

**SIXTH REGULAR SESSION**

Johnstown, NY

June 14, 2021

Roll Call – Quorum Present

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

TOTAL: Present: 17 Absent: 3 (Supervisors Howard, Kinowski and Potter)

Chairman Callery called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, Chairman Callery asked if there was anyone from the public who wished to address the Board.

**PUBLIC SPEAKERS**

***Tamara Dunlap, 193 Royal Coachman Drive, Amsterdam, New York:*** Ms. Dunlap stated that she asked for help from Supervisors regarding school restrictions at the May 2021 Board of Supervisors Meeting. She stated that she would like to make it very clear that she is looking for help from the Supervisors in getting local children back in school and back to normal. She said that certain Supervisors in previous conversations had basically responded “That’s not my job”.

She stated that COVID-19 hasn’t been fair to anyone and noted that she is taking time from her work to advocate for her family and children. She stated that it is being announced by State officials that the children will be back in school full-time next fall, although she doesn’t think that will happen. She noted that schools were not told that “hybrid plans” were necessary. She stated that the Board of Supervisors is the highest level of the local government in our area and that they are some of the highest paid elected officials here. Ms. Dunlap contended that she had asked the Board for its help to change the state rules for COVID-19 in schools, but it did not help. She thanked the Board for its time today.

Chairman Callery then asked for the reading of any Communications and Reports that were on the Agenda.

**PUBLIC HEARINGS/SCHEDULED SPEAKERS**

1:30 P.M. PUBLIC HEARING REGARDING PROPOSED LOCAL LAW “A” OF 2021 ENTITLED “A LOCAL LAW TO AUTHORIZE 12 AND 13-YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER”

## **COMMUNICATIONS**

1. Letter from NYS Department of Transportation dated May 3, 2021  
Subj: Informing Fulton County that NYSDOT processed an additional payment under the Statewide Mass Transportation Operating Assistance (STOA) program for upstate formula bus systems
2. Letter from Commissioner Sheila Poole, NYS Office of Children and Family Services dated May 28, 2021  
Subj: Replying to Chairman Callery to explain that revised guidance has been enacted allowing child care providers to not require children aged 2-5 to wear masks

## **REPORTS**

- A. 2019 and 2020 Capital District Regional Off-Track Better Corporation Financial Audit Statements

## **LATE COMMUNICATION**

- L-1 Letter from Nina Aledort, Deputy Commissioner, NYS Office of Children and Family Services dated March 30, 2021  
Subj: Fulton County's Resource Allocation Plan (RAP) has been received and approved.

## **REPORTS OF SPECIAL COMMITTEES**

*Soil and Water Conservation District:* Supervisor Horton stated that the Fulton County Highways and Facilities Department has been replacing culverts throughout Fulton County. He also stated that Town Highway Departments are working on storm drainage.

## **CHAIRMAN'S REPORT**

Supervisor Callery stated that it's tremendous seeing no masks for fully vaccinated individuals and very low numbers for COVID-19 positivity rates. He stated that partial US. Department of Treasury funds have been received at approximately \$5 million. He stated that the County must report all expenses and keep track of each expenditure when using the American Rescue Plan Act (ARPA) funds. A Resolution is on today's Agenda to formally accept the funds.

## **RESOLUTIONS**

Resolutions on the regular Agenda were deliberated upon.

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

Supervisor Young announced that he must Abstain from proposed Resolutions 38 and 39 due to his current positions with organizations referenced in each Resolution.

**No. 204 (Resolution Urging Governor Cuomo to Reject Senate Bill S7196/Assembly Bill A6762 Which Would Enact Unconstitutional Law Harming Firearms Manufacturers):** Mr. Stead stated that Herkimer County has passed a similar resolution already. Herkimer County Legislature is asking other counties to also follow suit. Supervisor Callery asked Assemblyman Robert Smullen if he wanted to comment on this. Assemblyman Smullen thanked Chairman Callery for asking for his opinion on this bill and stated that this bill will have some serious legal challenges moving forward. He noted that he spoke at the Assembly floor about this bill. He also stated that Herkimer County and other counties are urging the rejection of this bill and he expressed that “it’s great”. Mr. Stead stated that Rem Arms (formerly known as Remington Arms) is the largest manufacturer in this area but noted there are smaller, lesser known companies that will also be impacted by this law if it passes. Supervisor Greene stated that this law makes no sense to him and expressed that he is fully against this law as it is presented. Supervisor Horton stated that Rem Arms has invested a lot of money in this area and has brought a lot of people back to work.

Chairman Callery opened the Public Hearing to receive comments on Proposed Local Law “A” of 2021 entitled “a Local Law to Authorize 12 and 13-year old Licensed Hunters to Hunt Deer with a Firearm or Crossbow during Hunting Season with the Supervision of an Adult Licensed Hunter” at 1:30 p.m. Chairman Callery asked any interested speakers to step to the podium.

**Assemblyman Robert Smullen -** Assemblyman Smullen stated that he appreciated the opportunity to speak today. He read sections of the law to the Board of Supervisors. He stated that New York has a lot of strict laws when it comes to hunting which is the responsible thing to do. He stated that this program will allow this additional youth hunting to be executed safely. He noted that it is very rare that a home rule is extended back to the counties. Many counties are able to “opt in” to this law and he expressed the importance of opting in. He noted that there are 25 counties that are still pending while the other counties have adopted the “pilot program”. He stated that, during the pilot, the number hunting related incidents and other information will be reported and then it will be reviewed after 2023. It will show the data of responsible hunters that teach younger children how to hunt responsibly.

Mr. Smullen continued that there are anti-hunting bills “out there” now and but this bill is a step in the right direction. He noted that this bill has the support of the Commissioner of the Department of Environmental Conservation and the New York State Conservation Advisory Board. Assemblyman Smullen expressed that he urges Fulton County to join this “pilot program” as other counties have done.

Chairman Callery called for a five-minute recess at 1:37 p.m.

Chairman Callery called the meeting back to order at 1:45 p.m.

Chairman Callery again asked if there were any members of the public who wished to make comments regarding Proposed Local Law “A” of 2021 entitled “a Local Law to Authorize 12 and 13-year old Licensed Hunters to Hunt Deer with a Firearm or Crossbow during Hunting Season with the Supervision of an Adult Licensed Hunter”. There being no other interested speakers, Chairman Callery closed the Public Hearing at 1:46 p.m.

Upon a motion by Supervisor Fagan, seconded by Supervisor Greene and unanimously carried, the Board entered Executive Session at 1:50 p.m. to discuss collective bargaining.

Upon a motion by Supervisor Fagan, seconded by Supervisor Greene and unanimously carried, the Board re-entered into Regular Session at 2:18 p.m.

The Board then deliberated upon proposed Resolutions 180, 181 and 182.

Upon a motion by Supervisor Greene, seconded by Supervisor Groff and unanimously carried, the Board adjourned at 2:25 p.m.

*Certified by:*

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

**Resolution No. 161**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW “1” OF 2021 TO AUTHORIZE 12 AND 13-YEAR-OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER

WHEREAS, proposed Local Law “1” of 2021 entitled, “A LOCAL LAW TO AUTHORIZE 12 AND 13-YEAR-OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER” has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on June 14, 2021, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law 1, as attached hereto and made a part hereof, be and hereby is approved; and, be it further

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

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

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

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**COUNTY OF FULTON, NEW YORK  
LOCAL LAW NO. "1" OF 2021**

**A LOCAL LAW AUTHORIZING 12 AND 13-YEAR-OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER**

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

**Section 1. Legislative Intent**

The intent of this Local Law is to authorize Fulton County to permit 12 and 13-year-old individuals to participate in the new and safe hunting opportunities in accordance with Environmental Conservation Law § 11-0935. The enacted 2021-2022 New York State Budget, includes a pilot program, allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. Fulton County is passing this local law as hunting is a valued tradition for many families, and this new opportunity allows experienced, adult hunters to introduce the value of hunting to the next generation. Furthermore, teaching young people safe, responsible, and ethical hunting practices will ensure a rewarding experience for the youth, while providing quality food to families and contributing to important deer management population control practices.

**Section 2. Pilot Program Authorization**

Pursuant to Environmental Conservation Law, ECL 11-0935, Fulton County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2023.

**Section 3. State Requirements to Adhere Once Authorized**

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

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

- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering designated pursuant to the law, rules and regulations promulgated by the State of New York; and
- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year old with a firearm or crossbow.

#### **Section 4. Local Law Filing Requirements**

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

#### **Section 5. Severability**

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

#### **Section 6. Effective Date**

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

**Resolution No. 162**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION REQUESTING THE RESCINDING OF THE  
NYS FIBER RIGHT OF WAY FEE

WHEREAS, the 2019-2020 New York State budget contained language that enacted a right-of-way use and occupancy fee for any fiber optic cables located in or crossing a state-controlled right-of-way and authorized the New York State Department of Transportation (DOT) to enter fee bearing permits with fiber optic installers; and

WHEREAS, the 2019-2020 State budget also added Section 7 of the Transportation Corporation Law, allowing the DOT to charge fiber optic corporations installing and operating the utility lines for fair-market use and occupancy of the State right-of-way; and

WHEREAS, in early 2020 organizations, businesses, legislators and residents of northern New York became aware of the fee because the DOT started charging the fee; and

WHEREAS, in the rural counties of the North Country it's virtually impossible to install fiber optic cables for any distance without utilizing or crossing a state right-of-way and development requirements within the Adirondack Park almost entirely preclude installation of broadband in any location other than an existing state right-of-way; and

WHEREAS, Governor Cuomo, in his 2021 State of the State address championed his Connectivity Agenda which includes, among other provisions, enactment of a requirement for affordable internet for low-income families and a series of actions to promote broadband build-out and market competition; and

WHEREAS, the DOT fiber right-of-way fee is acting as a significant financial deterrent to broadband build-out in rural areas, particularly northern regions upstate; now, therefore be it

RESOLVED, That the Board of Supervisors formally opposed the enactment of the DOT right-of-way fees on fiber optic cable and urges the Governor and the New York State Legislature to rescind the right-of-way use and occupancy fees on fiber cable immediately so that the Governor's pledge can be fulfilled and the expansion of the fiber network in the North Country can continue in order to serve critically unserved and underserved areas; and, be it further



**Resolution No. 162 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew M. Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Robert G. Ort, Assembly Speaker Carl E. Heastie, Assembly Minority Leader Will Barclay, Senator James Tedisco, Assemblyman Robert Smullen, Adirondack Park Local Government Review Board, Inter-County Legislative Committee of the Adirondacks and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 163**

Supervisor GROFF offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING DANIELLE HARTWIG TO THE FULTON MONTGOMERY  
SCHOHARIE WORKFORCE DEVELOPMENT BOARD**

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

WHEREAS, in accordance with federal regulations, the Fulton County Regional Chamber of Commerce and Industry nominated Ms. Danielle Hartwig, Manager of Human Resources at DHL Supply Chain, to serve as a private sector board member; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, Danielle Hartwig of Gloversville, NY, be and hereby is appointed to the F-M-S Workforce Development Board, as a “Private Sector” representative effective for the balance of the term June 1, 2021 through June 30, 2024; and, be it further

RESOLVED, That Ms. Hartwig is required to complete the Fulton County Board of Ethics Financial Disclosure Statement and sign the Fulton County Oath Book located in the Fulton County Clerk’s Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Fulton County Ethics Board, Workforce Development Board, Fulton County Chamber of Commerce, Danielle Hartwig, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 164**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION SUPPORTING SENATE BILL S4410A TO CREATE A NEW YORK STATE  
250<sup>TH</sup> COMMISSION FOR THE SEMIQUINCENTENNIAL  
OF THE AMERICAN REVOLUTION

WHEREAS, Senate Bill S4410A would create a New York State 250<sup>th</sup> Commission for the Semiquincentennial of the American Revolution; and

WHEREAS, said bill is a necessary requirement for New York State to be the recipient of any funds from the federal Semiquincentennial Commission or the national public-private partner organization America250; and

WHEREAS, said bill provides for heritage organizations to be the focal point of the commemoration and a commitment to economic development through active support for heritage tourism and other local business initiatives, thus generating tax revenues and supporting local taxpayers; now, therefore be it

RESOLVED, That the Board of Supervisors hereby endorses Senate Bill S4410 which would create a New York State 250<sup>th</sup> Commission for the Semiquincentennial of the American Revolution and urges the County's representatives in the New York State Legislature to advocate for its passage; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Congresswoman Stefanik, Senator Tedisco, Assemblyman Smullen, Historian, Budget Director and Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor HORTON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 165**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION APPROVING VISITOR CENTER USAGE FOR  
“OUTDOOR ADVENTURE DAY 2021”

WHEREAS, a Facilities Use Application has been received from the Fulton Montgomery Regional Chamber of Commerce, as Fulton County’s Tourism Promotion Agent, requesting permission to sponsor an “Outdoor Adventure Day” event for 2021 at the Fulton County Visitor Center; and

WHEREAS, said event is an approved component of the County’s 2021 Tourism Program that will partner with area businesses to celebrate the Region’s wonderful outdoor recreation activities such as hunting, fishing, antiquing, boating, hiking, biking, kayaking and many others; and

WHEREAS, Fulton Montgomery Regional Chamber of Commerce will arrange for cleanup, as well as provide for sufficient insurance protection coverage as required by County policy; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, the Fulton Montgomery Regional Chamber of Commerce be and hereby is authorized to utilize the Fulton County Visitor Center for the “Outdoor Adventure Day” event on October 2, 2021, contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Planning Director, Superintendent of Highways and Facilities, Fulton Montgomery Regional Chamber of Commerce, 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 GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 166**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION SETTING THE DATE OF A PUBLIC HEARING FOR THE CLOSE-OUT OF  
THE 2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FROM THE  
NYS OFFICE OF COMMUNITY RENEWAL

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors' Chambers in the County Building, Johnstown, New York, on Monday, July 12, 2021, at 1:30 p.m. for the purpose of holding a public hearing to close-out the 2018 Community Development Block Grant (CDBG) with the NYS Office of Community Renewal to operate a 2018 Microenterprise Grant; and, be it further

RESOLVED, That the Administrative Officer/Clerk of the Board of Supervisors be and hereby is directed to give notice of said public hearing on such close-out pursuant to and in accordance with Section 359 of the County Law, and that said notice shall be published once in the official newspaper of this County at least eight days prior to date of said public hearing; and, be it further

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 167**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING 2021 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE NYS OFFICE OF COMMUNITY RENEWAL TO OPERATE A FULTON COUNTY SMALL BUSINESS ASSISTANCE GRANT PROGRAM AND SETTING DATE OF A PUBLIC HEARING REGARDING SAID APPLICATION (U.S. CARES ACT)

WHEREAS, Fulton County is considering an application for Community Development Block Grant funding under the Coronavirus Aid, Relief and Economic Security Act (CARES) to provide Lost Revenue Grants to Local Businesses, as amended; and,

WHEREAS, the Center for Regional Growth (CRG) has notified the Board of Supervisors that Community Development Block Grant funding from the NYS Office of Community Renewal will be available to operate CDBG-CV grants; and

WHEREAS, the application will be available through New York State's Consolidated Funding Application process with a rolling application deadline; and

WHEREAS, the CRG proposes to apply for and administer said grant program on behalf of the County in a grant amount of \$500,000.00; and

WHEREAS, the Small Business Assistance Program is intended to provide grants up to \$85,000.00 to small businesses whose revenue was negatively impacted by the Coronavirus pandemic, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, the Chairman of the Board be and hereby is authorized to submit an application to the New York State Office of Community Renewal for a Community Development Block Grant (CDBG-CV), in the amount of \$500,000.00 to operate a "Fulton County Small Business Assistance Grant Program" program to benefit area businesses; and, be it further

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors' Chambers in the County Office Building, Johnstown, NY, on Monday, July 12, 2021, at 1:45 p.m. for the purpose of holding a public hearing regarding application to the NYS Office of Community Renewal to Operate a Fulton County Small Business Assistance Grant Program; and, be it further

RESOLVED, That the Clerk of the Board of Supervisors give notice of said public hearing on the application to the NYS Office of Community Renewal to Operate a Fulton County Small Business Assistance Grant Program and that said notice shall be published once in the official newspaper of this County, at least five (5) days prior to the date of said public hearing; and, be it further





**Resolution No. 167 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton County Center for Regional Growth, Fulton County Industrial Development Agency, Fulton Montgomery Regional Chamber of Commerce, Fulton County Rotary International, City of Gloversville, City of Johnstown, All Towns, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 168**

Supervisor GROFF offered the following Resolution and moved its adoption:

**RESOLUTION SETTING THE DATE OF A PUBLIC HEARING REGARDING ADDING PROPERTIES INTO FULTON COUNTY AGRICULTURAL DISTRICT NO. 1**

WHEREAS, New York State Agriculture and Markets Law, Section 303-b, allows landowners to request inclusion of their property in an existing Agricultural District during an annual 30-day time period each year; and

WHEREAS, Resolution 159 of 2004 established an annual 30-day time period during March for landowners to apply to the Fulton County Agricultural and Farmland Protection Board for inclusion in the Fulton County Agricultural District; and

WHEREAS, certain property owners have requested that certain parcels in the Town of Johnstown, Town of Mayfield and Town of Oppenheim be included in Agricultural District No. 1; now, therefore be it

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors’ Chambers in the County Office Building, Johnstown, NY on July 12, 2021 at 2:00 p.m. for the purpose of holding a public hearing on requests from the following property owners to include the following properties in Fulton County Agricultural District No. 1:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Kevin Calyer	Cline Road	127.-1-24	21.33
Claudia Harrison	County Highway 106	152.-5-59	2.3
Nathan Monroe and Racquel Ryan	County Highway 101	133.-3-58	117

and, be it further

RESOLVED, That the Clerk of the Board of Supervisors give notice of said public hearing on the request to have additional property included in the Agricultural District No. 1 in Fulton County and that said notice shall be published once in the official newspaper of this County, at least five (5) days prior to the date of said public hearing; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Town of Johnstown, Fulton County Agricultural and Farmland Protection Board, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further purport of this Resolution.

Seconded by Supervisor PERRY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 169**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION DECLARING THE FULTON COUNTY BOARD OF SUPERVISORS LEAD AGENCY AND AUTHORIZING THE FILING OF A NEGATIVE DECLARATION UNDER SEQR RELATED TO ADDING CERTAIN PARCELS TO FULTON COUNTY AGRICULTURAL DISTRICT NO. 1

WHEREAS, Fulton County must conduct a State Environmental Quality Review Act (SEQRA) review regarding the proposed inclusion of additional properties into Fulton County Agricultural District #1; and

WHEREAS, inasmuch as the inclusion of predominantly viable agricultural land within an existing Agricultural District is a discretionary action of the Board of Supervisors, it is considered an Unlisted Action; and

WHEREAS, the Planning Department has prepared a Short Environmental Assessment Form (EAF) for this proposed action; and

WHEREAS, the lead agency must transmit a copy of the EAF and supporting materials to other Involved Agencies and notify them that Lead Agency must be established within thirty (30) calendar days; now, therefore be it

RESOLVED, That the Board of Supervisors hereby proposes that it serve as Lead Agency for the purpose of issuing a determination of significance under SEQR related to the proposed inclusion of the following properties:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Kevin Calyer	Cline Road	127.-1-24	21.33
Claudia Harrison	County Highway 106	152.-5-59	2.3
Nathan Monroe and Racquel Ryan	County Highway 101	133.-3-58	117

and, be it further

RESOLVED, That said proposed addition of the specified parcels herein be classified as an Unlisted Action and a Negative Declaration is hereby issued under SEQRA; and, be it further

**Resolution No. 169 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, NYS Department of Agriculture and Markets, Fulton County Agricultural and Farmland Protection Board, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 170**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION OPPOSING LEGISLATIVE AGENDA OF CERTAIN ADIRONDACK ENVIRONMENTAL GROUPS SEEKING TO DECOUPLE BROADBAND AND CELLULAR EXPANSION COVERAGE IN THE ADIRONDACK PARK

WHEREAS, certain environmental advocacy groups are seeking to decouple support for broadband expansion and cellular telephone coverage for communities of the Adirondack Park; and

WHEREAS, access to cellular telephone coverage and broadband internet access are both vital and necessary for 21<sup>st</sup> century economic vitality and public safety; and

WHEREAS, several other Adirondack region counties oppose the decoupling of broadband improvements and cellular coverage improvements in the Adirondack Park; now, therefore be it

RESOLVED, That the Board of Supervisors hereby opposes the decoupling of broadband improvements and cellular coverage improvements in the Adirondack Park; and, be it further

RESOLVED, That the Board urges all involved officials and organizations to pursue goals for the Adirondacks that include promoting economic well-being and public safety for residents alongside environmental advocacy; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Cuomo, Congresswoman Stefanik, Senator Tedisco, Assemblyman Smullen, Public Service Commission, Adirondack Park Agency, Inter-County Legislative Committee of the Adirondacks, NYSAC, Adirondack Association of Towns and Villages, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 171**

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

RESOLUTION ADOPTING THE *FULTON COUNTY CONTINUATION OF OPERATIONS PLAN DURING PUBLIC HEALTH EMERGENCIES*

WHEREAS, in early 2020, Governor Andrew Cuomo signed legislation that required all public employers in New York state to create plans to adequately protect workers in the event of another state disaster emergency involving a communicable disease; and

WHEREAS, incorporating previous State-mandated rules and lessons learned within County operations during the COVID-19 pandemic, the Administrative Officer and Personnel Director have completed a draft plan in accordance with Chapter 168 of the NYS Laws of 2020; and

WHEREAS, in accordance with Chapter 168, said draft Continuation of Operations Plan During Public Health Emergencies was presented to representatives of all county employee collective bargaining units for review and comment; and

WHEREAS, the Administrative Officer and Personnel Director recommend adopting the *Fulton County Continuation of Operations Plan During Public Health Emergencies*; now, therefore be it

RESOLVED, That *Fulton County Continuation of Operations Plan During Public Health Emergencies*; be, and hereby is, adopted; and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)



**Resolution No. 172**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL DISCRETIONARY SUPPLEMENTAL GRANT FUNDS (U.S. CARES ACT, OFFICE FOR AGING)**

WHEREAS, the OFA Director has been notified that the Office for Aging will receive Consolidated Appropriations Act funds (CARES ADRC) for the period December 2020 through September 2022 in the amount of \$12,536.00 to support Aging and Disability Resource Centers (“No Wrong Door” Systems); and

WHEREAS, said funds can be used to offset agency costs to mitigate adverse effects of COVID-19 by supporting COVID-19 vaccination efforts; and

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a grant agreement between OFA Director and NYS Office for Aging to accept Consolidated Appropriations Act Funds (CARES ADRC) in the amount of \$12,536.00 to offset costs associated with COVID-19 pandemic response; said agreement subject to the approval of the County Attorney; and, be it further

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

Decrease A.1000.0599-0599 – REV-Appropriated Fund Balance                      \$12,536.00

Revenue:

Increase A.7610.7610-4772 – REV- Federal Aid - Programs for the Aging                      \$12,536.00

and; be it further

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

Seconded by Supervisor VANDENBURGH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)



**Resolution No. 173**

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

RESOLUTION AUTHORIZING ACCEPTANCE OF FEDERAL CONSOLIDATED APPROPRIATIONS ACT FUNDS (VAC5) FOR 2021 (OFFICE FOR AGING)

WHEREAS, the OFA Director has been notified that the Office for Aging will receive Consolidated Appropriations Act funds (VAC5) for the period December 2020 through September 2022 in the amount of \$8,296.00; now, therefore be it

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a grant agreement between the OFA and NYS Office for Aging to accept Consolidated Appropriations Act Funds (VAC5) in the amount of \$8,296.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the OFA Director will return to the Board of Supervisors with a plan to expend said grant proceeds prior to the end of the year; now, therefore be it

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

Revenue:

Increase A.7610.7610-4772 – REV – Federal Aid-Programs for the Aging \$8,296.00

Appropriation:

Increase A.7610.7610-4170 – EXP-Programs \$8,296.00

and; be it further

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 174**

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

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

WHEREAS, the OFA Director has been notified that the Office for Aging will receive American Rescue Plan Funds (U.S. CARES ACT) for the period April 1, 2021 through September 30, 2024 in the amount of \$230,665.00 for reimbursement of Office for Aging expenses during the COVID-19 pandemic; and

WHEREAS, the OFA Director has requested to utilize \$26,500.00 of said grant funds across a number of operational accounts in support of seniors; now, therefore be it

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a grant agreement between the Office for Aging and Youth and NYS Office for Aging to accept American Rescue Plan Funds (U.S. CARES ACT) in the amount of \$230,665.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the OFA Director will return to the Board of Supervisors with a plan to expend said grant proceeds prior to the end of the year; now, therefore be it

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

Revenue:

Increase A.7610.7610-4772 - REV- Federal Aid - Programs for the Aging \$26,500.00

Appropriation:

Increase A.7610.7610-4170-EXP-Programs	\$20,000.00
Increase A.7610.7610-4560-EXP-Printing	\$2,000.00
Increase A.7610.7610-4010-EXP-Equipment - Non-Asset	\$3,500.00
Increase A.7610.7610-4100-EXP-Advertising	\$1,000.00_

and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 175**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING MEAL EXPENSES FOR CERTAIN SCHEDULED EVENTS  
IN THE OFFICE FOR AGING AND YOUTH BUREAU (2021)**

WHEREAS, the Office for the Aging and Youth Bureau sponsor certain training meetings and community events throughout the year, which include plans for light meals, light refreshments and room rental; and

WHEREAS, in accordance with Section 16.03 of the Purchasing and Audit Guidelines, scheduled meetings or community events that include meals require prior approval by the Board of Supervisors; and

WHEREAS, in accordance with such policy, the OFA Director/Youth Bureau Director has submitted a current list of scheduled events, as follows:

AGING events:

- Monthly Support Group Meetings
- Office for Aging Advisory Council Meetings
- NYConnects Community Event – TBA
- Office for Aging Senior Health & Wellness Events (September, October 2021)

YOUTH events:

- Youth Bureau Advisory Board Meetings

now, therefore be it

RESOLVED, That the OFA Director/Youth Bureau Director is hereby authorized to include light meals, light refreshments and room rental, if necessary, as part of planning for the aforementioned sessions during 2021, subject to said costs being in accordance with State and/or Federal agency guidelines; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 176**

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2020-2021 EARLY INTERVENTION  
ADMINISTRATION GRANT FROM THE NYS DEPARTMENT OF HEALTH  
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, the Fulton County Public Health Director recommends an agreement for acceptance of 2020-2021 Early Intervention Administration grant from the NYS Department of Health; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and NYS Department of Health to accept a Early Intervention Administration, in an amount of \$27,894.00, for the period beginning October 1, 2020 through September 30, 2021; said agreement subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor HORTON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 177**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID TO BROWN TRANSPORTATION FOR CHILDREN WITH HANDICAPPING CONDITIONS TRANSPORTATION PROGRAM (2021-2022)**

WHEREAS, Resolution 91 of 2021 authorized advertisement for bids for children with handicapping conditions 2021-2022 transportation; now, therefore be it

RESOLVED, That the bids, as hereinafter specified, for the transportation of children with handicapping conditions to various 2021-2022 school programs be and hereby are accepted, as reviewed and recommended by the Public Health Director and Purchasing Agent; they being the lowest responsible bidders in accordance with Specification No. 2021-40-01, dated May 26, 2021:

<u>Program Site/Route</u>	<u>Daily Rte. Cost</u>	<u>Low Bidder</u>
Summer Route 1	\$405.95	STA/ Brown Transportation
Regular School Year Route 1	\$405.95	STA/ Brown Transportation
Regular School Year Route 3	\$405.95	STA/ Brown Transportation
Summer Route 6	\$405.95	STA/ Brown Transportation
Regular School Year Route 6	\$425.95	STA/ Brown Transportation
Summer Route 7	\$405.95	STA/ Brown Transportation
Regular School Year Route 7	\$405.95	STA/ Brown Transportation

and, be it further

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

Seconded by Supervisor PERRY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 178**

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

RESOLUTION AUTHORIZING THE COMMISSIONER OF SOCIAL SERVICES TO ADMINISTER AN EMERGENCY RENTAL ASSISTANCE PROGRAM (ERAP) AND TO ENTER A MEMORANDUM OF UNDERSTANDING WITH CATHOLIC CHARITIES OF THE DIOCESE OF ALBANY TO FACILITATE STATE FINANCING OF THE PROGRAM

WHEREAS, ERAP is a federally established program to assist income-eligible persons to pay rental arrears that accumulated as a result of the COVID-19 pandemic; and

WHEREAS, NYS is seeking local facilitators to assist residents with rental assistance application completion and the Commissioner of Social Services has proposed to assume said role; and

WHEREAS, ERAP facilitation funds are being administered in conjunction with ESG-CV (through the local Balance of State Continuum of Care (BOS-COC) and are distributed through ESG-CV funds administrator, Catholic Charities of the Diocese of Albany; and

WHEREAS, the Commissioner of DSS requests said ERAP funds be used to reimburse DSS salary costs associated with ERAP facilitation services and to purchase items as follows:

Computer Tablet	\$700.00
Data services for off-site table	\$700.00
Media services, advertising and outreach costs	\$700.00
Landlord incentives,	\$45,000.00

now, therefore be it

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a grant agreement between the Department of Social Services and State subcontractor Catholic Charities of the Diocese of Albany, NY to serve as ERAP facilitator and to obtain reimbursement of ERAP expenses up to \$120,000.00 including a 25 percent advance of funds to the County; said agreement subject to the approval of the County Attorney; and, be it further

**Resolution No. 178 (Continued)**

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

Decrease A.1000.0599-0599 – REV – Appropriated Fund Balance \$ 72,900.00

Revenue:

Increase A.6010.6010-1810 – REV-DSS-Administration Repayments \$120,000.00

Appropriation:

Increase A.6010.6010-2000 – EXP – Equipment-Fixed Asset \$700.00

Increase A.6010.6010-4080 – EXP – Telecommunications \$700.00

Increase A.6010.6010-4100 – EXP – Advertising \$700.00

Increase A.6010.6010-4170 – EXP – Programs \$45,000.00

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

Seconded by Supervisor VANDENBURGH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 179**

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

RESOLUTION AUTHORIZING A CONTRACT WITH THE GLOVERSVILLE TRANSIT AUTHORITY FOR POINT-TO-POINT TRANSPORTATION OF EMPLOYMENT ASSISTANCE RECIPIENTS

WHEREAS, Resolution 66 of 2021 Authorized Acceptance of Office of Temporary and Disability Assistance (OTDA) Transportation Initiative Program Funds in the amount of \$37,894.00; and

WHEREAS, after review of transportation needs for DSS Employment Unit recipients, the DSS Commissioner is recommending use of said Transportation Initiative funds as follows:

- Stipend to the Gloversville Transit Authority for purchase and operation of a Transit Authority van to transport “Welfare to Work” recipients to employment sites or employment activities not on any current public transit system route.
- Payment of car repairs, car insurance, inspection and registration costs, etc. to assist recipients, particularly those in rural areas or those not covered by municipal transport services, in obtaining or maintaining reliable work transportation.

now, therefore be it

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a contract between Department of Social Services and Gloversville Transit Authority to:

1. Advance a stipend payment to the Authority exclusively to offset the cost of a Transport Van to carry out point-to-point transportation of Employment Assistance Recipients (\$27,000.00)
2. Obtain Point-to-Point Transportation of DSS Employment Assistance Recipients during the 2020-21 NYS grant year.

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

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)





**Resolution No. 180**

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

**RESOLUTION AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY OF FULTON, FULTON COUNTY SHERIFF, AND THE FULTON COUNTY DEPUTY SHERIFF'S POLICE BENEVOLENT ASSOCIATION (2021)**

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, hereby ratifies the Memorandum of Agreement between the County of Fulton, Fulton County Sheriff, and the Fulton County Deputy Sheriff's Police Benevolent Association, as attached hereto and made a part hereof, and authorizes the Chairman of the Board to sign said Memorandum of Agreement, as well as authorization to sign any subsequent final agreement documents; and, be it further

RESOLVED, That the Personnel Director be and hereby is directed to transmit the necessary copies of said Agreement, when available, to the respective affected departments for distribution to its employees; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Sheriff, Fulton County Deputy Sheriff's Police Benevolent Association, All Department Heads, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

MEMORANDUM OF AGREEMENT BY AND BETWEEN THE COUNTY OF FULTON,  
FULTON COUNTY SHERIFF, AND THE FULTON COUNTY DEPUTY SHERIFF'S  
POLICE BENEVOLENT ASSOCIATION

The parties agree to modify the January 1, 2017 – December 31, 2020 Collective Bargaining Agreement as follows. All other provisions remain unchanged except modification of dates where applicable.

1. Term of Agreement:  
January 1, 2021 – December 31, 2021 (with retroactivity)
2. Wages:  
Effective January 1, 2021 – \$750.00 added to base, then 3.0% added to salary schedule

Dated: June 14, 2021

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Fulton County Deputy Sheriffs' PBA

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Sheriff Richard C. Giardino

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Chairman of the Board, County of Fulton

**Resolution No. 181**

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

RESOLUTION AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY OF FULTON AND THE CIVIL SERVICE EMPLOYEE ASSOCIATION, INC., LOCAL 1000, AFSCME, AFL-CIO, FULTON COUNTY NURSES UNIT (2022-2023)

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, hereby ratifies the Memorandum of Agreement between the County of Fulton and Fulton County Nurses Unit, CSEA Local 818, as attached hereto and made a part hereof, and authorizes the Chairman of the Board to sign said Memorandum of Agreement, as well as authorization to sign any subsequent final agreement documents; and, be it further

RESOLVED, That the Personnel Director be and hereby is directed to transmit the necessary copies of said Agreement, when available, to the respective affected departments for distribution to its employees; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

MEMORANDUM OF AGREEMENT BY AND BETWEEN THE COUNTY OF FULTON,  
FULTON COUNTY NURSES UNIT, AND CSEA LOCAL 818

The parties agree to modify the January 1, 2018 – December 31, 2021 Collective Bargaining Agreement as follows. All other provisions remain unchanged except modification of dates where applicable.

3. Term of Agreement:  
January 1, 2022 – December 31, 2023
4. Wages:  
Effective January 1, 2022 – 3.5% added to salary schedule  
Effective January 1, 2023 – 3.0% added to salary schedule

Dated: June 14, 2021

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Nurses Unit, CSEA Local 818

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Chairman of the Board, County of Fulton

**Resolution No. 182**

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

**RESOLUTION AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE COUNTY OF FULTON, FULTON COUNTY SHERIFF AND THE FULTON COUNTY SHERIFF'S OFFICE EMPLOYEES ALLIANCE (2020-2021)**

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, hereby ratifies the Memorandum of Agreement between the County of Fulton and Fulton County Sheriff, and the Fulton County Sheriff's Office Employees Alliance, as attached hereto and made a part hereof, and authorizes the Chairman of the Board to sign said Memorandum of Agreement, as well as authorization to sign any subsequent final agreement documents; and, be it further

RESOLVED, That the Personnel Director be and hereby is directed to transmit the necessary copies of said Agreement, when available, to the respective affected departments for distribution to its employees; and, be it further

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

MEMORANDUM OF AGREEMENT BY AND BETWEEN THE COUNTY OF FULTON,  
FULTON COUNTY SHERIFF, AND FULTON COUNTY SHERIFF'S OFFICE  
EMPLOYEES ALLIANCE

The parties agree to modify the January 1, 2016 – December 31, 2019 Collective Bargaining Agreement as follows. All other provisions remain unchanged except modification of dates where applicable.

1. Term of Agreement:  
January 1, 2020 – December 31, 2021 (with retroactivity)
2. Wages:  
Effective January 1, 2020 – 3.5% added to salary schedule  
Effective January 1, 2021 – 3.5% added to salary schedule

Dated: June 14, 2021

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Fulton County Sheriff's Office Employee Alliance

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Sheriff Richard C. Giardino

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Chairman of the Board, County of Fulton

**Resolution No. 183**

Supervisor BREH offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF AN “UPSTATE QUALITY IMPROVEMENT AND CASELOAD REDUCTION” GRANT (C3RD617) FROM THE NYS OFFICE OF INDIGENT LEGAL SERVICES (2021)

WHEREAS, the Public Defender has received notification from the NYS Office of Indigent Legal Services that Fulton County has been awarded a grant to improve the quality of legal services provided to indigent individuals in Fulton County; and

WHEREAS, the grant will be a three-year distribution from the Indigent Legal Services Fund in the amount of \$300,000.00 (\$100,000.00 per year) for the period July 1, 2020 through June 30, 2023; and

WHEREAS, said grant funds cannot be used to supplant existing local funding; and

WHEREAS, the Public Defender recommends the following Work Plan for utilization of said grant proceeds:

1. Reimburse Salary and Fringe Benefits for Third and Fourth Assistant Public Defender
2. Other expenditures

now, therefore be it

RESOLVED, That this Resolution and continuation of said positions is contingent upon funding being received from the NYS Office of Indigent Legal Services providing the entire 100 percent cost for said positions; and, be it further

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

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

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)



**Resolution No. 184**

Supervisor BREH offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH MED-PROJECT TO PROVIDE A  
PUBLIC MEDICATION DISPOSAL COLLECTION KIOSK AT THE  
PROBATION DEPARTMENT

WHEREAS, it is the recommendation of the Probation Director and Committee on Public Safety that the County enter into an agreement with MED-Project to set up a public medication disposal collection kiosk at the Probation Department; and

WHEREAS, representatives from the Probation Department reviewed the vendors proposal and recommend this public medication disposal collection kiosk by MED-Project as the best option at this time; now, therefore be it

RESOLVED, That the Probation Director be and hereby is authorized to sign a contract with MED-Project to provide a public medication disposal collection kiosk; effective July 1, 2021 through December 31, 2021 at no cost to the County; 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, Probation Director, MED-Project, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)



**Resolution No. 185**

Supervisor BREH offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF THE 2021-22  
STATE AID TO PROSECUTION GRANT FROM THE NYS DEPARTMENT OF CRIMINAL  
JUSTICE SERVICES (DISTRICT ATTORNEY)

WHEREAS, the District Attorney has requested permission to apply for and accept 2021-2022 "State Aid to Prosecution" Grant funds, in the amount of \$29,091.00; and

WHEREAS, "State Aid to Prosecution" Grant funds will be identified and budgeted as a grant supporting DA operations as general Department revenue on an annual basis and allocated to the permanent re-setting of the base salaries for the First, Second and Third Assistant District Attorneys and Confidential Secretary, as approved by Resolution 313 of 2016; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for, and authorize acceptance from, the NYS Department of Criminal Justice Services for State Aid to Prosecution funding, in an amount of \$29,091.00, effective April 1, 2021 through March 31, 2022; and, be it further

RESOLVED, That the staffing structure for all positions within the District Attorney's Office shall be reviewed by the District Attorney with the Board of Supervisors if and when these specific grant funds are reduced or discontinued; 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, District Attorney, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 186**

Supervisor BREH offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS INTERNATIONAL CORPORATION FOR SALE OF SURPLUS VEHICLES AND EQUIPMENT IN THE SHERIFF’S DEPARTMENT

WHEREAS, the Sheriff’s Department has recommended the public sale of one (1) 2012 Dodge Charger, one (1) Speed Trailer and a portable cassette recorder; and

WHEREAS, there is no cost to the County to utilize Auctions International Corporation because it charges purchasers a “buyer premium” that is added to the bid price; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign a contract between the County of Fulton and Auctions International Corporation, of East Aurora, NY, to sell the following item(s) with compensation equaling a Buyer’s Premium of 10 percent;

<u>Year</u>	<u>Vehicle</u>	<u>VIN</u>	<u>Mileage</u>	<u>Minimum Bid</u>
2012	Dodge Charger	2C3CDXAT5CH276794	116,410	\$300.00
	Speed Trailer	N/A	N/A	N/A
	Portable Cassette Rec.	N/A	N/A	N/A

and, be it further

RESOLVED, That said contract shall be contingent upon the approval of the County Attorney; and, be it further

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

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 187**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING AN EASEMENT WITH NIAGARA MOHAWK POWER CORP. FOR INSTALLATION OF ELECTRICAL AND COMMUNICATIONS SERVICE TO THE CELL TOWER PROJECT AT THE DEPARTMENT OF SOLID WASTE**

WHEREAS, Resolution 418 of 2019 authorized a Lease Agreement with New Cingular Wireless for Construction of a Cell Tower at the Solid Waste Department; and

WHEREAS, the Solid Waste Director has requested that the County grant an easement on a portion of a 153.7 acre County-owned parcel (Parcel ID 160.-3-35.1) on County Highway 116, Johnstown, NY to allow Niagara Mohawk Power Corp. to install underground lines, and for repair, maintenance and operational purposes related to said tower; and

WHEREAS, said portion of the County-owned parcel subject to easement constitutes approximately .57 acre of the parcel; and

WHEREAS, the Director of Solid Waste and the Committees on Public Works have reviewed the request from Niagara Mohawk, and recommend granting said easement; now, therefore be it

RESOLVED, That the Chairman of the Board, be and hereby is, authorized to sign a “Declaration of Covenants, Restrictions and Environmental Easement” for an approximate .57 acre portion of a County-owned parcel (Parcel ID 160.-3-35.1), as well as associated documents relating to the granting of said easement; 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, Solid Waste Director, Niagara Mohawk, Budget Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor VANDENBURGH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 188**

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

RESOLUTION AWARDING BID TO CALLANAN INDUSTRIES INC. FOR HOT MIX PAVING AT THE SOLID WASTE DEPARTMENT TRANSFER STATION IN STRATFORD

WHEREAS, Resolution 146 of 2021 authorized Advertisement for Bids for Hot Mix Paving on County Road 119 in the Town of Stratford (Specification 2021-82-05) and four (4) bids were received; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committees on Public Works and Finance, the bid as submitted by Callanan Industries, Inc. of Albany, NY, for Hot Mix Paving at the Town of Stratford Transfer Station, be and hereby is awarded as follows:

	<u>Price Per Ton</u>	<u>Diluted Tack Coat/gallon</u>
Callanan Industries, Inc.	\$96.96	\$9.60
(Estimated Project Cost: \$24,076.80)		

they being the only bidder in accordance with project specifications; and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 189**

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

RESOLUTION AWARDING BID TO EMPIRE PAVING FOR HOT MIX PAVING OF COUNTY ROAD 119 IN THE TOWN OF STRATFORD

WHEREAS, Resolution 146 of 2021 authorized Advertisement for Bids for Hot Mix Paving on County Road 119 in the Town of Stratford (Specification 2021-82-05) and four (4) bids were received; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committee on Public Works, the bid as submitted by Empire Paving, Schenectady, NY, for Hot Mix Paving on County Road 119, be and hereby is awarded as follows:

	<u>Price Per Ton</u>	<u>Diluted Tack Coat/gallon</u>
Empire Paving	\$61.33	\$1.00
(Estimated Project Cost: \$279,485.00)		

they being the only bidder in accordance with project specifications; and, be it further

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

Seconded by Supervisor PERRY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 190**

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

**RESOLUTION ACCEPTING ADDITIONAL CHIPS, PAVE NY AND EXTREME WINTER RECOVERY FUNDS (HIGHWAYS AND FACILITIES DEPARTMENT)**

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$1,487,784.21 in CHIPS funding for 2021; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$347,864.42 in PAVE NY funding for 2021; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$240,688.01 in Extreme Winter Recovery Funds for 2021; and

WHEREAS, the Superintendent of Highways and Facilities has recommended a plan for use of the above listed state aid as follows:

- County Road 119 Paving Project \$650,000.00
- King Road Bridge Repair \$ 53,166.00
- North Bush Bridge Repair \$ 65,000.00

now, therefore be it

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

Revenue:

Increase D.5010.5112-3501-REV-State Aid – Consolidated Highway Aid \$208,786.00  
Increase D.5010.5112-3589-REV-State Aid-Other Transportation \$579,381.00

Appropriation:

Increase D.5010.5112-4132.0119-EXP-Road Construction-119 \$650,000.00  
Decrease D.5010.5112-4132.0131- EXP Road Construcion-131 \$180,000.00  
Increase D.5010.5112-4132.0101- EXP Road Construction-101 \$200,000.00  
Increase D.5010.5120-4030- EXP-Repairs \$118,167.00

and, be it further



**Resolution No. 190 (Continued)**

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

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 191**

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

**RESOLUTION AUTHORIZING A SUBSCRIPTION AGREEMENT WITH COMMUNITY SOLAR PLATFORM HOLDINGS, LLC (CSPH) FOR MANAGEMENT OF SOLAR CREDITS TO FULTON COUNTY GOVERNMENT ELECTRIC BILLS**

WHEREAS, Nexus Renewables is developing a community solar project on lands owned by the Fulton County Industrial Development Agency (IDA) adjacent to the Tryon Technology Park; and

WHEREAS, said project will consist of four (4) separate solar projects each owned and operated by four (4) separate Solar LLC's; and

WHEREAS, Local governments and businesses can subscribe to Nexus to receive solar credits earned from said solar projects' energy generation to be applied to monthly electric bills from National Grid and/or other electricity providers; and

WHEREAS, Nexus utilizes Community Solar Platform Holdings, LLC (CSPH) to manage solar credits via execution of a Community Solar Subscription Agreement with CSPH.; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement with Community Solar Platform Holdings, LLC. (CSPH) of Louisville, Colorado to receive solar credits earned from said solar projects' energy generation to be applied to County of Fulton monthly electric bills including terms and conditions as follows:

1. Contract term: 25 years, with up to three (3) 5 year renewals subject to mutual consent.
2. The County will subscribe up to 40% of capacity of the project, to be determined within 30 days of electrical generation.
3. County monthly electric bills will be reduced by credits earned up to 10% dependent upon solar generation amounts each month and upon the County's subscribed portion of total credits earned.

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Planning Department, Nexus Renewables, Community Solar Platform Holdings, LLC., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 192**

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

RESOLUTION AUTHORIZING A CONTRACT WITH FERGUSON AND FOSS  
PROFESSIONAL LAND SURVEYORS FOR LAND SURVEYING OF CERTAIN PARCELS  
TO EXTEND THE F J & G RAIL TRAIL

WHEREAS, Fulton County's Vision 2026 Development Strategy recommends the completion of the F J & G Rail Trail and approximately 4.5 miles of F J & G right-of-way remains undeveloped; and

WHEREAS, property owner Fred Olbruych has offered to donate two (2) sections of the original rail bed (parcels 119.-3-21, 119.-10-22), constituting approximately 1.23 miles, to the County for extension of the Trail; retaining a 20 feet wide right-of-way along one parcel for access to an adjacent neighboring parcel; and

WHEREAS, the Planning Director and County Attorney recommend entering into a contract with Ferguson & Foss Professional Land Surveyors for updated surveys and property descriptions of the areas to be conveyed as the next step in the process; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Planning Department and Ferguson & Foss Professional Land Surveyors to provide the updated surveys and property descriptions at a cost not to exceed \$4,300.00; said contract subject to the approval of the County Attorney; and, be it further

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

From: A.1000.1990-4907-EXP-Contingent Fund Expense  
To: A.8020.8020-4130-EXP-Contractual  
Sum: \$4,300.00

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Department, Ferguson & Foss Professional Land Surveyors, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 193**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION APPROVING A “LONGEST-DRIVE CONTEST TO SUPPORT PGA HOPE”  
AT THE FULTON COUNTY AIRPORT (2021)

WHEREAS, a Facilities Use Application has been received from the Fulton Montgomery Regional Chamber of Commerce requesting permission to sponsor a “Longest-Drive Contest to Support PGA Hope Event” for 2021 at the Fulton County Airport; and

WHEREAS, Fulton Montgomery Regional Chamber of Commerce will arrange for cleanup, as well as provide for sufficient insurance protection coverage as required by County policy; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Works, Fox Run Golf Course be and hereby is authorized to utilize the Fulton County Airport for “Longest-Drive Contest to Support PGA Hope Event” on September 11, 2021, contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Planning Director, Superintendent of Highways and Facilities, Fulton Montgomery Regional Chamber of Commerce, Fox Run Golf Course, Budget Director and Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 194**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING EXTENSION OF A NYS BOARD OF ELECTIONS AID TO LOCALITIES GRANT (100% STATE AID, BOARD OF ELECTIONS)**

WHEREAS, Resolution 365 of 2019 authorized authorizing a contract between the Board of Elections and NYS Board of Elections for use of Aid to Localities Grant funding; and

WHEREAS, a balance of \$8,071.72 remains unspent from the Aid to Localities grant allocated to Fulton County; and

WHEREAS, the State Board of Elections has extended the contract expiration period from April 1, 2019 to December 31, 2022; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract extension with the State Board of Elections for expenditure of Aid to Localities Grant funds through December 31, 2022; all other terms and aspects of said contract shall remain in full force and effect; and be, it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 195**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE PURCHASE OF A FUJITSU FI-7700 SCANNER FOR  
USE IN THE BOARD OF ELECTIONS OFFICE

WHEREAS, Resolution 192 of 2012 authorized a contract between the Board of Elections and NYS Board of Elections for use of HAVA funds (“Shoebox” Program); and

WHEREAS, Resolution 150 of 2021 authorized the extension of a HAVA “shoebox” grant with the NYS Board of Elections to access funds in the amount of \$23,636.25; and

WHEREAS, the Board of Election Commissioners and Finance Committee recommend purchasing a Fujitsu FI-7700 Image Scanner using a combination of said grant funds; and

WHEREAS, there is a local county share contribution of \$269.36 required as match to expend said HAVA “shoebox” grant funds; now, therefore be it

RESOLVED, That the Board of Elections Commissioners be and hereby are authorized to purchase a Fujitsu FI-7700 Image Scanner in an amount not to exceed \$5,387.19 using 2004-2014 HAVA “shoebox” grant funds for use in the Board of Elections Office; and, be it further

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

From: A.1450.1450-4010 - EXP - Equipment - Non-Asset  
To: A.1450.1450-2000 - EXP - Equipment - Fixed Asset  
Sum: \$270.00

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

Revenue	
Increase A.1450.1450-3080 - REV - State Aid - Board of Elections	\$5,118.00
Appropriation	
Increase A.1450.1450-2000 - EXP - Fixed Asset	\$5,118.00

and, be it further

**Resolution No. 195 (Continued)**

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 196**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF A 2019 NYS DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES CYBER SECURITY GRANT (INFORMATION TECHNOLOGY)

WHEREAS, the Information Technology Director has requested permission to apply for and accept 2019 NYS Department of Homeland Security and Emergency Services "Cyber Security Grant Program" funds, in the amount of \$50,000.00; and

WHEREAS, said "Cyber Security Grant" will be utilized to enhance and sustain Fulton County's cyber security posture as well as ensure that information systems are secured and protected from cyber incidents through equipment, training, exercise and planning projects as follows:

- Multi-factor Authentication System (MFA) Software \$ 4,000.00
- SEIM Server and Associated Software 34,000.00
- Patch Management Software 12,000.00

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for, and authorize acceptance from, the NYS Department of Homeland Security and Emergency Services for "Cyber Security Grant Program" funding, in an amount of \$50,000.00, effective April 1, 2021 through August 31, 2022; and, be it further

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

Revenue

Increase A.1680.3645-3306 – REV – State Aid – Homeland Security \$50,000.00

Appropriation

Increase A.1680.3645-4130 – EXP - Contractual \$50,000.00

and, be it further

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



**Resolution No. 196 (Continued)**

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 197**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS INTERNATIONAL CORPORATION FOR SALE OF SURPLUS EQUIPMENT IN THE INFORMATION TECHNOLOGY DEPARTMENT

WHEREAS, the Information Services Director has recommended a contract with Auctions International Corporation to sell surplus computer equipment on behalf of the County; and

WHEREAS, there is no cost to the County to utilize Auctions International Corporation because it charges purchasers a “buyer premium” added to the bid price; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign a contract between the County of Fulton and Auctions International Corporation, of East Aurora, NY, to sell surplus computer equipment, with compensation equaling a Buyer’s Premium of 10 percent as follows:

<u>Asset #</u>	<u>Description</u>	<u>Acquisition Date</u>
6797	HP Laserjet 1320tn	2/1/2006
7449	HP LTO3 External Tape Drive	5/25/2007
7920	HP Color Laserjet CP1518ni	12/3/2008
8631	HP Elite 8100	11/9/2010
8632	HP Elite 8100	11/9/2010
9048	Dell Optiplex 990	9/25/2012
9051	Dell Optiplex 990	9/25/2012
9054	Dell Optiplex 990	9/25/2012
9058	Dell Optiplex 990	9/25/2012
9060	Dell Optiplex 990	9/25/2012
9062	Dell Optiplex 990	9/25/2012
9063	Dell Optiplex 990	9/25/2012
9068	Dell Optiplex 990	9/25/2012
9069	Dell Optiplex 990	9/25/2012
9224	HP EliteDesk 8300 MT	2/26/2013
9226	HP EliteDesk 8300 MT	2/26/2013
9227	HP EliteDesk 8300 MT	2/26/2013
9228	HP EliteDesk 8300 MT	2/26/2013
9230	HP EliteDesk 8300 MT	2/26/2013
9231	HP EliteDesk 8300 MT	2/26/2013
9242	HP EliteDesk 8300 MT	2/26/2013
9246	HP EliteDesk 8300 MT	2/26/2013
9564	HP EliteDesk 800 G1	4/18/2014
9580	HP EliteDesk 800 G1	4/18/2014
9583	HP EliteDesk 800 G1	4/18/2014
9595	HP EliteDesk 800 G1	4/18/2014

**Resolution No. 197 (Continued)**

9612	HP EliteDesk 800 G1	4/18/2014
9624	HP EliteDesk 800 G1	4/18/2014
9856	HP EliteDesk 800 G1	9/5/2015
9860	HP EliteDesk 800 G1	9/5/2015
9871	HP EliteDesk 800 G1	9/5/2015
9881	HP EliteDesk 800 G1	9/5/2015
9895	HP EliteDesk 800 G1	9/5/2015
MY9551106Z	HP Officejet 7000	unknown

and, be it further

RESOLVED, That said contract shall be contingent upon the approval of the County Attorney;  
and, be it further

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

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 198**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID TO MA SCHAFER CONSTRUCTION INC. FOR THE  
FMCC FINANCIAL TECHNOLOGY LAB PROJECT (2021 CAPITAL PLAN)**

WHEREAS, the 2021 Capital Plan identifies a FMCC Financial Technology Lab Project to be fully funded by the FMCC Foundation; and

WHEREAS, Resolution 124 of 2021 authorized advertisement for bids for the FMCC Financial Technology Lab Project and one (1) bid was received; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director, FMCC Foundation and Committee on Finance, the base bid only, in the amount of \$216,500.00 as submitted by MA Schafer Construction Inc. of Altamont, NY, for the FMCC Financial Technology Lab Project, be and hereby is awarded as follows; they being the lowest responsible bidder in accordance with project specifications:

<u>Contractor</u>	<u>Base Bid</u>
MA Schafer Construction Inc.	\$216,500.00

and, be it further

RESOLVED, That the FMCC Foundation shall advance \$75,000.00 to the County of Fulton at the start of the project and fund any additional expenses related to this project; and, be it further

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

Revenue

Increase H.8020.2497-2770.0959 – REV – FMCC Financial	\$116,500.00
Technology Lab Project (NEW)	
Increase H.8020.2497-3285.0959 – REV – State Aid – FMCC Financial	\$100,000.00
Technology Lab Project (NEW)	

Appropriation

Increase H.8020.2497-2100.0959 – EXP – FMCC Financial Technology	\$216,500.00
Lab Project (NEW)	

and, be it further

**Resolution No. 198 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Fulton-Montgomery Community College, MA Schafer Construction Inc., JMZ Architects and Planners, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 472 (16) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 54 (3) (Supervisors Howard, Kinowski and Potter)

**Resolution No. 199**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SALE OF 54 FOREST STREET TO THE CITY OF  
GLOVERSVILLE WITHOUT STIPULATIONS FOR A  
GLOVERSVILLE NEIGHBORHOOD IMPROVEMENT PROJECT (ETOPIA)

WHEREAS, Resolution 285 of 2020 transferred ownership of 54 Forest Street, Gloversville to the Gloversville Neighborhood Improvement Corporation for a Model Home Pilot Project with stipulations; and

WHEREAS, City of Gloversville Mayor has requested that certain stipulations be removed due to extensive delays to the Pilot Project and drastic changes in the cost of construction materials; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the Board of Supervisors hereby rescinds the following stipulations that were specified in Resolution 285 of 2020:

- Said donated parcel at 54 Forest Street (parcel 149.6-25-1) shall be managed and developed for the City of Gloversville's Model Home Pilot Project within six (6) months of the passage of this Resolution (April 13, 2021)
- Any parcels obtained will be cleaned, landscaped and fenced in a neat manner within six (6) months of the passage of this resolution (April 13, 2021)

and, be it further

RESOLVED, That the County Treasurer is hereby authorized to consummate the sale to the City and 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, Gloversville Neighborhood Improvement Corporation, City of Gloversville, County Clerk, County Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 472 (16) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 54 (3) (Supervisors Howard, Kinowski and Potter)



**Resolution No. 200**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING RENEWAL OF SPECIFIC EXCESS LIABILITY  
INSURANCE POLICY FOR 2021-2022 (WORKERS COMPENSATION PLAN)**

WHEREAS, the County of Fulton holds certain specialized liability and property insurance through private insurance carriers; and

WHEREAS, the County also insures certain risks related to the County-wide cooperative Workers Compensation Self-Insurance Program on behalf of all Plan participants; now, therefore be it

RESOLVED, That the County's Specific Excess Employers Liability Insurance Policy be renewed, effective September 1, 2021 through August 31, 2022 with Jacksland Associates, of Johnstown, NY, at an annual estimated premium of \$14,348.00; and, be it further

RESOLVED, That said policy includes the following terms:

Employers Liability:	\$475,000.00 per occurrence
Self-Insured Retention:	25,000.00 each occurrence

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Jacksland Associates, Workers Compensation Program, Budget Director/County Auditor, Administrative Officer/ Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)





**Resolution No. 201**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

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

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

Sheriff:

- 1 – Burgundy Chair (7180)
- 1 – Chair & Sofa Set (2274)
- 1 – Blue High Back Chair (5119)
- 1 – Cxo Executive Chair (8372)
- 1 – Cxo Executive Chair (8373)
- 1 – Gusto Chair – Black (5235)

Information Technology:

- 1 – Corner Workstation Desk (4845)
- 1 – Dell Optiplex GX620 (7124)
- 1 – Dell Optiplex 755 (7987)
- 1 – Dell Optiplex 755 (7992)
- 1 – Dell Optiplex 755 (7993)
- 1 – Dell Optiplex 755 (7994)
- 1 – Dell Optiplex 755 (8002)
- 1 – Dell Optiplex 755 (8010)
- 1 – Dell Optiplex 755 (8014)
- 1 – Dell Optiplex 755 (8021)
- 1 – Dell Optiplex 755 (8023)
- 1 – Dell Optiplex 755 (8025)
- 1 – Dell Optiplex 755 (8027)
- 1 – Dell Optiplex 755 (8047)
- 1 – HP Laserjet Printer (8383)
- 1 – Dell Optiplex 760 (8499)
- 1 – Dell Optiplex 390 (8799)
- 1 – HP Elite 8300 CMT (9223)
- 1 – HP Elite 8300 CMT (9225)
- 1 – HP Elite 8300 CMT (9238)
- 1 – HP Elite 8300 CMT (9250)
- 1 – HP Color Laserjet Pro 200 M276nw (9516)
- 1 – HP Elitedesk 800 G1 (9575)
- 1 – HP Elitedesk 800 G1 (9582)

**Resolution No. 201 (Continued)**

- 1 – HP Elitedesk 800 G1 (9585)
- 1 – HP Elitedesk 800 G1 (9626)
- 1 – HP EliteDesk 8300 MT (No Number)

and, be it further

RESOLVED, That the Superintendent of Highways and Facilities, Solid Waste Director and Purchasing Agent be and hereby are directed to arrange for the disposal of the listed surplus as scrap and/or refuse, to be coordinated with the Solid Waste Department's current bulky metals contract, as necessary; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)



**Resolution No. 202**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING AMERICAN RESCUE PLAN FUNDS (CORONAVIRUS  
STATE AND LOCAL FISCAL RECOVERY FUNDS) FROM THE  
U.S. DEPARTMENT OF TREASURY

WHEREAS, the United States Congress has adopted the “American Rescue Plan Act of 2021” (ARPA), and it has become law; and

WHEREAS, Section 603 of the ARPA provides for financial assistance for counties, cities and non-entitlement units of local government for eligible expenses in accordance with the “Interim Final Rule” issued by the U.S. Department of Treasury; and

WHEREAS, the County is eligible to receive \$10,369,022.00 to be distributed in equal tranches, half in 2021 (\$5,184,511.00) and the remaining half in 2022 (\$5,184,511.00); and

WHEREAS, the Federal Treasury has issued interim guidance on how the County can utilize the funding, with funds having to be obligated by the end of 2024 and spent by the end of 2026; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts American Rescue Plan Act (ARPA) Funds (Coronavirus State and Local Fiscal Recovery Funds) from the U.S. Department of Treasury in a total amount of \$10,369,022.00; with funds having to be obligated by December 31, 2024 and spent by December 31, 2026; and, be it further

RESOLVED, That the Chairman of the Board and Administrative Officer/Clerk of the Board do each and every thing necessary to obtain said ARPA grant funds and to coordinate their appropriation for eligible expenditures for purposes to be determined by this Board of Supervisors; 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 GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 203**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS**

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

Sheriff:

From: A.3110.3113-4130 - EXP - Contractual	\$40,000.00
To: A.3110.3110-1100 - EXP - Overtime	29,000.00
A.3110.3110-1110 - EXP - Supplemental	5,500.00
A.3110.3113-1100 - EXP - Overtime	4,000.00
A.3110.3113-1110 - EXP - Supplemental	1,500.00

Public Health:

From: A.4010.4189-4530 – EXP – Supplies	\$7,000.00
To: A.4010.4010-4530 – EXP – Supplies	2,000.00
A.4010.4010-4560 – EXP – Printing	5,000.00

and, be it further

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

Treasurer:

Revenue

Increase A.1000.5630-3594 –REV–State Aid–Bus and Other Mass Transportation Projects	\$65,000.00
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Appropriation:

Increase A.1000.5630-4130 –EXP–Contractual	\$65,000.00
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Sheriff:

Revenue

Increase A.3110.3110-2680 - REV- Insurance Recoveries	\$4,262.00
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Appropriation

Increase A.3110.3110-4540 – EXP – Vehicle Maintenance	\$4,262.00
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and, be it further

**Resolution No. 203 (Continued)**

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)

**Resolution No. 204**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION URGING GOVERNOR CUOMO TO REJECT  
SENATE BILL S7196/ASSEMBLY BILL A6762 WHICH WOULD ENACT  
UNCONSTITUTIONAL LAW HARMING FIREARMS MANUFACTURERS

WHEREAS, the US Supreme Court has ruled the Second Amendment protects the right of individuals to keep and bear arms and that the Second Amendment applies to the States; and

WHEREAS, Senate Bill S7196/Assembly Bill A6762 seeks to impose liability on law abiding firearms business for criminals' misuse of firearms, which is contrary to the will of Congress which enacted the Protection of Lawful Commerce in Arms Act of 2005 (PLCAA); and

WHEREAS, enactment of Senate Bill S7196/Assembly Bill A6762 will impose liability on firearms manufacturers who lawfully design, manufacture, market, distribute, import, and sell firearms in compliance with all federal, state, and local laws; and

WHEREAS, Rem Arms LLC (formerly known as Remington Arms) is a major employer in Upstate New York, a significant manufacturing success story in recent years, and a company with a proud business history in the state; and

WHEREAS, Rem Arms LLC is a major contributor to the viability and stability of the region's economy and provides important jobs to support middle class families; and

WHEREAS, this poorly thought-out legislation will set a negative precedent of liability on other lawful businesses (i.e.: car companies, beer and marijuana sales, etc.); now, therefore, be it

RESOLVED, That the Board of Supervisors hereby calls upon Governor Cuomo to reject said legislation as unconstitutional and ill-advised and not sign it into law; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Minority Leader Robert Ort, Majority Speaker Carl Heastie, Minority Leader Will Barclay, Congresswoman Elise Stefanik, Senator James Tedisco, Assemblyman Robert Smullen, New York State Association of Counties, the Inter-County Legislative Committee of the Adirondacks, Rem Arms LLC, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Howard, Kinowski and Potter)