

FIFTH ANNUAL SESSION

Johnstown, NY

December 17, 2025

Roll Call – Quorum Present

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

TOTAL: Present: 18 Absent: 2 (Supervisor Breh, and DiGiacomo)

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

COMMUNICATIONS

1. Letter from National Grid dated 17 November 2025
Subj: Notice of Impending Settlement Negotiations regarding Transmission Lines in the Towns of Ephratah, Johnstown, Oppenheim, and Perth and the City of Johnstown as well as the Construction of the Saltsman Road Substation in the Town of Ephratah
2. Public Hearing Notice from the Town of Perth, 18 December 2025
Subj: Zoning Board of Appeals of the Town of Perth for notice regarding a Variance: Building Design that is over the 40-foot height limit prescribed by Article 5: Business and Technology Zone (BTZ), Section F.2a under Local Law No. 2 of 2017
3. Letter from Assemblywomen Mary Beth Walsh dated 12 December 2025
Subj: Confirming receipt of Resolution 356 of 2025 that supported Senate Bill S8481/Assembly Bill A8996 authorizing Local Governments to Opt Out of Mandates and Benchmarks Arising Under the Climate Leadership and Community Protection Act

UPDATES FROM STANDING COMMITTEES

Human Services Committee: Supervisor Fogarty stated that Commissioner Anne Solar has agreed to stay for a couple additional months, through February 28, 2026 to have a smooth transition for the new appointee when she starts on March 2.

CHAIRMAN'S REPORT

Chairman Goderie stated “We made it”, this is the last meeting of 2025 and noted that everyone told him it would go fast and boy they weren’t kidding. He started by thanking every Supervisor in the room. He stated that everything that happens here is a group effort and it has been a privilege to work with every single one over the last 12 months. He expressed that he knew going into this year that he wouldn’t be able to be as active with the committees as many of his predecessors were, so he put a lot of thought into selecting the committee members and Chairpersons. He stated that none of them let him down. He then thanked all of the Standing Committee Chairpersons.

He stated that this year has definitely had its challenges, namely the budget, but we pushed through it, excruciatingly at times, and after many very long meetings, the Board was able to pass the budget.

He expressed that there were also a lot of rewarding moments throughout the year. The County's first animal abuse registry was created, and leading the charge and doing all of the leg work on it was our own Supervisor VanValkenburgh.

He stated that the Board also successfully negotiated a new contract with the Fulton County Sheriff's Office Police Benevolent Association, in which they have finally received their 20-year retirement plan, putting Fulton County on a level playing field with our surrounding counties and creating a more stable workforce in the Sheriff's Department.

He stated that, as of last week, the County received \$8.9 million grant from the NYS Governor's Office to bolster and upgrade the infrastructure in the Tryon Technology Park. He stated that this will help greatly with the new Niagara Water Bottling Plant and make the park even more attractive to industrial businesses looking to make upstate New York their new home.

Lastly, he recognized the four (4) outgoing Supervisors; Frank Lauria, Michael Kinowski, Cynthia Breh and Ralph Palcovic. He thanked each of them for their hard work and dedication to not only this board, but the residents of Fulton County. He stated that each of them helped make Fulton County a great place to work, play and live. He wished everyone a "Happy Holiday season"!

Administrative Officer Stead presented the Chairman with a ceremonial gavel and post, as well as a gift certificate from each and every Board of Supervisors member as a token of appreciation. Mr. Stead stated that Chairman Goderie had a great year and congratulated him on a successful year. The Board applauded him with a standing ovation.

Supervisor Groff expressed that he has been on this Board for 12 years and has worked with Frank Lauria and Michael Kinowski and has had great negotiation sessions with them. He couldn't ask for two finer men and expressed that he hates to see them go.

RESOLUTIONS

No. 482 (Resolution Authorizing a Five-Year Contract with Axon Justice Premier for a Digital Evidence Software License in the District Attorney's Office (2026-2030): Mr. Stead explained that the year-end contract Resolution dated 8 December included an Axon contract for the District Attorney's Office for 2026. He stated that the approved dollar amount was incorrect. He noted that it is also a five (5) year contract at an annual cost of \$14,460.00 not \$27,760.00 as originally approved.

No. 484 (Resolution Authorizing a Contract with Trinity Services Group, Inc. for Food Procurement Services for the Fulton County Correctional Facility): Mr. Stead explained that during Budget Review sessions, the Captain and Sheriff looked into other options to find financial savings in the Correctional Facility. One of the savings that the Captain discovered was regarding food services for inmates.

No. 486 (Resolution Authorizing a Consulting Contract with Ernest Gagnon to Act as Interim Director of Community Services): Mr. Stead explained that the Fulton County Community Services Board is the governing Board of Directors who appoint the Director of Community Services. He advised that advertising has been done but an appointment has not been made. He stated that NYS Office of Mental Health (OMH) requires someone fill the position as it cannot remain vacant.

No. 488 (Resolution Authorizing a Budget Amendment to Address a Shortfall in the Fulton County Sewer District No. 5: Route 30/30A Corridor Project (2025 Capital Project): Mr. Stead advised that an Inter-municipal Agreement needs to be setup with the Sewer District for any costs extended beyond grant monies. Mr. Stead stated that the Intermunicipal Agreement hasn't gotten done yet, but will be done in January 2026 for the Board meeting.

County Attorney Brott explained that after reviewing funding with the Budget Director for the MCJ Construction, LLC invoice, he learned that there was only \$75,000.00 of remaining American Rescue Plan Act (ARPA) funds which is why he is recommending the use of the General Fund Contingency. Mr. Stead stated that the project itself went smoothly, but then NYS Department of Environmental Conservation mandated two (2) additional steps that were very costly.

OLD BUSINESS

Supervisor Lauria stated that he has held public office for 46 and has been a Board of Supervisors member for 24 years. He gave special thanks to his wife. He stated that 46 years of marriage, with him in public office since 1979 is a lot. He expressed that she has put up with him and all of his meetings and it's time for him to take care of her. Supervisor Lauria thanked the Board members and all past members that he has served with. He stated that it has been a joyride. He expressed that he loved it even though he thought he would never run for office. Mr. Lauria thanked the employees in both the Board and Budget Office. He expressed that Mr. Stead has a tough job but has done a great job and noted that it has been a pleasure to serve under him and County Attorney Brott. Supervisor Lauria ended by saying that Chairman Goderie has not "skipped a beat" and stated that his parents should be very proud of the man they have raised.

Supervisor Fagan stated he has been here for 22 years and has known Mr. Lauria for a long time and thanked him for his service. He also thanked the Finance Committee for their hard work and time during all of the long meetings this year.

Chairman Goderie presented a gift, on behalf of all of the Board of Supervisors, to Administrative Officer Stead for all Board and Budget Office executive staff members.

Mr. Stead stated that everyone in the Board and Budget Office are "top notch". He expressed that he has always joked around and said everyone thinks Resolutions come out of a vending machine. He stated that staff are always hustling to put things together for all of the meetings. There is a lot of research and detail needed in order to put together this information every month.

He stated that he looks forward to seeing everyone Friday for the Board of Supervisors Annual Christmas Dinner Party.

Supervisor Orfan thanked the Board of Supervisors, office staff and constituents for their support this year.

ADJOURNMENT

There being no further business, the Board adjourned “sine die” at 1:34 p.m., upon a motion by Supervisor Bradt, seconded by Supervisor Howard and unanimously carried.

Certified by:

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

Resolution No. 481

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE PART-TIME ASSISTANT SOCIAL SERVICES
ATTORNEY TO TEMPORARILY WORK ADDITIONAL HOURS IN THE
SOCIAL SERVICES DEPARTMENT

WHEREAS, the Department of Social Services full-time Attorney resigned August 14, 2025;
and

WHEREAS, due to the current vacancy in the full-time Attorney position, the Assistant Social Services Attorney has been working additional hours, over the salaried amount of 17.5 hours per week to handle fundamental duties within the Department; and

WHEREAS, the Commissioner of Social Services recommends the part-time Assistant Social Services Attorney be allowed to work up to 24 hours per week until a full-time Attorney is hired; and, be it further

RESOLVED, That upon the recommendation of the Commissioner and Standing Committee on Finance, the part-time Assistant Social Services Attorney in the Social Services Department be and hereby is authorized to work up to 24 hours per week (2025 Salary Rate: \$48.92 per hour, 2026 Salary Rate: \$50.88 per hour) on a temporary basis, until a full-time Social Services Attorney is appointed; 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, Commissioner of Social Services, Personnel Director, County Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

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

Resolution No. 482

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A FIVE-YEAR CONTRACT WITH AXON JUSTICE PREMIER FOR A DIGITAL EVIDENCE SOFTWARE LICENSE IN THE DISTRICT ATTORNEY'S OFFICE (2026-2030)

WHEREAS, Resolution 445 of 2025 authorized certain contracts in the District Attorney's Office for 2026 that included a one-year contract with Axon Justice Premier at a cost not to exceed \$27,760.00; and

WHEREAS, the District Attorney now recommends a five-year contract with Axon Justice Premier to view Digital Evidence at a total cost not to exceed \$72,300.00, at an annual cost of \$14,460.00; now, therefore be it

RESOLVED, That upon the recommendation of the District Attorney and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a contract with Axon Justice Premier for the District Attorney's Office for a Digital Evidence Software License to facilitate NYS Discovery Law requirements, effective January 1, 2026 through December 31, 2030, at a total cost not to exceed \$72,300.00 (\$14,460.00 per year); and, be it further

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

RESOLVED, That the one-year contract, approved by Resolution 445 of 2025, with Axon Justice Premier for \$27,760.00 be and hereby is rescinded; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, District Attorney, Axon Justice Premier, 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 DiGiacomo)

Resolution No. 483

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING A 2018 ACURA AUTOMOBILE VIA LEGAL
ABANDONMENT FOR USE IN THE SHERIFF'S DEPARTMENT**

WHEREAS, Resolution 368 of 2025 authorized an Inter-municipal agreement with the City of Johnstown for Authority to Seize Vehicles in Lawful Custody effective December 1, 2025 forward; and

WHEREAS, the Sheriff recommends accepting a 2018 Acura ILX sedan for use in the Sheriff's Department through said municipal agreement; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby authorizes the Sheriff to accept a 2018 Acura ILX Sedan (VIN 19UDE2F3XJA007826) via legal abandonment for use in the Sheriff's Department; and, be it further

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

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

Seconded by Supervisor FOGARTY and adopted by the following vote:

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

Resolution No. 484

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH TRINITY SERVICES GROUP, INC.,
FOR FOOD PROCUREMENT SERVICES FOR THE FULTON COUNTY
CORRECTIONAL FACILITY**

WHEREAS, Resolution 370 of 2025 authorized a Request for Proposals for Correctional Facility Food Procurement Services and one (1) proposal was received; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Sheriff and Trinity Services Group, Inc., of Oldsmar, FL, for Food Procurement Services at the Fulton County Correctional Facility, effective February 1, 2026 through January 31, 2028, in accordance with Specification 2025-34-11; pricing will be based on a per meal basis in accordance with the contract Exhibit A dependent on how many meals are served in the preceding week; and, be it further

RESOLVED, That said contract shall be open for consideration of extension for an additional two (2) year period, subject to mutual consent of the parties; 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, Sheriff, Correctional Facility, Trinity Services Group, Inc., 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 DiGiacomo)

Resolution No. 485

Supervisor FAGAN offered the following Resolution and moved its adoption:

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

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

WHEREAS, the Personnel Director recommends that applicants who are not residents of Fulton County be considered for the following positions through December 31, 2026:

Planner
Special Patrol Officer

and

WHEREAS, after careful review of the hiring procedure utilized, the Committee on Personnel recommends waiving the County's "Residency Rule" to hire an out-of-county resident from a contiguous county for said positions; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for hire of candidates from contiguous counties for the positions identified herein, effective immediately through December 31, 2026; 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, Planning Director, Sheriff, Personnel Director, 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 DiGiacomo)

Resolution No. 486

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONSULTING CONTRACT WITH ERNEST GAGNON
TO ACT AS INTERIM DIRECTOR OF COMMUNITY SERVICES**

WHEREAS, Ernest Gagnon retired effective November 15, 2025 from his post as Director of Community Services; and

WHEREAS, recruitment of a new Director is underway by the Community Services Board; and

WHEREAS, the New York State Office of Mental Health (NYSOMH) has notified the Community Services Board that the Office must have a Director, or an Interim Director on a temporary basis during the current department head transition; and

WHEREAS, the Community Services Board recommends a consulting contract with Ernest Gagnon of Caroga Lake, NY to act as Interim Director; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a contract with Ernest Gagnon of Caroga Lake, NY to act as Interim Director of Community Services, effective Monday, December 22, 2025 through February 28, 2026 at an hourly rate of \$66.10 for up to 14 hours per week; said contract subject to the approval of the County Attorney; and, be it further

RESOLVED, That the Community Services 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, Community Services Board, Ernest Gagnon, 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 DiGiacomo)

Resolution No. 487

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION SUPPORTING THE ENERGY CHOICE ACT H.R. 3699/S.1945 AND OPPOSING THE NEW YORK STATE MANDATED NATURAL GAS BAN

WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by millions of New Yorkers to heat their homes, cook their food, and power their businesses; and

WHEREAS, in 2019, New York State enacted the Climate Leadership and Community Protection Act (CLCPA), which mandates aggressive emissions reductions for sweeping energy restrictions, including efforts to phase out natural gas; and

WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings, and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and

WHEREAS, these top-down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and

WHEREAS, the Board of Supervisors adopted Resolution 256 of 2025 that supported Senate Bill S8481/Assembly Bill A8996 that would allow local governments to opt out of mandates and benchmarks arising under the Climate Leadership and Community Protection Act and associated universal electrification requirements; and

WHEREAS, Congressman Langworthy of New York and Senator Justice of West Virginia have introduced the Energy Choice Act (H.R. 3699, S. 1945), federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and

WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an “all-of-the-above” energy strategy that strengthens reliability and affordability; now, therefore, be it

RESOLVED, That the Board of Supervisors supports the Energy Choice Act (H.R. 3699/S. 1945) and strongly opposes New York State’s natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and, be it further

Resolution No. 487 (Continued)

RESOLVED, That the Board of Supervisors urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and, be it further

RESOLVED, That copies of this Resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, Senator Charles Schumer, Senator Kirsten Gillibrand, Congresswoman Elise Stefanik, Governor Kathy Hochul, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

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

Resolution No. 488

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A BUDGET AMENDMENT TO ADDRESS A SHORTFALL IN THE FULTON COUNTY SEWER DISTRICT NO. 5: ROUTE 30/30A CORRIDOR PROJECT (2025 CAPITAL PROJECT)

WHEREAS, the 2023 Capital Plan included a NYS Route 30/30A Sewer System Project in the amount of \$8,000,000.00 as a component of the *Destination: Fulton County Initiative*; and

WHEREAS, Resolution 102 of 2024 awarded a bid to Manfred Construction Inc. for Contract 1A: Forcemain Construction of the Fulton County Sewer District No. 5: NYS Route 30/30A Project in an amount of \$7,247,168.00; and

WHEREAS, Resolution 103 of 2024 awarded a bid to MCJ Construction LLC for Contract 1B: Pump Station-General Construction of the Fulton County Sewer District No. 5: NYS Route 30/30A Project in an amount not to exceed \$673,000.00, as part of the SMART Waters Initiative; and

WHEREAS, Resolution 104 of 2024 awarded a bid to Stilsing Electric, Inc. for Contract 1C: Pump Station-Electrical for Fulton County Sewer District No. 5: Route 30/30A Project; and

WHEREAS, Resolutions 290 and 291 of 2024 approved Change Orders totaling \$746,313.55 to the General Construction contract to comply with additional NYS Department of Environmental Conservation mandates; and

WHEREAS, a balance of \$78,151.46 in ARPA revenue remains in the Project accounts; and

WHEREAS, MCJ Construction LLC has submitted an invoice totaling \$331,550.00 which is due and payable; and

WHEREAS, the County Attorney is preparing an Inter-municipal Agreement between the County of Fulton and Fulton County Sewer District No. 5: Route 30/30A to govern reimbursement of any Project shortfalls for the 2025 Pump Station General Construction and Electrical component, MCJ Construction LLC be paid \$165,775.00 (50 percent) of its submitted invoice; and

WHEREAS, the County Attorney recommends that \$75,000.00 of remaining ARPA funds and \$90,775.00 (a total of \$165,775.00) from the General Fund Contingent Fund be appropriated now to pay 50 percent of the outstanding MCJ invoice; now, therefore be it

RESOLVED, That the Planning Director be and hereby is authorized to pay MCJ Construction LLC, \$165,775.00, no later than December 31, 2025 for Contract 1B: Pump Station-General Construction for the Fulton County Sewer District No. 5: NYS Route 30/30A Project; and, be it further

Resolution No. 488 (Continued)

RESOLVED, That the County Attorney be, and hereby is, directed to prepare an inter-municipal agreement between the County and Fulton County Sewer District No. 5 for action at the January 12, 2026 Board of Supervisors Meeting; and, be it further

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

From: A.1000.1990-4907 - EXP- Contingent Fund Expense
To: A.1000.9950-9000.1000 - EXP- Other - Unrestricted
Sum: \$90,775.00

From: A.1000.9950-9000.1000 - EXP- Other - Unrestricted
To: H.8020.8197-2100.0960 - EXP - Sewer District #5 NYS Route 30/30A
Sum: \$90,775.00

and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

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

Resolution No. 489

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION APPROVING THE MINUTES OF THE LAST SESSION

RESOLVED, That the minutes of this meeting, as prepared and arranged by the Administrative Officer/Clerk of the Board of Supervisors, be and the same are prepared as the minutes of the last session of the Board of Supervisors of Fulton County for the year 2025.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

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