

## **FIFTH REGULAR SESSION**

Johnstown, NY

May 9, 2022

Roll Call – Quorum Present

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

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

Chairman Fagan called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, Chairman Fagan asked for a moment of silence in honor of George Souza, Fulton County EMS Coordinator Mark Souza's father and Personnel Director Terri Souza's father-in-law.

Chairman Fagan asked if there was anyone from the public who wished to address the Board. No one came forward.

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

### **COMMUNICATIONS**

1. Letter from Martha Sauerbrey, NYSAC President, dated April 12, 2022  
Subj: Resolutions adopted by county delegates at the NYSAC 2022 Legislative Conference  
[Priority Reading Rack]
2. Communication from the Northville Fire District, dated April 18, 2022  
Subj: Resolution Approving District Name Change

### **REPORTS OF SPECIAL COMMITTEES**

***Fulton County Soil and Water Conservation District:*** Supervisor Goderie stated that he was unable to attend the last meeting and asked Supervisor Lauria to provide the update. Supervisor Lauria stated that Soil and Water did drainage work in the Towns of Stratford, Caroga and Mayfield. He noted that the Town of Perth bridge replacement project was discussed. Mr. Lauria also stated that piping is hard to get, and Soil and Water has been getting it from Canada because it is difficult to find in the United States.

### **CHAIRMAN'S REPORT**

Chairman Fagan stated he is still signing a lot of Departmental contracts and was on vacation during the last round of committee meetings.

## **RESOLUTIONS (TITLES ATTACHED)**

***No. 190 (Resolution Appointing Leigh Anne Loucks to the Fulton County Planning Board):*** Supervisor Lauria stated that it is nice to have someone sitting on the Planning Board that is from the Town of Stratford.

Supervisor Young stated that he must abstain from Resolutions No. 201 through 204 because he is an employee of FMCC.

***No. 205 (Resolution Authorizing a Contract with Absolute Auctions and Realty for 2022-2023 Real Property Auction Services):*** Supervisor Young expressed that the County should advertise for proposals from other auction and realty companies. He stated that at the NYSAC Spring Conference, others discussed that there are auction companies who charge a 6 percent buyer's premium, instead of 10 percent buyer's premium like Absolute Auctions and Realty. Supervisor Young stated that a lower buyer's premium rate might lead to higher purchase prices.

Chairman Fagan stated that Supervisor Young could discuss that with the County Treasurer for recommendation for next year.

***No. 206 (Resolution Authorizing Write-Off of Delinquent Taxes on County-Owned Property at 45 Harrison Street, Gloversville):*** Chairman Fagan asked if any rehabilitation work has started inside yet. Mr. Stead stated that zoning questions and preliminary measures had to happen first, but he didn't think that any renovations have started yet. Mr. Stead advised that minor clean-up work has begun.

Mr. Stead stated that he would like to invite Mr. David Karpinski back to a Board meeting this summer to update the Board of Supervisors on the progress in relation to the Parkhurst Field Foundation "Field of Dreams" Project.

Upon a motion by Supervisor Howard, seconded by Supervisor Potter and unanimously carried, the Board entered Executive Session at 1:32 p.m. to discuss employment history.

Upon a motion by Supervisor Callery, seconded by Supervisor Bradt and unanimously carried, the Board re-entered Regular Session at 2:08 p.m.

## **NEW BUSINESS**

Supervisor Young stated that NYSAC announced that counties have more time to file for the "Gas Tax Holiday" and it could take effect by June 1 if the County acts by Resolution on or before May 16, 2022. Mr. Young stated that he thought that the Finance Committee should consider this opportunity.

Supervisor Argotsinger stated that the "Gas Tax Holiday" would not be a good idea because it would result in lost sales tax revenue for the County which would then have to be made up with property tax increases for the taxpayers at the end of the year. He said that it doesn't make sense to do that.

Supervisor Horton stated that sales tax revenue makes up 60 percent of the Town of Caroga's revenues which is a big part of a municipal budget to cut back on. Chairman Fagan expressed that the main source of revenue, after property tax revenue, is sales tax.

**Supervisor Young made a motion to refer the Gas Tax Suspension proposal to the Finance Committee for consideration at its next meeting, seconded by Supervisor Kinowski. Motion FAILED. 154 (6) in favor. 370 (13) Opposed (Supervisors Argotsinger, Blackmon, Bowman, Bradt, Breh, Callery, Fagan, Goderie, Groff, Horton, Howard, Potter and Wilson).**

Chairman Fagan called for a recess at 2:18 p.m.

Chairman Fagan reconvened the meeting at 2:26 p.m.

Upon a motion by Supervisor Callery, seconded by Supervisor Howard and unanimously carried, the Board entered Executive Session at 2:27 p.m. to discuss employment history (job interview).

Upon a motion by Supervisor Callery, seconded by Supervisor Groff and unanimously carried, the Board re-entered Regular Session at 3:00 p.m.

### **ADJOURNMENT**

Upon a motion by Supervisor Callery, seconded by Supervisor Bowman and unanimously carried, the Board adjourned at 3:01 p.m.

*Certified by:*

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

**Resolution No. 176**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING DEBRA VROOMAN 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. Debra Vrooman, Manager/Director of Human Resources at Roses Brand, 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, Debra Vrooman of Johnstown, 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, 2020 through June 30, 2023; and, be it further

RESOLVED, That Ms. Vrooman 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, Debra Vrooman, and Administrative Officer/Clerk of the Board.

Seconded by BRADT and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 177**

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

RESOLUTION APPROVING FACILITIES USE APPLICATION FOR VISITOR CENTER  
USE FOR THE 2022 MENTAL HEALTH ASSOCIATION BIKE EVENT

WHEREAS, a Facilities Use Application has been received from the Mental Health Association, requesting permission to host a Mental Health Association Bike Event at the Fulton County Visitor Center; and

WHEREAS, Mental Health Association 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 and Economic Development and Environment, the Mental Health Association be and hereby is authorized to utilize the Fulton County Visitor Center for the Mental Health Association Bike Event, every Saturday, May 21, 2022, 8:30 a.m. to 4:00 p.m., contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Mental Health Association., 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 BRADT and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 178**

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

RESOLUTION APPROVING FACILITIES USE APPLICATION FOR VISITOR CENTER  
USE FOR THE FULTON COUNTY OUTDOOR ADVENTURE DAY 2022

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 2022 at the Fulton County Visitor Center; and

WHEREAS, said event is an approved component of the County's 2022 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 September 24, 2022, 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 HORTON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 179**

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

RESOLUTION APPROVING INSTALLATION OF SIGN PANEL RECOGNIZING  
ACCOMPLISHMENTS OF RAYMOND SAMUEL TOMLINSON

WHEREAS, the Town of Mayfield Historian is requesting installation of a sign panel recognizing Raymond Samuel Tomlinson, formerly of Vail Mills; and

WHEREAS, Mr. Tomlinson is known for his implementation of the first email program on the Arpanet system, the precursor to the internet in 1971; and

WHEREAS, Mr. Tomlinson's e-mail programs brought about a complete revolution, fundamentally changing the way people communicate; now, therefore be it

RESOLVED, That the Board of Supervisors hereby approves the installation of a sign panel at the Fulton County Visitor's Center, recognizing accomplishments of Raymond Samuel Tomlinson and shall be fully funded by private donors and is at no cost to the County; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton Montgomery Regional Chamber of Commerce, Mayfield Town Historian, Town of Mayfield, , 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 BRADT and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)



**Resolution No. 180**

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

**RESOLUTION AUTHORIZING PAYMENT TO THE NYS OFFICE OF MENTAL HEALTH  
FOR COURT COMMITMENT OF AN INDIVIDUAL FOR FEBRUARY 2022**

WHEREAS, a Court Order issued by Fulton County Judge and Surrogate remanded a defendant to the New York Office of Mental Health (OMH) Central New York Forensic Unit; and

WHEREAS, in accordance with Article 41 of New York State Law Mental Hygiene Law, the County is responsible for 100 percent of the charges; and

WHEREAS, Resolution 134 of 2022 authorized payment of a bill for \$24,538.65 for said remandment for the period December 15, 2021 through December 31, 2021; and

WHEREAS, Resolution 174 of 2022 authorized payment of a bill for \$44,154.00 for said remandment for the period of January 2022; and

WHEREAS, the Director of Community Services has now received a bill for February 2022 in the amount of \$38,880.68; now, therefore be it

RESOLVED, That the Board of Supervisors be and hereby authorizes Court Commitment payment for an individual at the NYS Office of Mental Health Central New York Forensic Unit for an amount not to exceed \$38,880.68 for the month of February 2022; 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.4310.4310-4090 – EXP – Professional Services  
Sum: \$38,881.00

RESOLVED, That the Community Services 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, County Judge and Surrogate, Community Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by GROFF and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)



**Resolution No. 181**

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

**RESOLUTION ACCEPTING 2021-2022 CHILDHOOD LEAD POISONING PREVENTION GRANT FROM THE NYS DEPARTMENT OF HEALTH TO OFFSET LEAD PREVENTION PROGRAM EXPENDITURES (PUBLIC HEALTH DEPARTMENT)**

WHEREAS, the Fulton County Public Health Department anticipated Childhood Lead Poisoning Prevention Grant funding in the amount of \$48,665.00; and

WHEREAS, NYSDOH LEAD reevaluated funding methodology and distribution under the Childhood Lead Poisoning Prevention Program reducing the anticipated amount by \$5,465.00 to \$43,200.00; and

WHEREAS, said funding re-allocation also changed reimbursement for specific items and reimbursable amounts for personnel services that offset payroll costs resulting in a reduction of \$7,172.00; and

WHEREAS, the Fulton County Public Health Director recommends acceptance of the 2021-2022 Childhood Lead Poisoning Prevention Grant in the amount of \$43,200.00 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 Childhood Lead Poisoning Prevention Grant, in an amount of \$43,200.00, for the period beginning October 1, 2021 through September 30, 2022; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2022 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A.1000.0599-0599 – REV – Appropriated Fund Balance	\$7,172.00
Decrease A.4010.4010-3450 – REV – State Aid – Public Health Other	\$5,465.00

Appropriation:

Decrease A.4010.4010-4100 - EXP – Advertising	\$3,100.00
Increase A.4010.4010-4530 - EXP – Supplies	\$4,807.00

and, be it further

**Resolution No. 181 (Continued)**

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 GODERIE and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 182**

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

**RESOLUTION AUTHORIZING ACCEPTANCE OF NYS DEPARTMENT OF HEALTH COVID-19 VACCINE RESPONSE (CDVAX) GRANT (PUBLIC HEALTH DEPARTMENT)**

WHEREAS, Resolution 61 of 2022 authorized acceptance and use of NYS Department of Health COVID-19 Vaccine Response (CDVAX) Grant funds in the amount of \$63,080.00; and

WHEREAS, the NYS Department of Health has approved eligibility to promote and increase COVID-19 vaccine and other vaccine initiative, increase COVID-19 vaccine administration access and to implement vaccine confidence strategies for COVID-19 and routine vaccinations with said grant; and

WHEREAS, The Public Health Director requests authorization to utilize \$10,500.00 of the aforementioned in funding to promote and increase COVID-19 vaccine and other vaccine initiative, increase COVID-19 vaccine administration equity and to implement vaccine confidence strategies for COVID-19 and routine vaccinations; now, therefore be it

RESOLVED, That the Public Health Director be, and hereby is authorized to utilize the funding for said expenses as follows:

- Billboards and Media Advertising \$10,000.00
- Administrative costs to contract with ADK \$ 500.00

and, be it further

RESOLVED, That the 2022 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.4010.4010-2770 - REV- Other Unclassified Revenues \$10,500.00

Appropriation:

Increase A.4010.4010-4100 - EXP- Advertising \$10,000.00

Increase A.4010.4010-4090 - EXP- Professional Services \$500.00

**Resolution No. 182 (Continued)**

and, be it further

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

Seconded by BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 183**

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

RESOLUTION AUTHORIZING A CONTRACT WITH PUBLIC CONSULTING GROUP (PCG) FOR A PUBLIC HEALTH SPECIALIST TO CONDUCT COVID-19 CONTACT TRACING AND INVESTIGATION (NYS HRI GRANT) FOR USE IN THE PUBLIC HEALTH DEPARTMENT

WHEREAS, Resolution 60 of 2022 Accepted NYS Health Research Incorporated ELC COVID-19 Contact Tracing and Investigation funding in the amount of \$258,681.00 and appropriated \$138,000.00 of said funding for purchase of certain supplies, equipment and salaries to prevent the spread of COVID-19 in the Public Health Department; and

WHEREAS, the Public Health Director now requests utilization of additional amounts of said funds to enter into an agreement with Public Consulting Group (PCG) to contract with a Public Health Specialist for six (6) months, 40 hours per week, to conduct rapid and complete case and contact investigations and report data utilizing the CommCare System (CDCMS); 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 Public Consulting Group (PCG) to contract with a Public Health Specialist for six (6) months, 40 hours per week, to conduct rapid and complete case and contact investigations and report data utilizing the CommCare System (CDCMS) in an amount not to exceed \$40,000.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2022 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.4010.4010-2770 - REV- Other Unclassified Revenues \$40,000.00

Appropriation:

Increase A.4010.4010-4130-EXP-Contractual \$40,000.00

and, be it further

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

Seconded by LAURIA and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 184**

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

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

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

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

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

RESOLVED, That two (2) Caseworker positions (Union Job Group A-17) be and hereby are extended in the Department of Social Services, effective July 1, 2022 through June 30, 2023; and, be it further

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

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

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

Seconded by WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)



**Resolution No. 185**

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

RESOLUTION AWARDDING BID FOR THE LEASE OF TWO (2) SEDANS FOR USE IN  
THE SOCIAL SERVICES DEPARTMENT

WHEREAS, Resolution 115 of 2022 authorized advertisement for bids for two (2) sedans for use in the Department of Social Services and one (1) bid was received; now, therefore be it

RESOLVED, That the net bids, as identified below, for a three-year lease (without maintenance) of two (2) sedans for use in the Department of Social Services be and hereby are awarded; they being the lowest responsible bidders in accordance with Specification No. 2022-50-01, dated March 17, 2022:

Steet Toyota Johnstown, New York	Two (2) Sedans	\$27,902.16
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and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement with said bidders for the lease of said vehicles, effective on or about May 14, 2022 and continuing for three years; said agreements subject to the approval of the County Attorney; and, be it further

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

Seconded by BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 186**

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

**RESOLUTION AUTHORIZING HALF DAY DEPARTMENT CLOSURE FOR TRAINING SESSION (SOCIAL SERVICES DEPARTMENT)**

WHEREAS, The Commissioner of Social Services desires to meet with the entire Department of Social Services staff to recognize and honor staff for their commitment to the organization and its mission, introduce new employees, offer acknowledgement, reaffirm Department policies and conduct related training; and

WHEREAS, said event will be held at The Holiday Inn, Johnstown, New York, 8:00 a.m. through 12:00 p.m., on a date to be determined, and the Commissioner has requested closure of the Department of Social Services during said time frame; 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, light meals, light refreshments and room rental will be covered within the existing training contract with Fulton-Montgomery Community College at no cost to the County of Fulton; now, therefore be it

RESOLVED, That the Commissioner of Social Services is hereby authorized to include light meals, light refreshments and room rental, if necessary, as part of planning for the aforementioned event, subject to said costs being in accordance with State and/or Federal agency guidelines and at no cost to the County of Fulton; and, be it further

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

Seconded by POTTER and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 187**

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION WAIVING THE RESIDENCY RULE FOR THE HIRE OF AN AGING SERVICES SPECIALIST POSITION

WHEREAS, the Office for Aging Director is experiencing difficulty filling an Aging Services Specialist position in the Office for Aging; and

WHEREAS, the Personnel Director is reporting that the Aging Services Special position is a specialized title and recommends that applicants who are not residents of Fulton County be considered; and

WHEREAS, after careful review of the hiring procedure utilized, the Committee on Personnel recommends waiving the County's "Residency Rule" to allow the hiring of Aging Services Specialist from Fulton County and/or contiguous counties; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for the hire of Aging Services Specialist in Office for Aging until the next holding of said examination and for the duration of the resulting eligible list; and, be it further

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

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 188**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING MARGARET B. CLARK TO THE  
TRAFFIC SAFETY BOARD

WHEREAS, a vacancy exists on the Fulton County Traffic Safety Board; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Safety, the following individual be and hereby is appointed to the Traffic Safety Board for the balance of the term, as follows:

January 1, 2020 Through December 31, 2022:

Margaret B. Clark (City of Johnstown)

and, be it further

RESOLVED, That said appointee is required to complete the Fulton County Board of Ethics Financial Disclosure Statement and is further directed to sign the Fulton County Oath Book, located in the Fulton County Clerk's Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, District Attorney, Fulton County Board of Ethics, Traffic Safety Board, Margaret B. Clark and Administrative Officer/ Clerk of the Board.

Seconded by BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 189**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A GRANT APPLICATION FOR THE BUREAU OF JUSTICE ASSISTANCE SMALL, RURAL AND TRIBAL BODY-WORN CAMERA PROGRAM GRANT (SHERIFF'S DEPARTMENT)

WHEREAS, the 2022 Adopted Budget includes \$10,125.00 for the purchase of Body Worn cameras; and

WHEREAS, the Sheriff has been notified of the availability of a 2022 Small, Rural and Tribal Body Worn Camera Program Grant from the Bureau of Justice Assistance; and

WHEREAS, the Sheriff desires to submit an application for said grant to purchase additional body worn cameras and associated supplies/equipment for the Sheriff's Department utilizing \$9,993.00 from said 2022 Sheriff's Department budget appropriations to satisfy the required local match; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety, the Board of Supervisors hereby authorizes application for said 2022 Small Rural Tribal Body Worn Camera Program to the Bureau of Justice Assistance; and, be it further

RESOLVED, That if said grant application is approved, the Sheriff shall return to the Board of Supervisors with a detailed plan for use of the grant funds and proceeding shall be subject to the Board of Supervisors approval by Resolution; and, be it further

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

Seconded by YOUNG and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 190**

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING LEIGH ANNE LOUCKS TO THE FULTON COUNTY  
PLANNING BOARD

RESOLVED, That the following person be appointed and/or confirmed as member to the Fulton County Planning Board, for the balance of the term hereinafter specified:

January 1, 2021 Through December 31, 2023:

Leigh Anne Loucks

Appointed

and, be it further

RESOLVED, That all Board members are required to complete the Fulton County Board of Ethics' Financial Disclosure Statement, and are further directed to sign the Fulton County Oath Book located in the Fulton County Clerk's Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Fulton County Board of Ethics, Fulton County Planning Board and Administrative Officer/Clerk of the Board.

Seconded by HORTON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 191**

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION AND ORDER ESTABLISHING FULTON COUNTY SEWER  
DISTRICT NO. 4: HALES MILLS INCLUDING EXTENSION 1**

WHEREAS, the Fulton County Board of Supervisors has determined that it is in the interest of the residents of Fulton County to establish public sewer service the vicinity of Hales Mills in the Town of Johnstown; and

WHEREAS, the City of Gloversville and Gloversville-Johnstown Joint Wastewater Treatment Facility have sufficient capacity and ability to supply sewer service to the County in accordance with the SMART Waters Inter-municipal Agreement; and

WHEREAS, NYS County Law Article 5-A authorizes Fulton County to establish county sewer districts, which districts are further authorized to purchase sewage treatment capacity for resale within the district; and

WHEREAS, Resolution 505 of 2015, authorized a contract with Environmental Design Partnership for the preparation of an updated Map, Plan and Report for proposed Fulton County Sewer District No. 4: Hales Mills; and

WHEREAS, the Board of Supervisors, hereby accepts the Fulton County Sewer District No. 4 Map, Plan and Report, dated March 7, 2022, prepared by Environmental Design Partnership, which identified the proposed improvements, the boundaries and description of the proposed district, the proposed method of financing and the estimated costs of the improvements and all other matters required by law to be stated; and

WHEREAS, pursuant to public notice, dated March 1, 2022, the Fulton County Board of Supervisors held a public hearing on March 14, 2022, on the proposed establishment of Fulton County Sewer District No. 4; and

WHEREAS, an Environmental Assessment Form was prepared by the Fulton County Board of Supervisors, a coordinated review has been completed and by Resolution 404 of 2021, authorized the issuance of a Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQRA"); now therefore be it

RESOLVED, That:

- (a) the proposed sewer facilities are satisfactory and sufficient;
- (b) all of the property and property owners within County Sewer District No. 4: Hales Mills are benefited thereby;
- (c) all of the property and property owners benefited are included within the limits of proposed County Sewer District No. 4: Hales Mills;

**Resolution No. 191 (Continued)**

- (d) it is in the public interest to establish County Sewer District No. 4: Hales Mills; and
- (e) the establishments of zones of assessment is not recommended;

and, be it further

RESOLVED, That the establishment of Fulton County Sewer District No. 4: Hales Mills as described and defined in the updated Fulton County Sewer District No. 4 Map, Plan and Report, dated March 7, 2022 prepared by Environmental Design Partnership, be and hereby is approved, subject to permissive referendum; and, be it further

RESOLVED, That final creation of the District shall be by order of this Board, acting as the Fulton County Water and Sewer Agency, following any waiting period prescribed by Law; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Planning Director, City of Gloversville, City of Johnstown, Town of Johnstown, Gloversville Water Board, Gloversville-Johnstown Joint Waste Water Treatment Facility, Environmental Design Partnership, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by CALLERY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)



**Resolution No. 192**

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING DISTRIBUTION OF A REQUEST FOR PROPOSALS FOR LANDFILL EXPANSION ENGINEERING DESIGN SERVICES (2022 CAPITAL PLAN)**

WHEREAS, the 2022 Capital Plan includes a “Vertical Landfill Expansion – Design” project; and

WHEREAS, the Director of Solid Waste recommends a Request for Proposals for landfill expansion engineering design services and the Committees on Economic Development and Environment, and Finance agree with that recommendation; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to distribute a Request for Proposals from interested parties for Landfill Expansion Engineering Design Services and according to further specifications which may be obtained at the office of the Purchasing Agent, Supervisors’ Chambers, Room 203, County Building, Johnstown, NY, 12095, during the usual business hours); and, be it further

RESOLVED, That such proposals must be addressed to Jon R. Stead, Purchasing Agent, Supervisors’ Chambers, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, June 15, 2022; and, be it further

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

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

Seconded by BLACKMON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 193**

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

**RESOLUTION AWARDING BID FOR TWO RECEIVER CONTAINERS FOR USE IN THE SOLID WASTE DEPARTMENT (2022 CAPITAL PLAN)**

WHEREAS, the 2022 Capital Plan includes two (2) new Receiver Containers for use in the Solid Waste Department; and

WHEREAS, Resolution 126 of 2022 authorized advertisement for bids for said Receiver Containers and five (5) bids were received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committees on Economic Development and Environment, and Finance recommend that the bid be awarded to Wastequip Manufacturing, for two (2) Receiver Containers, at a cost not to exceed \$57,508.00 as follows:

	<u>Cost Each</u>	<u>Extended Cost</u>
(2) 56 Cubic-Yard Containers	\$28,754.00	\$57,508.00

and

WHEREAS, said bid amount exceeds the amount budgeted for the purchase in the 2022 Adopted Budget; now, therefore be it

RESOLVED, That the net bid in the amount of \$57,508.00, as submitted by Wastequip Manufacturing of Statesville, NC for two (2) Receiver Containers identified above be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

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

From: CL-0898.0883 – Transfer Haul Equipment Reserve  
To: CL-0909 – Unreserved Fund Balance  
Sum: \$17,508.00

Budget Amendment  
Increase CL.1000.0511-0511 – REV – Appropriated Reserves \$17,508.00

Appropriated  
Increase CL.8160.8161-2010.1800 – EXP – Transfer Haul Equipment Reserve \$17,508.00

and, be it further

**Resolution No. 193 (Continued)**

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

Seconded by HORTON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 194**

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

RESOLUTION AWARDING BID TO EMPIRE PAVING FOR HOT MIX PAVING AT THE  
SOLID WASTE DEPARTMENT TRANSFER STATION IN EPHRATAH  
(2022 CAPITAL PLAN)

WHEREAS, the Town of Ephratah advertised for bids for paving of town roads and included a transfer station lot repaving project as a joint inter-municipal project; and

WHEREAS, three (3) bids were received for said Transfer Station Lot Repaving; now, therefore be it

RESOLVED, That upon the recommendation of the Director of Solid Waste and Committees on Public Works and Finance, the bid as submitted by Empire Paving of Duanesburg, NY, for Hot Mix Paving at the Town of Ephratah Transfer Station, be and hereby is awarded as follows:

	Price Per Ton
Empire Paving	\$164.00
(Estimated Project Cost: \$33,620.00)	

and, be it further

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 195**

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

RESOLUTION AWARDING BID TO LAMINATED CONCEPTS, INC. FOR GLUE LAMINATED TIMBER DECKING FOR COUNTY ROUTE 102/RICEVILLE CREEK BRIDGE (2022 CAPITAL PLAN)

WHEREAS, the 2022 Capital Plan includes a “County Route 102, Riceville Creek – Mayfield” Bridge Superstructure Replacement Project in the amount of \$80,000.00; and

WHEREAS, said project will be completed in-house by Highways and Facilities Department utilizing construction materials publicly bid; and

WHEREAS, Resolution 121 of 2022 authorized Advertisement for Bids for Construction Materials for Replacement of County Route 102/Riceville Creek Bridge Superstructure (Glue Laminated Timber Decking) portion (Specification 2022-82-01) and one (1) bid was 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 net bid, as submitted by Laminated Concepts, Inc. of Big Flats, NY, for Glue Laminated Timber Decking be and hereby is awarded as follows:

Laminated Concepts, Inc.	\$32,148.00
(Glue Laminated Timber Decking)	

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, Laminated Concepts, Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 196**

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

RESOLUTION AWARDING BID TO JEFFORDS STEEL & ENGINEERING COMPANY  
FOR GALVANIZED STEEL BEAM SUPERSTRUCTURE FOR COUNTY ROUTE  
102/RICEVILLE CREEK BRIDGE (2022 CAPITAL PLAN)

WHEREAS, the 2022 Capital Plan includes a County Route 102/Riceville Creek Bridge Superstructure Replacement Project in the amount of \$80,000.00; and

WHEREAS, said project will be completed in-house by Highways and Facilities Department utilizing construction materials publicly bid; and

WHEREAS, Resolution 121 of 2021 authorized Advertisement for Bids for Construction Materials for Replacement of County Route 102/Riceville Creek Bridge Superstructure (Galvanized Steel Beam Superstructure) portion (Specification 2021-82-02) and three (3) 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 net bid, as submitted by Jeffords Steel & Engineering Company of Plattsburgh, NY, for Galvanized Steel Beam Superstructure be and hereby is awarded as follows:

Jeffords Steel & Engineering Co.	\$16,760.00
(Galvanized Steel Beam Superstructure)	

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, Jeffords Steel & Engineering Co., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 197**

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

RESOLUTION AWARDING BID TO TC'S FLOORING FOR  
CARPET REPLACEMENT PROJECT

WHEREAS, Resolution 123 of 2022 authorized advertisement for bids for carpet replacement in the Board of Supervisors Office, District Attorney's Office, Treasurers Office, Veterans Office and in the Planning Department and two (2) bids were received; now, therefore be it

RESOLVED, that the net bid, in an amount of \$25,681.15, as submitted by TC's Flooring, of Fonda, NY, for a County Flooring Project at various County Office Buildings be and hereby is awarded, as recommended by the Superintendent of Highways and Facilities and Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2022-24-01; and, be it further

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

From: A.1620.1620-4180 – EXP – Renovations

To: A.1620.1622-4180 – EXP – Renovations

Sum: \$1,973.00

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 BOWMAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 198**

Supervisors BRADT AND HOWARD 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 53 of 2022 authorized Advertisement for Bids for Hot Mix Paving on County Road 119 in the Town of Stratford (Specification 2022-82-04) and six (6) 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:

	Price Per Ton	Diluted Tack Coat/gallon
Empire Paving	\$81.25	\$1.00
(Estimated Project Cost: \$250,312.50)		

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 BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)



**Resolution No. 199**

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

RESOLUTION APPROPRIATING ADDITIONAL STATE REVENUE FOR PROJECTS ON  
CERTAIN COUNTY ROADS FOR THE HIGHWAYS AND FACILITIES DEPARTMENT  
(2022 CAPITAL PLAN)

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$1,229,879.56 in CHIPS funding for 2022; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$348,169.92 in PAVE NY funding for 2022; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$212,998.24 in Extreme Winter Recovery Funds for 2022; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$232,113.28 in Pave Our Pot Holes Funds for 2022; and

WHEREAS, the Superintendent of Highways and Facilities has recommended using the above listed state aid to cover the following road construction projects:

County Road 107 Paving Project	\$ 53,700.00
County Road 112 Paving Project	165,000.00
County Road 119 Paving Project	44,000.00
County Road 125 Paving Project	75,000.00
County Road 137 Paving Project	23,000.00
Tractor Mower (2) Purchases	<u>338,733.00</u>
	\$699,433.00

now, therefore be it

**Resolution No. 199 (Continued)**

RESOLVED, That the 2022 Adopted Budget be and hereby is amended, as follows:

Revenue	
Increase D.5010.5112-3501 – REV – State Aid – Consolidated Highway Aid	\$137,151.00
Increase D.5010.5112-3589-State Aid – Other Transportation	562,282.00
Appropriation	
Increase D.5010.5112-4130 – EXP - Contractual	\$338,733.00
Increase D.5010.5112-4132.0107- EXP-Road Construction-107	53,700.00
Increase D.5010.5112-4132.0112- EXP-Road Construciton-112	165,000.00
Increase D.5010.5112-4132.0119- EXP-Road Construction-119	44,000.00
Increase D.5010.5112-4132.0125- EXP-Road Construciton-125	75,000.00
Increase D.5010.5112-4132.0137- EXP-Road Construciton-137	23,000.00

and, be it further

RESOLVED, That the 2022 Capital Plan be, and hereby is, amended to reflect the above final amounts for each project; and, be it further

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

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

Seconded by YOUNG and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 200**

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

**RESOLUTION PURCHASING UNSCHEDULED HIGHWAY MOWERS AND AMENDING  
THE 2022 CAPITAL PLAN**

WHEREAS, the Superintendent of Highways and Facilities recommends the purchase of two (2) John Deere Tractors for use in the Highways and Facilities Department using additional state revenues; and

WHEREAS, the Superintendent has explained that lead times for delivery may cause waiting periods to complete this year's mowing; and

WHEREAS, the Superintendent of Highways and Facilities and Committees on Public Works and Finance recommend that the purchase of two (2) John Deere Tractors with Mowers be added to the 2022 Capital Plan; now, therefore be it

RESOLVED, That the Board of Supervisors hereby authorizes the purchase of two (2) John Deere 6110M Tractors with Mower attachments via NYS OGS Contract at a total cost not to exceed \$338,733.00; and, be it further

RESOLVED, That the 2022 Capital Plan, be and hereby is amended to add the purchase of Tractor No. 1 (\$167,648.39) and Tractor No. 2 (\$171,084.07); and, be it further

RESOLVED, That the 2022 Adopted Budget be and hereby is amended, as follows:

Revenue

Increase DM.5130.5130-2801 – REV – Interfund Revenues                      \$338,733.00

Appropriation

Increase DM.5130.5130-2010 – EXP – Capital Expense                                      \$338,733.00

and, be it further

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

**Resolution No. 200 (Continued)**

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 CALLERY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 201**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING EXTENSION OF COLLECTIVE BARGAINING AGREEMENT BETWEEN FMCC, FULTON COUNTY, MONTGOMERY COUNTY AND THE FMCC EDUCATIONAL SUPPORT PERSONNEL (ESP) (2022-2023)**

WHEREAS, Resolution 333 of 2018 approved a new Collective Bargaining Agreement between FMCC, Fulton County, Montgomery County and the FMCC Educational Support Personnel (ESP), effective September 1, 2018 through August 31, 2022; and

WHEREAS, FMCC and the ESP have agreed to extend the terms and conditions of the current negotiated agreement for a period of one year; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Memorandum of Agreement to extend the Collective Bargaining Agreement by and between the Fulton-Montgomery Community College, Fulton County, Montgomery County and the Educational Support Personnel (ESP), effective September 1, 2022 through August 31, 2023, as attached hereto and made a part hereof; and, be it further

RESOLVED, That said agreement is contingent upon adoption of a similar resolution by the Montgomery County Legislature; and, be it further

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

Seconded by BLACKMON and adopted by the following vote:

TOTAL: Ayes: 499 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 27 (1) (Supervisor Greene)

AGREEMENT, made and entered into this day of February 2022 by and between  
FULTON-MONTGOMERY COMMUNITY COLLEGE  
(hereinafter referred to as "Employer"), and

FULTON-MONTGOMERY COMMUNITY COLLEGE EDUCATIONAL SUPPORT  
PERSONNEL  
(Hereinafter referred to as "ESP").

1. The September 1, 2018 - August 31, 2022 Agreement of the parties hereto is extended, in all particulars except as herein contained, to August 31, 2023.
2. Article 6, paragraph A of the 2018 - 2022 Agreement is amended to read as follows:

## ARTICLE 6

### HEALTH INSURANCE BENEFITS

A. All full-time employees with five (5) or more years of continuous service shall be eligible for health insurance for themselves and their dependents, pursuant to the then applicable terms and conditions of the plan or program provided by the Blue Shield of Northeastern NY PPO 835 without cost of premium. Coverage shall commence upon date of hire.

New full time employees hired on or after September 1, 2018 shall pay 10% of health insurance premium for the duration of employment.

Any employee hired prior to September 1, 2018 who is retrenched and eligible for recall per Civil Service and who is recalled shall return to his/her contribution level that existed at the time of his/her retrenchment. Any and all costs or expense arising out of changes, modifications, deletions, substitutions and/or additions to coverage, co-pays and or any other terms and conditions of the Blue Shield of Northeastern NY PPO 835, plan or program shall be borne by the bargaining unit member without any recourse against the College.

B. In the event the College shall provide dental insurance to employees of the College in other bargaining units, such benefits shall be extended to the employees covered hereunder on comparable terms and conditions.

C. A full-time employee who is insured under another health insurance plan may elect to refuse participation in the College's hospitalization and major-medical insurance plan. Such employee shall receive \$30.00 for each month the employee is eligible but does not elect coverage. Payment shall be made the last pay period of each month. The health insurance buyout shall be modified to provide \$100.00 individual and \$150.00 family for each month so long as seven (7) members of the bargaining unit maintain the health insurance buyout. To be eligible for the health insurance "buy back", the employee

must document that the employee is covered under another health insurance plan. Thereafter, such employee must provide documentation on, or immediately before, September 1st of each year. Retirees are not eligible for the health insurance buy-back. An employee may resume coverage only during the Open Enrollment Period. The employee shall be subject to any terms, conditions and/or limitations pertaining to pre-existing medical conditions as set forth in the contracts issued by the carrier. An employee whose spouse is employed by the College is not eligible for the health insurance "buy-back".

D. In the event that the College negotiates a change in health insurance plans with the Faculty Association, said changes shall be applicable to the ESP Unit. However, this provision will be suspended for the period of time that the College maintains the insurance pursuant to the Blue Shield of Northeastern NY PPO 835.

3. Article 7, paragraph L of the 2018 -2022 Agreement is amended to read as follows:

1. All full-time salaried employees and regularly employed hourly employees shall receive the following paid holidays.

Columbus Day	Veterans' Day
Thanksgiving Day	Friday after Thanksgiving Day
Memorial Day	President's Day
Labor Day	Good Friday
Juneteenth	Independence Day
	Martin Luther King Day

4. Article 12 of the 2018-2022 Agreement is amended to read as follows:

This contract shall be effective as of September 1, 2018 and shall continue in effect as amended through August 31, 2023.

5. Schedule A, part A of the 2016 -2018 Agreement is amended to read as follows:

A. Starting Salaries. All new employees will be compensated as follows for the first year of employment:

<b>Position:</b>	9/1118- 8/31119	9/1119- 8/31/20	9/1120- 8/31/21	9/1121- 8/31/22	9/1/22- 8/31/23
<b>Clerk</b>	\$ 29,324	\$ 29,910	\$ 30,509	\$ 31,119	\$ 31,741
<b>Library Clerk</b>	\$ 29,324	\$ 29,910	\$ 30,509	\$ 31,119	\$ 31,741
<b>Typist</b>	\$ 29,324	\$ 29,910	\$ 30,509	\$ 31,119	\$ 31,741
<b>Stenographer</b>	\$ 30,279	\$ 30,884	\$ 31,502	\$ 32,132	\$ 32,775
<b>Account Clerk</b>	\$ 30,279	\$ 30,884	\$ 31,502	\$ 32,132	\$ 32,775
<b>Senior Clerk-Records</b>	\$ 30,988	\$ 31,607	\$ 32,239	\$ 32,884	\$ 33,542
<b>Senior Library Clerk</b>	\$ 30,988	\$ 31,607	\$ 32,239	\$ 32,884	\$ 33,542
<b>Senior Typist</b>	\$ 30,988	\$ 31,607	\$ 32,239	\$ 32,884	\$ 33,542
<b>Senior Account Clerk</b>	\$ 31,960	\$ 32,599	\$ 33,251	\$ 33,916	\$ 34,594
<b>Senior Stenographer</b>	\$ 31,960	\$ 32,599	\$ 33,251	\$ 33,916	\$ 34,594
<b>Computer Operator</b>	\$ 32,810	\$ 33,467	\$ 34,136	\$ 34,819	\$ 35,515
<b>Principal Clerk</b>	\$ 32,810	\$ 33,467	\$ 34,136	\$ 34,819	\$ 35,515
<b>Technical Asst/Enrollment</b>					

Mgmt	\$	32,810	\$	33,467	\$	34,136	\$	34,819	\$	35,515
Technical										
Assistant/Admissions	\$	32,810	\$	33,467	\$	34,136	\$	34,819	\$	35,515
Technical Assistant/Student										
Dev.	\$	32,810	\$	33,467	\$	34,136	\$	34,819	\$	35,515
Computer										
Operator/Programmer	\$	33,365	\$	34,033	\$	34,713	\$	35,407	\$	36,115
Financial Aid Clerk	\$	34,961	\$	35,660	\$	36,373	\$	37,100	\$	37,842
Principal Account Clerk	\$	34,961	\$	35,660	\$	36,373	\$	37,100	\$	37,842
Principal Stenographer	\$	34,961	\$	35,660	\$	36,373	\$	37,100	\$	37,842
Purchasing Clerk	\$	34,961	\$	35,660	\$	36,373	\$	37,100	\$	37,842
Campus Activities Asst.	\$	39,227	\$	40,012	\$	40,812	\$	41,628	\$	42,461
Administrative Assistant	\$	39,227	\$	40,012	\$	40,812	\$	41,628	\$	42,461
Computer Services Coordinator	\$	39,227	\$	40,012	\$	40,812	\$	41,628	\$	42,461
Computer Programmer/Analyst	\$	41,884	\$	42,722	\$	43,576	\$	44,448	\$	45,337
Electronics Technician	\$	44,799	\$	45,695	\$	46,609	\$	47,542	\$	48,493
Senior Computer Svcs Coord.	\$	44,799	\$	45,695	\$	46,609	\$	47,542	\$	48,493

6. Schedule A, part C of the 2016-2018 Agreement is amended to read as follows:

C. During the terms of this Agreement, the salaries of employees employed as of or subsequent to 9/1/18 shall be increased as follows:

9/1/18	2% (On base, after longevity pulled out)
9/1/19	2% (On base, after longevity pulled out)
9/1/20	2% (On base, after longevity pulled out)
9/1/21	2% (On base, after longevity pulled out)
9/1/22	2% (On base, after longevity pulled out)

7. Except as herein provided all the terms and provisions of the 2016 -2018 Agreement of the parties are hereby ratified, reaffirmed, and extended.

IN WITNESS WHEREOF, the patties hereto have caused this Agreement to be executed by their authorized representatives in the manner following as of the day and date first written above.

FULTON-MONTGOMERY COMMUNITY COLLEGE  
MONTGOMERY

FULTON-

EDUCATIONAL SUPPORT PERSONNEL UNIT

COMMUNITY COLLEGE

By: Debra J. Shany

By: Marlene M. Bennett

By:

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President



**Resolution No. 202**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BIDS FOR PRIME CONTRACTS FOR THE FMCC SCIENCE LABS AND CLASSROOMS PROJECT PHASE III (2022 CAPITAL PLAN)**

WHEREAS, Resolution 105 of 2022 authorized advertisement for bids for the FMCC Science Labs and Classrooms Phase Project Phase III (2022 Capital Plan); and

WHEREAS, bids were received on April 6, 2022 for the FMCC Science Labs and Classrooms Phase III Project; and

WHEREAS, project engineers JMZ Architects, the Planning Director, Purchasing Agent, and Committee on Finance recommend awarding contracts to the following bidders; they providing the lowest responsible bids in accordance with specifications dated March 7, 2022;

<u>General Construction</u>	<u>Base Bid</u>	<u>Alternates Awarded</u>	<u>Total Award</u>
Gallo Construction Corp. Watervliet, NY	\$496,173.00	\$ 93,782.00 (Alts. 2-5)	\$589,955.00
<u>Plumbing</u>			
RMB Mechanical Inc. Schenectady, NY	\$ 58,000.00	\$ 460.00 (Alt. 2)	\$ 58,460.00
<u>HVAC</u>			
RMB Mechanical Inc. Schenectady, NY	\$ 30,800.00	\$ 17,500.00 (Alt. 2)	\$ 48,300.00
<u>Electrical</u>			
Stilsing Electric, Inc. Rensselaer, NY	\$ 78,600.00	\$ 32,500.00 (Alt. 2)	\$111,100.00
Total:	\$663,573.00	\$144,242.00	\$807,815.00

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts with the identified contractors listed above for base bids and alternate bids specified for the “FMCC Science Labs and Classrooms Phase III Project”; and, be it further

RESOLVED, That said cost be a charge against H.8020.2497-2100.0965 - EXP-FMCC Science Labs and Classrooms; and, be it further

**Resolution No. 202 (Continued)**

RESOLVED, That this resolution is contingent upon the passage of a similar resolution by the Montgomery County Legislature; and, be it further

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

Seconded by GODERIE and adopted by the following vote:

TOTAL: Ayes: 499 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 27 (1) (Supervisor Greene)

**Resolution No. 203**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING VARIOUS CONTRACTS FOR THE FMCC SCIENCE LABS AND CLASSROOMS PROJECT PHASE III (2022 CAPITAL PLAN)**

WHEREAS, the 2022 Capital Plan identifies a FMCC Science Labs and Classrooms Phase III Project; and

WHEREAS, a bid award has been made for prime contracts construction work on said project; and

WHEREAS, the Planning Director and FMCC recommend various contracts for the FMCC Science Labs and Classrooms Phase III project; and

WHEREAS, CME Associates, Inc. has submitted a proposal to provide Special Independent Inspection Services for the FMCC Science Labs and Classrooms Phase III Project and has been recommended by College officials to complete said work; and

WHEREAS, C.T. Male Associates has submitted a proposal to provide Hazmat Monitoring for the FMCC Science Labs and Classrooms Phase III Project and has been recommended by College officials to complete said work; and

WHEREAS, Standard Commercial Interiors has submitted a proposal to provide Furniture and Furnishings for the FMCC Science Labs and Classrooms Phase III Project and has been recommended by College officials to complete said work; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts with the identified contractors for amounts specified below for the “FMCC Science Labs and Classrooms Phase III Project”:

<u>Contractor</u>	<u>Service</u>	<u>Total Cost</u>
CME Associates, Inc. Albany, NY	Special Testing & Inspections	\$ 1,400.00
C.T. Male Associates Latham, NY	Hazmat Monitoring	\$22,850.00
Standard Commercial Interiors Albany, NY	Furniture & Furnishings	\$11,700.00

and, be it further

**Resolution No. 203 (Continued)**

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

RESOLVED, That said cost be a charge against H.8020.2497-2100.0965 - EXP-FMCC Science Labs and Classrooms; and, be it further

RESOLVED, That this resolution is contingent upon the passage of a similar resolution by the Montgomery County Legislature; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, CME Associates, Inc., C.T. Male Associations, Standard Commercial Interiors, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by WILSON and adopted by the following vote:

TOTAL: Ayes: 499 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 27 (1) (Supervisor Greene)



**Resolution No. 204**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PURCHASE OF HVAC CONTROLS FOR THE FMCC PE BUILDING (2022 CAPITAL PLAN)

WHEREAS, the 2022 Capital Plan identifies a “HVAC Controls Replacement” Project; and

WHEREAS, FMCC officials, the Planning Director and Committee on Finance have recommended that project funds be used to purchase and install upgraded HVAC controls for the FMCC PE Building; now, therefore be it

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

From: A.1000.9950-9000.1000 – EXP – Other – Unrestricted  
To: H.8020.2497-2100.0968 - EXP – FMCC HVAC Controls Replacement (NEW)  
Sum: \$11,875.00

and, be it further

RESOLVED, That the 2022 Adopted Budget be and hereby is amended as follows:

Revenue		
Increase H.8020.2497-2397.0968 - REV – Montgomery Co-FMCC HVAC Controls Replacement (NEW)		\$11,875.00
Increase H.8020.2497-3286.0968 - REV – State Aid-FMCC HVAC Controls Replacement (NEW)		\$23,750.00
Appropriation		
Increase H.8020.2497-2100.0968 - EXP – FMCC HVAC Controls Replacement (NEW)		\$35,625.00

RESOLVED, That FMCC officials be and hereby are authorized to purchase and install upgraded HVAC controls for the FMCC PE Building through Trane U.S. Incorporated of Latham, NY at a cost not to exceed \$47,500.00; and, be it further

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

**Resolution No. 204 (Continued)**

RESOLVED, That this resolution is contingent upon the passage of a similar resolution by the Montgomery County Legislature; and, be it further

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

Seconded by CALLERY and adopted by the following vote:

TOTAL: Ayes: 499 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 27 (1) (Supervisor Greene)

**Resolution No. 205**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH ABSOLUTE AUCTIONS AND REALTY FOR 2022-2023 REAL PROPERTY AUCTION SERVICES**

WHEREAS, the County Treasurer has recommended a contract with Absolute Auctions and Realty for annual property auction services on behalf of the County; 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 Absolute Auction and Realty, of Pleasant Valley, NY, for real property tax sale services, with compensation based on a 10% Buyer's Premium plus a 1.5% advertising fee to be paid to the County by each property buyer, retroactively from January 1, 2022 through December 31, 2023; and, be it further

RESOLVED, That the property auction procedure include the stipulation that any bids received under \$100.00 must be paid in full at the time of the auction, with other bids utilizing the normal procedure; 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, Real Property Tax Services Agency, Absolute Auction and Realty, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by BREH and adopted by the following vote:

TOTAL: Ayes: 503 (18) Nays: 0 Abstentions: 21 (1) (Supervisor Callery)  
Absent: 27 (1) (Supervisor Greene)



**Resolution No. 206**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING WRITE-OFF OF DELINQUENT TAXES ON COUNTY-OWNED PROPERTY AT 45 HARRISON STREET, GLOVERSVILLE  
(COUNTY TREASURER)

WHEREAS, Resolution 336 of 2021 authorized a Lease Agreement with the Parkhurst Field Foundation for a County-owned Building at 45 Harrison Street in the City of Gloversville; and

WHEREAS, inasmuch as said property was obtained into County ownership via property tax foreclosure, any delinquent taxes must be written off as uncollectible; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized and directed to write-off all delinquent taxes on the following property as uncollectible:

<u>Address</u>	<u>Delinquent Taxes</u>
45 Harrison Street (SBL# 149.17-7-6.123)	\$84,412.35

and, be it further

RESOLVED, That the County Treasurer 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, Real Property Tax Services Agency, City of Gloversville, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by HORTON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 207**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION CONFIRMING TRANSFER OF FUNDS TO COVER SHERIFF'S OVER-  
SPENDING OF ACCOUNTS IN 2021**

WHEREAS, the Board of Supervisors, through its Committee on Finance, on an annual basis reviews the County Treasurer's recommended year-end Transfers to cover overspending of accounts within departmental budgets, and

WHEREAS, the 2022 list of Overdrawn Accounts prepared by the Treasurer contained a majority of overspent fringe benefits accounts that were routine occurrences related to central service accounts; and

WHEREAS, the Sheriff overspent 2021 Overtime and Supplemental Employee payroll accounts by \$35,889.03 and \$10,934.44, respectively; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the County Treasurer is authorized to perform year-end transfers from other accounts to cover said shortfalls created without charge to any 2022 accounts; and, be it further

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

**Resolution No. 208**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING THE REPORT OF THE COMMITTEE ON  
MORTGAGE TAX DISTRIBUTION

RESOLVED, That the Report of the Committee on Mortgage Tax (Finance) dated April 28, 2022, be adopted as the act and determination of the Board and that the County Treasurer be and hereby is authorized and directed to issue checks payable to the proper village, town or city officers thereto; and, be it further

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

Seconded by CALLERY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)



**Resolution No. 209**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS

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

Community Services

From: A.4310.4310-4170- EXP-Programs  
To: A.4310.4310-4010- EXP-Equipment Non-Asset  
Sum: \$900.00  
(Two (2) Office Chairs)

and, be it further

RESOLVED, That the 2022 Adopted Budget be and hereby is amended as follows:

Social Services

Revenue

Increase A.6010.6010-3610 – REV – State Aid – \$ 1,610.00  
Social Services Administration

Appropriation

Increase A.6010.6010-4170 – EXP – Programs \$ 1,610.00  
(Code Blue program increase)

Solid Waste

Revenue

Increase CL.8160.8162-2156 – REV – Sale of Methane \$50,000.00

Appropriation:

Increase CL.8160.8162-4540-EXP- Vehicle Maintenance \$50,000.00

and, be it further

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

Seconded by BOWMAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)



**Resolution No. 210**

Supervisor HORTON offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING VETERANS SERVICE AGENCY DIRECTOR

RESOLVED, That Ian Pitcavage of Gloversville, NY, be and hereby is appointed Veterans Service Agency Director (Non-Union Job Group D-1) for a term beginning on or before June 1, 2022 and ending December 31, 2023, at a starting salary rate of \$46,807.00 per year and a one-year permanent salary rate of \$53,477.00 per year, after successful completion of any probationary period; and, be it further

RESOLVED, That Ian Pitcavage is required to complete the Fulton County Board of Ethics' Financial Disclosure Statement and is further directed to sign the Fulton County Oath book located in the Fulton County Clerk's Office; and, be it further

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

Seconded by CALLERY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Greene)

