hold"; and, be it further

RESOLVED, That the existing Stipends associated with Deputy Administrative Officer and Deputy Clerk of the Board be suspended until further action by the Board; and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

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

Resolution No. 415

Supervisor VANVALKENBURGH offered the following Resolution and moved its adoption:

**RESOLUTION ACTIVATING A PLANNER POSITION IN THE
PLANNING DEPARTMENT (2026)**

WHEREAS, the Planning Director has requested to activate a Planner position in the Planning Department for 2026 to ensure necessary staff resources are available to support local Town, City and Village Planning contracts; and

WHEREAS, the establishment and growth of the County's SMART Waters system to guide regional water and sewer development is administered by the Planning Department; and

WHEREAS, the Board of Supervisors has reviewed the current department structure and recommends activating a Planner position that was previously placed on a "One Dollar Hold"; now, therefore be it

RESOLVED, That the vacant Planner position (Union Job Group GEN P-7, 2026 Rate: \$37.16 per hour) in the Planning Department, be and hereby is activated, effective January 1, 2026; and, be it further

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

Seconded by Supervisor PRAUGHT and adopted by the following vote:

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

Resolution No. 416

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION ELECTING TO OPT OUT OF THE SUN PHARMACEUTICAL
INDUSTRIES, INC. AND TARO PHARMACEUTICALS U.S.A., INC. IN GENERICS
ANTITRUST PRICING LITIGATION

WHEREAS, the County Attorney and counsel Napoli Shkolnik, PLLC, have reviewed the terms and conditions of a proposed class settlement with Sun Pharmaceutical Industries, Inc. and Taro Pharmaceuticals U.S.A., Inc. and determined that it is in the best interest of the County of Fulton to pursue its claims independently of the class settlement; now, therefore be it

RESOLVED, That the Board of Supervisors be, and hereby, opts out of the Sun Pharmaceutical Industries, Inc. and Taro Pharmaceuticals U.S.A., Inc. Generics Antitrust Pricing Litigation and any related claims; and, be it further

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

Seconded by Supervisor VANVALKENBURGH and adopted by the following vote:

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

Resolution No. 417

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE OF 2026 ORGANIZATIONAL MEETING

RESOLVED, That this Board of Supervisors hereby fixes Friday, January 2, 2026, at 10:00 a.m., in the Supervisors' Chambers, County Office Building, Johnstown, NY, as the date, time and place of a meeting to organize the Board and to select a Chairman for the year 2026, and for the election of officers and the transaction of other business relative to organization; and, be it further

RESOLVED, That the Clerk of the Board be and hereby is directed to serve, by mail, a notice, in writing, to each member of his/her last known post office address, at least 48 hours before said meeting, stating the date, place and purpose of said meeting.

Seconded by Supervisor PRAUGHT and adopted by the following vote:

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

Resolution No. 418

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION APPROPRIATING MONIES FOR FULTON-MONTGOMERY
COMMUNITY COLLEGE**

RESOLVED, That there be appropriated for Fulton County's fiscal year 2026 for the Fulton-Montgomery Community College the sum of \$1,645,821.00 for its operating expenses; and, be it further

RESOLVED, That said appropriation represents the approved Sponsor contribution for College fiscal year September 1, 2025 – August 31, 2026 and an anticipated payment for September 2026; and, be it further

RESOLVED, That in accordance with Resolution 291 of 2025, the County Treasurer be and hereby is authorized and directed to pay said total sum in four (4) installments, as follows:

Installment 1 (September 2025)	\$ 411,455.25
Installment 2 (January 2026)	411,455.25
Installment 3 (March 2026)	411,455.25
Installment 4 (June 2026)	<u>411,455.25</u>
	\$1,645,821.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton-Montgomery Community College, Montgomery County Legislature, Montgomery County Treasurer, Budget Director/County Auditor 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 Breh, Lehr and Young)

Resolution No. 419

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING REPORT ON RETURNED SCHOOL TAXES

WHEREAS, the County Treasurer has duly filed this day with the Board of Supervisors a certified Report of Returned School Taxes; now, therefore be it

RESOLVED, That the taxes mentioned in said Report be levied and assessed against the properties described in the Report; and, be it further

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

Seconded by Supervisor VANVALKENBURGH and adopted by the following vote:

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

Resolution No. 419 (Continued)

REPORT OF COMMITTEE ON RETURNED SCHOOL TAXES

2025 - 2026

Your Committee on Returned School Taxes, to whom was referred the returns of the several school districts herein, reports the same to be in conformity with New York State Education Law. Your Committee presents the following lists of districts, attached hereto, with the amount of taxes remaining due and unpaid, etc. and recommends that the amount of such unpaid taxes with seven per centum of the amount of addition thereto be levied upon the lands upon which the same remain unpaid and when collected, the same to be paid to the County Treasurer to reimburse the County for the amount advanced with expenses of collection. And, your Committee further recommends that out of any monies of the County treasury raised for contingent expenses or for the purpose of paying the amount of such taxes so returned, the County Treasurer pay to the respective district treasurer, if there be such officer, otherwise to the collector, the amount of taxes so returned herewith.

<u>TOWN</u>	<u>SCHOOL DISTRICT</u>	<u>SCHOOL COLLECTOR</u>	<u>TOTAL FOR TOWN</u>
Bleecker	Northville	Kim Abrams	1,624.76
Broadalbin	Broadalbin-Perth	Terry Buyce	504,582.77
	Galway	Susan Wemple	0.00
	Mayfield	Kelly Perham	<u>0.00</u>
			504,582.77
Caroga	Wheelerville	Lori Western	147,032.29
Ephratah	Dolgeville	Jessica Radley	3,960.68
	Fort Plain	Jessica Sanders	0.00
	Opp/Eph/St. Johns	Billi Jo Stallman	<u>91,456.92</u>
			95,417.60
Johnstown	Broadalbin-Perth	Terry Buyce	54,712.11
	Fonda-Fultonville	Jodie Rodriguez	928.11
	Mayfield	Kelly Perham	50,166.59
	Opp/Eph/St. Johns	Billi Jo Stallman	10,060.34
	Wheelerville	Lori Western	<u>4,986.47</u>
			120,853.62
Mayfield	Broadalbin-Perth	Terry Buyce	127,330.60
	Mayfield	Kelly Perham	431,559.79
	Northville	Kim Abrams	<u>6,215.31</u>
			565,105.70
Northampton	Broadalbin-Perth	Terry Buyce	35,076.22
	Northville	Kim Abrams	250,095.66
	Edinburg	Anna Finch	345.50
	Mayfield	Kelly Perham	<u>16,007.04</u>
			301,524.42
Oppenheim	Opp/Eph/St. Johns	Billi Jo Stallman	176,156.65
	Dolgeville	Jessica Radley	<u>20,809.14</u>
			196,965.79
Perth	Broadalbin-Perth	Terry Buyce	237,871.95
	Galway	Susan Wemple	<u>27,437.18</u>
			265,309.13
Stratford	Dolgeville	Jessica Radley	157,015.23
	Opp/Eph/St. Johns	Billi Jo Stallman	<u>0.00</u>
			157,015.23
TOTAL		\$	2,355,431.31

Resolution No. 420

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING REPORT ON TOWN AND CITY ACCOUNTS

RESOLVED, That the Budget Director/County Auditor be and hereby is directed to debit or credit the sums as shown in the report of the Committee on Finance - Town and City Accounts, dated November 24, 2025 to the respective municipalities of the County and to include same in their 2026 tax levies; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

Resolution No. 420 (Continued)

REPORT ON TOWN AND CITY ACCOUNTS

2025 - 2026

<u>MUNICIPALITY</u>	<u>DEBIT</u>	<u>CREDIT</u>
Bleecker	0.00	337.00
Broadalbin	435.47	0.00
Caroga	1,289.78	0.00
Ephratah	1,050.94	0.00
Johnstown	2,401.69	0.00
Mayfield	0.00	968.29
Northampton	5,531.28	0.00
Oppenheim	0.00	114.45
Perth	2,091.49	0.00
Stratford	0.00	90.88
City of Gloversville	0.00	10,061.63
City of Johnstown	0.00	3,185.02
TOTAL.....	\$ 12,800.65	\$ 14,757.27

Resolution No. 421

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING REPORT ON RETURNED VILLAGE TAXES IN
BROADALBIN, MAYFIELD, NORTHVILLE AND DOLGEVILLE**

WHEREAS, the County Treasurer has duly filed this day with the Board of Supervisors a certified Report of Returned Village Taxes for the Villages of Broadalbin, Mayfield, Northville and Dolgeville; now, therefore be it

RESOLVED, That the taxes mentioned in said Report be levied and assessed against the properties described in the Report; and, be it further

RESOLVED, That the Report be filed in the Office of the Clerk of the Board, where it will be available for public inspection; and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

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

Resolution No. 421 (Continued)

REPORT ON RETURNED VILLAGE TAXES

2025 - 2026

Your Committee on Returned Village Taxes, to whom was referred the returns of several villages herein, reports the same to be in conformity with NYS Education Laws.

Your Committee presents the following lists of villages, attached hereto, with the amount of taxes remaining due and unpaid, etc. and recommends that the amount of such unpaid taxes with seven per centum of the amount of addition thereto be levied upon the lands upon which the same remain unpaid and when collected, the same to be paid to the County Treasurer to reimburse the County for the amount advanced with expenses of collection. And, your Committee further recommends that out of any monies of the County treasury raised for contingent expenses or for the purpose of paying the amount of such taxes so returned, the County Treasurer pay to the respective village officer the amount of taxes so returned, in compliance herewith.

<u>TOWN</u>	<u>VILLAGE</u>	<u>VILLAGE COLLECTOR</u>	<u>TOTAL FOR TOWN</u>
Broadalbin	Broadalbin	Barbara Rote	\$ 21,725.63
Mayfield	Mayfield	Gabby Morowski	\$ 31,772.02
Northampton	Northville	Wendy Reu	\$ 41,779.32
Oppenheim	Dolgeville	Tammy Chmielewski	\$ 20,117.67
TOTAL			\$ 115,394.64

Resolution No. 422

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING REPORT OF THE COMMITTEE ON
FOOTING OF ASSESSMENT ROLLS**

RESOLVED, That the Report of the Committee on Footing of Assessment Rolls, dated November 24, 2025, be accepted as the act and determination of the Board; and, be it further

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

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

Resolution No. 422 (Continued)

Report of Committee on Footing Assessment Rolls
(Finance and Administration)

COUNTY PURPOSES ONLY

MUNICIPALITY	TOTAL TAXABLE REAL PROPERTY EXCLUSIVE OF ALL EXEMPT PROPERTIES	MANDATED PARTIAL EXEMPTIONS (TITLE 2, ARTICLE 8)	TOTAL TAXABLE REAL PROPERTY (INCLUDING MANDATED "PARTIALLY EXEMPT PROPERTIES)	OPTIONAL PARTIALLY EXEMPT PROPERTIES	TOTAL TAXABLE REAL PROPERTY (INCLUDING PROPERTY (INCLUDING ALL EXEMPTIONS)
Bleecker	\$ 161,479,553	\$ 1,615,625	\$ 163,095,178	\$ 2,871,353	\$ 165,966,531
Broadalbin	\$ 365,689,093	\$ 4,521,928	\$ 370,211,021	\$ 4,616,998	\$ 374,828,019
Caroga	\$ 164,230,907	\$ 1,032,888	\$ 165,263,795	\$ 1,375,796	\$ 166,639,591
Ephratah	\$ 68,983,354	\$ 1,058,996	\$ 70,042,350	\$ 1,665,848	\$ 71,708,198
Johnstown	\$ 330,773,633	\$ 4,814,495	\$ 335,588,128	\$ 20,411,146	\$ 355,999,274
Mayfield	\$ 354,230,340	\$ 3,611,515	\$ 357,841,855	\$ 4,647,233	\$ 362,489,088
Northampton	\$ 281,122,323	\$ 1,628,600	\$ 282,750,923	\$ 1,665,591	\$ 284,416,514
Oppenheim	\$ 54,921,439	\$ 655,753	\$ 55,577,192	\$ 6,928,542	\$ 62,505,734
Perth	\$ 148,975,092	\$ 1,820,130	\$ 150,795,222	\$ 4,213,730	\$ 155,008,952
Stratford	\$ 110,816,986	\$ 754,491	\$ 111,571,477	\$ 1,094,434	\$ 112,665,911
Gloversville (C)	\$ 387,565,892	\$ 6,882,345	\$ 394,448,237	\$ 9,460,676	\$ 403,908,913
Johnstown (C)	\$ 458,482,955	\$ 4,927,170	\$ 463,410,125	\$ 2,326,932	\$ 465,736,957
	\$ 2,887,271,567	\$ 33,323,936	\$ 2,920,595,503	\$ 61,278,179	\$ 2,981,873,682

Resolution No. 422 (Continued)

Report of Committee on Footing Assessment Rolls
(Finance and Administration)
TOWN AND CITY PURPOSES ONLY

MUNICIPALITY	TOTAL TAXABLE REAL, PERSONAL AND FRANCHISES WITHIN VILLAGES AND CITIES	TOTAL TAXABLE REAL, PERSONAL & FRANCHISES OUTSIDE OF VILLAGES	STATE WILD OR FOREST LANDS HRSD (TOTAL TAXABLE)	SPECIAL DISTRICT (ALL TYPES)	LAND VALUES (ALL PURPOSES-CITY, TOWN VILLAGE-INCLUDING WHOLLY EXEMPT)
Bleecker	-- \$	161,135,548 \$	20,787,120 \$	165,965,731 (FIRE)	\$ 82,468,900
Broadalbin	56,762,816 \$	308,944,638 \$	12,198,980 \$	313,151,402 (FIRE)	\$ 141,015,531
Caroga	-- \$	164,368,632 \$	12,085,327 \$	167,042,936 (FIRE)	\$ 73,574,325
Ephratah	-- \$	69,232,721 \$	370,316 \$	34,672,046 (F21) 36,935,971 (F22)	\$ 11,439,402
Johnstown	-- \$	333,928,050	--	349,453,691 (ALL FD)	\$ 105,455,130
Mayfield	32,345,798 \$	322,452,305 \$	17,102,270 \$	76,528,651 (F21) 289,494,943 (F22)	\$ 127,372,143
Northampton	61,447,895 \$	219,643,006 \$	30,890,080 \$	17,543,029 (F21) 264,895,125 (F22) 44,675,550 (LIGHTING)	\$ 95,153,809
Oppenheim	2,866,556 \$	52,880,865 \$	1,083,016 \$	59,374,225 (F21) 2,884,770 (F22)	\$ 17,032,589
Perth	-- \$	149,673,287	--	153,004,016 (FIRE)	\$ 33,087,652
Stratford	-- \$	111,247,403 \$	30,733,640 \$	112,665,911 (FIRE)	\$ 62,284,320
Gloversville (C)	386,959,904	--	--	--	\$ 64,038,550
Johnstown (C)	458,482,955	--	--	--	\$ 84,140,810
\$	998,865,924 \$	1,893,506,455 \$	125,250,749 \$	2,043,612,447 (FIRE) 44,675,550 (LIGHTING)	\$ 897,063,161
	\$2,892,372,379.00			\$ 2,088,287,997	

Resolution No. 423

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING REPORT OF THE COMMITTEE ON EQUALIZATION

RESOLVED, That the Report of the Committee on Equalization, dated November 24, 2025, be adopted as the act and determination of the Board, that the rates of percentages, as determined by the NYS Board of Real Property Services, which the assessed value of real property bears to the full value as computed by the Committee, be and they hereby are adopted as to the act and determination of the Board and that same be reported forthwith to the Department of Taxation and Finance and printed in the minutes; and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

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

Resolution No. 423 (Continued)

REPORT OF EQUALIZATION COMMITTEE (FINANCE)

Your Committee on Equalization (Finance) reports they have examined the assessment roll of the several towns and cities and have ascertained the following in accordance with law:

TOWN/CITY	* TOTAL REAL PROPERTY ASSESSED	PERCENTAGE USED ON ASSESSMENT OF REAL PROPERTY	FULL VALUE OF REAL PROPERTY, AS DETER- MINED FROM % ADOPTED	EQUALIZED VALUE OF REAL PROPERTY	DIFFERENCE BETWEEN ASSESSED VALUE & EQUALIZED VALUE
Bleecker	\$ 165,966,531.00	100.00	\$165,966,531.00	\$79,685,681.00	86,280,850
Broadalbin	374,828,019.00	49.94	\$750,556,706.05	360,365,563.00	390,191,143
Caroga	166,639,591.00	33.42	\$498,622,354.88	239,404,064.00	259,218,291
Ephratah	71,708,198.00	45.00	\$159,351,551.11	76,509,625.00	82,841,926
Johnstown	355,999,274.00	46.95	\$758,251,914.80	364,060,271.00	394,191,644
Mayfield	362,489,088.00	39.46	\$918,624,145.97	441,059,956.00	477,564,190
Northampton	284,416,514.00	37.00	\$768,693,281.08	369,073,495.00	399,619,786
Oppenheim	62,505,734.00	34.70	\$180,131,798.27	86,486,865.00	93,644,933
Perth	155,008,952.00	34.00	\$455,908,682.35	218,895,904.00	237,012,778
Stratford	112,665,911.00	64.10	\$175,765,851.79	84,390,639.00	91,375,213
Gloversville (City)	403,908,913.00	64.37	\$627,480,057.48	301,272,645.00	326,207,412
Johnstown (City)	465,736,957.00	62.00	\$751,188,640.32	360,668,974.00	390,519,666
TOTALS	\$ 2,981,873,682.00		\$6,210,541,515.10	\$2,981,873,682.00	

*Column 5 Footing of Assessment Rolls

Average County Rate:
0.480131028

Resolution No. 424

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION FIXING 2026 SALARIES FOR THE BOARD OF SUPERVISORS

RESOLVED, That pursuant to Article F, Section 200 of the County Law, on and after January 1, 2026, the salary of the Supervisors of the County of Fulton shall be fixed at an annual salary of \$10,494.00; and, be it further

RESOLVED, That on and after January 1, 2026, the salary of the Chairman of the Board of Supervisors be and hereby is fixed at an annual salary of \$13,812.00; and, be it further

RESOLVED, That the County Treasurer be authorized and directed to pay salaries of Supervisors and the Chairman as hereby fixed in bi-weekly installments; and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 296 (13) Nays: 154 (5) (Supervisors Blackmon, Goderie, Praught,
Roehl
and VanValkenburgh) Absent: 79 (2) (Supervisors Breh and Lehr)

Resolution No. 425

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION CREATING AN ASSISTANT PUBLIC DEFENDER POSITION IN THE
PUBLIC DEFENDER’S OFFICE (2026)**

WHEREAS, the Board of Supervisors has endorsed the need for an additional Assistant Public Defender for the Public Defender’s Office; now, therefore be it

RESOLVED, That one (1) full-time Assistant Public Defender position (Non-Union Job Group A/T-12; 2026 Rate: \$110,960.00 be, and hereby is, created in the Public Defender’s Office, effective January 1, 2026; and, be it further

RESOLVED, That this Resolution and continuation of said position is contingent upon funding being received from the NYS Office of Indigent Legal Services providing the entire 100 percent cost of said position, including salary, benefits and any other associated costs; and, be it further

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

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 347 (15) Nays: 103 (3) (Supervisors Bradt, Praught and
VanValkenburgh) Absent: 79 (2) (Supervisors Breh and Lehr)

Resolution No. 426

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING THE 2026 FULTON COUNTY BUDGET

RESOLVED, That the Report of the Committee on Budget Review and Finance, as presented herewith, be approved and that the several amounts specified therein (or as much thereof as may be necessary) be and hereby are appropriated for the purposes enumerated; and, be it further

RESOLVED, That upon prior written certification of the necessity therefore, and written approval thereof, by the appropriate committee of the Board of Supervisors having jurisdiction of such department, emergency employees may be employed within the limits of appropriation therefor; and, be it further

RESOLVED, That all moneys received by the County Treasurer from State and/or Federal relief and all revenues attributable to functions be credited by him to the proper estimated revenues of the department according to the 2026 Budget; and, be it further

RESOLVED, That there be levied, assessed and collected upon the taxable property of the County of Fulton the sum of \$35,958,136.00 for County purposes, and the Budget Director/County Auditor be and hereby is directed to apportion the various amounts for the current year for the several towns and Cities of Johnstown and Gloversville for presentation to the Clerk of the Board; and, be it further

RESOLVED, That the Clerk of the Board utilize said apportionment for the preparation and issuance of the warrants, in accordance with law; and, be it further

RESOLVED, That the line item budget be and hereby is eliminated in favor of a summarized version, with all transfers to be screened and categorized by the Committee on Finance, unless directed by the Administrative Officer/Clerk of the Board to the oversight committee; and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 423 (17) Nays: 27 (1) (Supervisor Potter)
Absent: 79 (2) (Supervisors Breh and Lehr)

Resolution No. 427

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING REPORT OF THE COMMITTEE ON APPORTIONMENT

RESOLVED, That the Report of the Committee on Apportionment dated November 24, 2025, be accepted and adopted as the basis of apportionment for the respective taxes to be levied; and, be it further

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

Seconded by Supervisor VANVALKENBURGH and adopted by the following vote:

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

Resolution No. 427 (Continued)**REPORT OF COMMITTEE ON APPORTIONMENT**

Your Committee on Apportionment of State and County taxes reports that they have apportioned the same including an apportionment of the stenographer tax required to be paid to the State in accordance with the total equalized valuation as herein stated below.

<u>TOWNS</u>	<u>EQUALIZED VALUATION, EXCEPT PENSION PROPERTY MARKED "EXEMPT"</u>	<u>GENERAL LEVY FOR COUNTY PURPOSES</u>
Bleecker	\$ 79,685,681.00	\$ 960,922.18
Broadalbin	\$ 360,365,563.00	\$ 4,345,614.64
Caroga	\$ 239,404,064.00	\$ 2,886,951.23
Ephratah	\$ 76,509,625.00	\$ 922,622.42
Johnstown	\$ 364,060,271.00	\$ 4,390,168.78
Mayfield	\$ 441,059,956.00	\$ 5,318,700.78
Northampton	\$ 369,073,495.00	\$ 4,450,622.78
Oppenheim	\$ 86,486,865.00	\$ 1,042,937.02
Perth	\$ 218,895,904.00	\$ 2,639,645.25
Stratford	\$ 84,390,639.00	\$ 1,017,658.83
Gloversville (City)	\$ 301,272,645.00	\$ 3,633,018.66
Johnstown (City)	\$ 360,668,974.00	\$ 4,349,273.43
Total	\$ 2,981,873,682.00	\$ 35,958,136.00

Resolution No. 428

Supervisor FAGAN 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:

Facilities

From: A.1620.1620-4080 – EXP - Telecommunications	\$ 624.00	
A.1620.1622-4080 – EXP - Telecommunications	624.00	
A.1620.1623-4080 – EXP - Telecommunications	624.00	
A.1620.1625-4080 – EXP – Telecommunications	624.00	
A.1620.1628-4080 – EXP – Telecommunications	624.00	
A.1620.1629-4080 – EXP – Telecommunications	624.00	
A.1620.1630-4080 – EXP - Telecommunications	460.00	
A.1620.1620-4180 – EXP - Renovations	2,024.00	
A.1620.1621-4130 – EXP - Contractual	5,000.00	
To: A.1620.1621-4150.1200 – EXP – Utilities - Water/Sewer		\$11,228.00

Highway

From: D.5010.5110-1000.1102 - EXP - Payroll - Highway Crews	\$30,000.00	
D.5010.5110-1000.1105 - EXP - Airport Services	2,000.00	
To: D.5010.5142-1000.1102 - EXP - Payroll - Highway Crews		\$32,000.00
From: D.5010.5110-1100.1102 - EXP - Overtime - Highway Crews	\$ 4,500.00	
D.5010.5110-1110.1102 - EXP - Supplemental - Highway Crews	11,294.00	
D.5010.5110-1110.1104 - EXP - Supplemental - Mowing	6,587.00	
To: D.5010.5142-1100.1102 - EXP - Overtime - Highway Crews		\$22,381.00

and, be it further

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

Seconded by Supervisor ORFAN and adopted by the following vote:

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

