

SIXTH REGULAR SESSION

Johnstown, NY

June 9, 2014

Roll Call – Quorum Present

Supervisors: Argotsinger, Born, Bradt, Callery, Capek, Christopher, Fagan, Gendron, Greene, Groff, Handy, Howard, Johnson, Kinowski, Lauria, MacVean, Ottuso, Potter, Waldron, Young

TOTAL: Present: 20 Absent: 0

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

PUBLIC HEARINGS/SCHEDULED SPEAKERS

1:30 P.M. Public Hearing to receive comments regarding requests to include additional property within the Towns of Johnstown and Ephratah in Fulton County Agricultural District No. 1.

2:00 P.M. Public Hearing to receive comments regarding proposed grant application to the NYS Office of Community Renewal for a Community Development Block Grant for Phase II of the Tryon Technology Park and Incubator Center Project.

COMMUNICATIONS

1. Letter from James Featherstonhaugh and Daniel Gerrity from Saratoga Casino and Raceway, dated April 28, 2014
Subj: Plans for a casino in East Greenbush (Supervisors Lauria and Young requested a copy of Communication #1)
2. Letter from Assemblyman Marc Butler, to Jon Stead, Clerk of the Board, dated May 19, 2014
Subj: Acknowledging receipt of Resolution 187, declaring “Mayday for Mandate Relief”, and receipt of Resolution 163, supporting creation of a regional water and wastewater system in Fulton County.

LATE COMMUNICATION

- L-1 Letter from Ruth Pierpont, Deputy Commissioner for Historic Preservation, to Jon R. Stead, Clerk of the Board, dated May 19, 2014
Subj: Northville Historic District placed on the National Register of Historic Places.

REPORTS

- A. 2014 Report of the Fulton County Agricultural and Farmland Protection Board regarding parcels proposed to be included into Fulton County Agriculture District No. 1.
- B. NYS Fish and Wildlife Management Board Region 5 Agenda, May 15, 2014

LATE REPORT

L-A 2012 and 2013 Audited Financial Statements Capital District Off-Track Betting Corporation

UPDATES FROM STANDING COMMITTEES

Economic Development and Environment: Chairman Gendron advised that the Hill Street demolition project in the City of Gloversville is proceeding. He further advised that on June 2, the Judge signed the order to proceed with the demolition of buildings and by Wednesday or Thursday of last week everything had been demolished. The bridge project should be back on schedule.

Finance: Chairman Fagan advised that Resolution 10 (Resolution Authorizing A Contract Between Fulton County and Environmental Design Partnership to prepare a Smart Growth Infrastructure Plan for Fulton County's Regional Water and Wastewater System) today is important to pass to continue the SMART Waters Initiative. He further advised that Resolution 23 (Resolution Authorizing Contract with New World Systems for Purchase of a Finance and Human Resources Enterprise Software System) would put the county into the "current century". Chairman Fagan also advised that Resolution 25 (Resolution Authorizing Transfer from the Contingent Fund for Start-Up Costs at the Tryon Technology Park and Incubator Center) was also important.

REPORTS OF SPECIAL COMMITTEES

Fish and Wildlife Board: Supervisor Johnson advised that he had provided the report to Mr. Stead and it was available if any Supervisor wanted to read it. He further advised that constructing a snowmobile bridge over Peck Creek is still being looked at and that Assemblyman Butler was now involved.

Inter-County Legislative Committee of the Adirondacks: Supervisor MacVean advised that Fulton County hosted the event on May 22, 2014. Mr. Mraz, Planning Director, provided a presentation on the SMART Waters Initiative and it was a nice gathering.

Soil and Water Conservation District: Supervisor Lauria advised that the Soil and Water Conservation District met on May 20 and passed a Resolution Opposing Regulatory Expansion of the Federal Clean Water Act similar to the one on today's Agenda. He further advised that the District is still working on tile work and drainage issues.

CHAIRMAN'S REPORT

Chairman Argotsinger advised that there are a number of Resolutions to “Jump Start” the Fulton County economy and he hopes the Supervisors will consider them in a “positive way”.

RESOLUTIONS

No. 191 (Resolution Opposing Regulatory Expansion of the Federal Clean Water Act): Supervisor Howard stated that this proposed legislation would cover any piece of land that has water attached to it. The federal government would have control over every piece of property and, if passed, the federal bill would do a lot of damage.

No. 192 (Resolution Authorizing a Contract with Sterling Appraisal Company for an Appraisal of the 57 E. Fulton Street Building): Supervisor Lauria asked if the letter that Mr. Gagnon, Community Services Director, sent regarding this building has been discussed. Mr. Stead stated, “no”.

No. 195 (Resolution Sponsoring “Fishing University” TV Show on the Outdoor Channel): Supervisor Young asked if the County and/or tax payers would be paying the \$6,500.00 cost. Mr. Stead answered, “yes”. Mr. Stead advised that the Fulton County Chamber of Commerce is looking into a second event on another lake and it will be funded through private sponsoring.

No. 198 (Resolution Authorizing a Contract Between Fulton County and Environmental Design Partnership to Prepare a Smart Growth Infrastructure Plan for Fulton County's Regional Water and Wastewater System): Supervisor Handy stated that he wanted to make something clear about the SMART Waters report. Residents think that the County is trying to buy the wastewater treatment facility, but Fulton County only wants to purchase unused capacities.

Supervisor Young stated that the Smart Growth Initiative Plan is also important to our County's future for transit and broadband services, but that purchasing excess water and sewer capacity is equally an important step for the County to grow.

Chairman Argotsinger opened the Public Hearing to receive comments regarding requests to include additional property within the Towns of Johnstown and Ephratah in Fulton County Agricultural District No. 1. at 1:30 p.m. There being no one present to speak regarding the public hearing, Chairman Argotsinger stated that he would leave the public hearing open to receive comments.

Proposed No. 22 (Resolution Transferring Title of Certain Parcels in the City of Gloversville to the Gloversville Housing and Neighborhood Improvement Corporation): Supervisor Callery asked why there were only seven (7) parcels because during the Finance Committee meeting, there were nine (9) parcels. Mr. Stead explained that there were two parcels that did not fit into the goals of the organization. Mr. Stead further explained that after the presentation to the Finance Committee, the organization is not ready to purchase any of these parcels yet.

Chairman of Finance Fagan explained that the parcels will be sold at the County's Public Auction on June 18, 2014. He further explained that these are "Operation Green Scene" parcels and they rarely bring the minimum bid. He further explained that the organization gave a lengthy presentation to the Finance Committee and he believes that the goal of the organization is worthwhile.

Chairman Fagan then asked if anyone on the Finance Committee objected to him withdrawing this Resolution. Seeing no objections, Supervisor Fagan then withdrew proposed Resolution No. 22 (Resolution Transferring Title of Certain Parcels in the City of Gloversville to the Gloversville Housing and Neighborhood Improvement Corporation).

Supervisor Lauria stated that this organization will "clean up" Gloversville and he would give his full support to this project.

No. 212 (Resolution Authorizing Transfer from the Contingent Fund for Start Up Costs at the Tryon Technology Park and Incubator Center): Chairman of Finance Fagan explained that this expense was approved through the budget process, but somehow it did not get added to the 2014 Adopted Budget. Mr. Stead explained that it was an internal oversight and the Finance Committee decided to take the funding from the Contingent Fund.

Supervisor Callery asked why the Fulton County Industrial Development Agency could not use proceeds gained from the sale of items at the recent auction held at the former Tryon School.

Mr. Mraz, Planning Director, was in attendance at the meeting and came forward to the podium to answer Supervisor Callery's question. Mr. Mraz explained that there are a number of expenses that are being incurred at the facility such as lawn mowing and costs to get Building 3 operational and further maintenance costs. There are also heating and cooling start-up costs with HVAC systems. Mr. Mraz further explained that the IDA would only seek reimbursement if expenses occur.

No. 213 (Resolution Authorizing Fulton-Montgomery Community College to Purchase Certain Computer Equipment as part of Technology Upgrades – Phase 1): Administrative Officer Jon Stead explained that the College is asking permission to do their own bidding and purchasing instead of the Purchasing Department at the County doing it.

Mr. Stead also explained that every Supervisor should have a copy of the proposed FMCC Budget and Dr. Swanger will be present at the Public Hearing on FMCC's Budget on July 14 to answer any questions.

Chairman Argotsinger asked if there were any members of the public who wished to make comments regarding the Public Hearing to receive comments regarding including additional property within the Towns of Johnstown and Ephratah in Fulton County Agricultural District No. 1. There being no speakers, Chairman Argotsinger closed the Public Hearing at 1:42 p.m.

A motion was offered by Supervisor Fagan, seconded by Supervisor Gendron and unanimously carried, to waive the Rules of Order to take action on late Resolutions 215-217.

No. 215 (Resolution Approving the County of Fulton to Serve as Applicant for a NYS Housing and Community Renewal Grant for a “Southern Adirondack Arts and Family Retreat Center”): Mr. Stead explained that Mr. Wally Hart, Division Director – Business & Community Development for Lexington was present if anyone had questions regarding the grant application.

Supervisor Howard asked if the County had any financial liability with this grant. Mr. Stead answered that Fulton County would have to monitor the grant to ensure the foundation spends the grant money on its intended purpose. The grant agreement would have to be approved by County Attorney Brott and will outline any responsibility on the County’s part.

Supervisor Johnson asked if the grant will be fully funded continually or would the County have to assume the grant in the future. Mr. Stead answered that the County will not be managing any property or owning any part of the Retreat Center.

No. 217 (Resolution Authorizing Sale of Certain Vacant County Tax Acquired Parcels to the City of Gloversville): Supervisor Gendron asked why this proposed Resolution did not get presented at the Finance Meeting. Mr. Stead answered that the request was just received late on Friday afternoon from the City of Gloversville.

Mr. Stead asked the Supervisors to refer to their Real Estate Auction booklet because the City of Gloversville is asking to purchase two parcels on S. Main Street adjacent to the existing City park. Mr. Stead explained that when any municipality asks to purchase property going up for a tax foreclosure and it will be used for municipal purposes, the County will normally approve it providing the municipality agrees to pay all associated fees.

Supervisor Lauria commented that it makes sense for the City to acquire these parcels.

Supervisor Young explained it makes sense to expand this beautiful park.

Supervisor Born agreed that it would make the downtown more attractive and bring people into the City and would be an improvement.

Chairman Argotsinger then called for a five minute recess at 1:55 p.m.

Chairman Argotsinger called the meeting back to order at 2:05 p.m.

Chairman Argotsinger opened the Public Hearing to receive comments regarding the proposed grant application to the NYS Office of Community Renewal for a Community Development Block Grant for Phase II of the Tryon Technology Park and Incubator Center Project at 2:05 p.m. There being no one present to speak regarding the public hearing, Chairman Argotsinger stated that he would keep the Public Hearing open.

Upon a motion by Supervisor Fagan, seconded by Supervisor Callery and unanimously carried, the Board entered into Executive Session at 2:05 p.m. to discuss employment history of a contractor and collective bargaining.

Upon a motion by Supervisor Callery, seconded by Supervisor Callery and unanimously carried, the Board re-entered into Regular Session at 2:39 p.m.

Chairman Argotsinger asked if there was any members of the public who wished to make comments regarding the Public Hearing on the proposed grant application to the NYS Office of Community Renewal for a Community Development Block Grant for Phase II of the Tryon Technology Park and Incubator Center Project. There being no speakers, Chairman Argotsinger closed the Public Hearing at 2:40 p.m.

Upon a motion by Supervisor Callery, seconded by Supervisor Greene and unanimously carried, the Board adjourned at 2:41 p.m.

Certified by:

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

PROCLAMATIONS

PROCLAMATION RECOGNIZING ALLAN POLMATEER FOR HIS MANY YEARS OF SERVICE TO THE COUNTY OF FULTON

WHEREAS, Fire Coordinator/Civil Defense Director Allan Polmateer is retiring on June 28, 2014; and

WHEREAS, Mr. Polmateer was a dedicated Fulton County employee for over 12 years; and

WHEREAS, Allan was appointed the Fire Coordinator/Civil Defense Director on October 1, 2001 and held that post until his retirement; and

WHEREAS, Allan distinguished himself as a hard-working and dedicated public servant, at all times committed to the best interest of the County of Fulton; and

WHEREAS, Allan also built a reputation as someone totally committed to the betterment of the fire service and to supporting first responders with the proper tools and resources to do their jobs; and

WHEREAS, Allan was instrumental in improving radio communication systems throughout the Fulton County region for all emergency service units; and

WHEREAS, Allan served during a time of serious public safety challenges in a post-911 world keenly focused on homeland security and emergency management; and

WHEREAS, Allan was responsible for accomplishing important local innovations, including the County's first dedicated Fire Training Burn Building, updated fire training classrooms, an All-Hazards Mitigation Plan and the County's first Emergency Operations Command Center, among others; now, therefore be it

RESOLVED, That the Board of Supervisors hereby recognizes and thanks Allan Polmateer for his many years of distinguished service to the County of Fulton and to the community fire service; and, be it further

RESOLVED, That the Board hereby offers its sincerest best wishes on the occasion of his retirement from County service.

Resolution No. 189

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

RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 TO CONTRACT WITH
HANSON AGGREGATES NEW YORK, LLC FOR BRIDGE RAIL WORK FOR
COUNTY ROUTE 110 PAVEMENT REHABILITATION PROJECT
(2013 CAPITAL PLAN)

WHEREAS, the 2013 Capital Plan identified a County Route 110 Pavement Rehabilitation Project in the Towns of Broadalbin and Northampton; and

WHEREAS, Resolution 208 of 2013 awarded bid to Hanson Aggregates New York, LLC for said County Route 110 Pavement Rehabilitation Project in the amount of \$1,178,701.50; and

WHEREAS, Resolution 324 of 2013 authorized Change Order No. 1 to the contract with Hanson Aggregates New York, LLC for said project; and

WHEREAS, after completion of the project, the NYS Department of Transportation inspected the existing bridge rail at the Hans Creek Bridge and determined that it was too low for State standards; and

WHEREAS, the Superintendent of Highways and Facilities recommends certain work be done to raise the Hans Creek bridge rail to the required height with cost sharing as follows:

Federal Highway Administration	\$120,000.00
NYS Dept. of Transportation	22,500.00
Fulton County	7,500.00

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 2 to the contract with Hanson Aggregates New York, LLC for removal and resetting of bridge rail at the Hans Creek Bridge for the County Route 110 Pavement Rehabilitation Project, and, be it further

Resolution No. 189 (continued)

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

Revenue Account:

Increase D-083-3591.000 Highway Capital Projects	\$ 22,500.00
Increase D-083-4597.000 Fed Aid-Transportation Capital Proj.	<u>120,000.00</u>
	\$142,500.00

Appropriation Account:

Increase D-825-5112.420 Road Construction-Co Road #110	\$142,500.00
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and, be it further

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

From: D-825-5112.418 Road Construction-Co Road #152
To: D-825-5112.420 Road Construction-Co Road #110
Sum: \$7,500.00

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

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

Seconded by Supervisor BRADT and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 190

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

RESOLUTION AWARDING BID TO CORRELL CONTRACTING CORPORATION FOR
ROOF REPLACEMENT PROJECT AT THE FORT JOHNSTOWN BUILDING
(2014 CAPITAL PLAN)

WHEREAS, the 2014 Capital Plan includes a Roof Replacement Project at the Fort Johnstown Building; and

WHEREAS, Resolution No. 152 of 2014 authorized advertisement for bids for said roof replacement project, and one (1) bid was received; and

WHEREAS, the Superintendent of Highways and Facilities, Purchasing Agent and the Committees on Buildings and Grounds/Highway and Finance recommend that a contract be awarded to Correll Contracting Corporation of Gloversville, NY for the Roof Replacement Project, at a cost not to exceed \$47,575.00; now, therefore be it

RESOLVED, That the net bid in the amount of \$47,575.00, as submitted by Correll Contracting of Gloversville, NY for the Roof Replacement Project, 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 directed to make the following transfers:

From : A-795-9950.900 Transfer to Capital Plan Projects
To : H-085-1624.100 Ft Johnstown Roof Project (New)
Sum : \$47,575.00

and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 191

Supervisors JOHNSON, GENDRON AND FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION OPPOSING REGULATORY EXPANSION OF THE FEDERAL
CLEAN WATER ACT**

WHEREAS, the federal Clean Water Act (CWA) was not intended to protect ditches and other channels through which water flows intermittently nor was it intended to capture seeps, wet areas, isolated man-made ponds and other structures not currently subject to the CWA; and

WHEREAS, the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) have developed a proposed regulation on Definition of “Waters of the United States” Under the Clean Water Act related to definition of the CWA; and

WHEREAS, the proposed regulation is onerous and unnecessary and capture a significant number of public works activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols; and

WHEREAS, the proposed regulation greatly expands the number of projects subject to jurisdictional determination or CWA permitting which do not currently require such oversight at great expense to the taxpayers of Fulton County with little, if any, substantive environmental benefit; and

WHEREAS, the financial impact of the proposed regulation to Fulton County will create significant ongoing maintenance costs and delays to Fulton County citizens and to economic development projects; and

WHEREAS, standards for making jurisdictional determinations under the CWA and clarification or definition of the intent of the CWA should be accomplished only through the United States Congress, and limited by the decisions of the United State Supreme Court; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors urges the EPA and Army Corps of Engineers to withdraw said proposed Clean Water Act regulation immediately and respect the authority of state and local governments in ensuring the protection of our water resources; and, be it further

Resolution No. 191 (continued)

RESOLVED, That the Board of Supervisors hereby urges its Congressional and State representatives to intercede with EPA to terminate this unwarranted expansion of federal bureaucracy and over-regulation; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, President Obama, Senator Schumer, Senator Gillibrand, U.S. Representative Owens, U.S. Representative Tonko, Governor Cuomo, Senator Farley, Assemblyman Butler, EPA Administrator Gina McCarthy, Fulton County Farm Bureau, Inter-County Legislative Committee of the Adirondacks, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 192

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

**RESOLUTION AUTHORIZING A CONTRACT WITH STERLING APPRAISAL COMPANY
FOR AN APPRAISAL OF THE 57 E. FULTON STREET BUILDING**

WHEREAS, the Buildings and Grounds/Highway Committee directed the Planning Director to obtain quotes from commercial appraisers to appraise the County Building at 57 East Fulton Street, Gloversville, NY; and

WHEREAS, three quotes were received; and

WHEREAS, the Superintendent of Highways and Facilities, Planning Director, Purchasing Agent and the Committees on Buildings and Grounds/Highway and Finance recommend that a contract be awarded to Sterling Appraisal Company of Mechanicville, NY for an appraisal of 57 East Fulton Street, Gloversville, at a cost not to exceed \$1,250.00; now, therefore be it

RESOLVED, That a contract be and hereby is awarded to Sterling Appraisal Company of Mechanicville, NY for an appraisal of 57 East Fulton Street, Gloversville, at a cost not to exceed \$1,250.00; and, be it further

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

From: A-245-1625.460 St. Marys Annex-Paper Supplies
To: A-245-1625.420 St. Marys Annex-Misc
Sum: \$1,250.00

and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 193

Supervisor JOHNSON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE
FEDERAL AVIATION ADMINISTRATION FOR OPERATION OF THE AUTOMATED
WEATHER OBSERVATION SYSTEM AT THE FULTON COUNTY AIRPORT**

WHEREAS, the Federal Aviation Administration (FAA) awarded Fulton County a grant to install an Automated Weather Observation System (AWOS) at the Fulton County Airport; and

WHEREAS, Resolution 235 of 2013 awarded a contract to O'Connell Electric to install the AWOS; and

WHEREAS, O'Connell Electric has substantially completed its work on the AWOS project; and

WHEREAS, in order for the FAA to officially commission the new AWOS, Fulton County must execute a Memorandum of Understanding with the FAA that identifies the County's operation and maintenance responsibilities for said system; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to execute a Memorandum of Understanding with the Federal Aviation Administration for operation of the Automated Weather Observation System at the Fulton County Airport; and, be it further

RESOLVED, That the Planning 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 Attorney, Planning Director, Federal Aviation Administration and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 194

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING TONYA ADAMKOSKI 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. Tonya Adamkoski of Don Brown Bus Sales, Inc. 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, Tonya Adamkoski, 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 July 1, 2012 through June 30, 2015; and, be it further

RESOLVED, That Ms. Adamkoski 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, Tonya Adamkoski and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 195

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION SPONSORING “FISHING UNIVERSITY” TV SHOW ON
THE OUTDOOR CHANNEL**

WHEREAS, “Fishing University”, a popular long-running television show on the Outdoor Channel, has expressed an interest in filming one or two shows on Sacandaga Lake; and

WHEREAS, the cost for one program is \$6,500.00 plus hotel costs; and,

WHEREAS, the show would air six (6) times between January and July 2015, providing substantial national publicity exposure for the Sacandaga Lake and the Fulton County region; and

WHEREAS, the show’s celebrities will also do a public “Meet and Greet” for the Chamber creating additional tourism publicity for the area; and

WHEREAS, the show will include a segment featuring a local high school to promote the importance of a good education and careers in the outdoors; and

WHEREAS, the 2014 Tourism Budget has funds to pay for the hotel costs required, as well as a \$500.00 deposit and the remainder of the program cost can be appropriated in the 2015 Tourism Budget; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby supports sponsoring “Fishing University” TV Show on the Outdoor Channel promoting tourism activities on the Great Sacandaga Lake and hereby commits to funding said publicity event in the 2015 Tourism Promotion Budget; and, be it further

Resolution No. 195 (continued)

RESOLVED, That the Fulton Montgomery Regional Chamber of Commerce will do each and every other thing necessary to further the purport of this Resolution; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 196

Supervisor GENDRON 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 REVISION AND RENEWAL OF FULTON COUNTY AGRICULTURAL DISTRICT NO. 1

WHEREAS, Resolution 642 of 2008 authorized commencement of an eight-year review of Agricultural District No. 1 in Fulton County; and

WHEREAS, in accordance with the eight-year review process required by NYS Agriculture and Markets Law, a profile and map has been prepared identifying proposed revised boundaries for the District, to be increased to 307+/- acres in the Towns of Broadalbin, Perth, Johnstown, Mayfield, Oppenheim and Ephratah; and

WHEREAS, pursuant to Resolution 642 of 2008, the Fulton County Board of Supervisors sought Lead Agency Status for the purpose of issuing a Determination of Significance under the State Environmental Quality Review Act (SEQRA) for renewal of Agricultural District No. 1; and

WHEREAS, the Fulton County Board of Supervisors offered all municipalities in Fulton County, the Adirondack Park Agency and the NYS Department of Agriculture and Markets the opportunity to comment on the County's proposal to act as the Lead Agency for the purpose of issuing a determination of significance under SEQR for this action and, during this period, no comments were made regarding the potential environmental impacts of the renewal of Agricultural District No. 1; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby assumes Lead Agency status for the purpose of issuing a determination of significance under SEQR and authorizes the filing of a Negative Declaration for this action, since there have been no significant environmental impacts identified during the SEQR review process; and, be it further

RESOLVED, That the Planning Director is hereby authorized and directed to file a Negative Declaration, as required by the SEQRA Regulations; and, be it further

Resolution No. 196 (continued)

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

Total: Ayes: 20 Nays: 0

Resolution No. 197

Supervisor GENDRON offered the following Resolution and moved its adoption:

RESOLUTION AMENDING BOUNDARIES OF FULTON COUNTY
AGRICULTURAL DISTRICT NO. 1 TO INCLUDE CERTAIN PARCELS IN
THE TOWNS OF JOHNSTOWN AND EPHRATAH (2014)

WHEREAS, New York State Agricultural Districts Law, Section 303-b, was amended to allow landowners to request inclusion of their property in an existing Agricultural District during an annual 30-day time period; and

WHEREAS, the Fulton County Agricultural Farmland and Protection Board determined that said parcels to be predominantly viable agricultural land and that it would be in the public interest to include them into Agricultural District #1; and

WHEREAS, Resolution 158 of 2014 set the date of a public hearing on a request from property owners in the Towns of Johnstown and Ephratah to be included in Agricultural District No. 1 as follows:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Kevin and Janice Speer	NYS Route 29 (Johnstown)	163.-1-35.112	2 +/-
Don Henry and Lyn Smolik (Helena Smolik Life Estate)	Saltsman Road (Ephratah)	158.-1-4	1 +/- 3.8 +/- 63.9 +/- 148.4 +/- 51.8 +/- 14.2 +/- 21.5 +/-

and,

WHEREAS, said public hearing was held on Monday, June 9, 2014 in the Board of Supervisors Chambers to receive comments on said request and anyone who was present to speak was heard; now, therefore, be it

Resolution No. 197 (continued)

RESOLVED, That the following parcels in the Towns of Johnstown and Ephratah be and hereby are included in Fulton County Agricultural District No. 1:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Kevin and Janice Speer	NYS Route 29 (Johnstown)	163.-1-35.112	2 +/-
Don Henry and Lyn Smolik (Helena Smolik Life Estate)	Saltsman Road (Ephratah)	158.-1-4	1 +/- 3.8 +/- 63.9 +/- 148.4 +/- 51.8 +/- 14.2 +/- 21.5 +/-

and, be it further

RESOLVED, That the Planning Director be and hereby is authorized and directed to file the necessary maps and reports with the NYS Department of Agriculture and Markets and to do each and every other thing necessary to further the purport of this Resolution; and, be if further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Town of Johnstown, Town of Ephratah, Fulton County Agricultural and Farmland Protection Board, NYS Department of Agriculture and Markets, Respective Property Owner, 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 Supervisor YOUNG and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 198

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN FULTON COUNTY AND ENVIRONMENTAL DESIGN PARTNERSHIP TO PREPARE A SMART GROWTH INFRASTRUCTURE PLAN FOR FULTON COUNTY'S REGIONAL WATER AND WASTEWATER SYSTEM (2014 CAPITAL PLAN)

WHEREAS, Resolution 140 of 2013 authorized the distribution of a Request for Proposals (RFP) to prepare a model for a Fulton County "SMART Waters" System; and

WHEREAS, Resolution 213 of 2013 authorized a contract with Environmental Design Partnership, LLP (EDP) to prepare a model for Fulton County's "SMART Waters" System; and

WHEREAS, EDP's Findings Report titled, "SMART Waters: A Regional Model for Water and Wastewater Services in Fulton County, NY" concluded that a regional water and wastewater system can be successfully implemented by Fulton County and provide economic benefits for the Region by promoting land development; and

WHEREAS, Resolution 163 of 2014 supported the creation of a regional water and wastewater system in Fulton County and authorized the commencement of discussions with the Cities of Gloversville and Johnstown, Villages of Broadalbin, Mayfield and Northville, Town of Northampton, Gloversville-Johnstown Joint Wastewater Treatment Facility, City of Amsterdam, Hudson River-Black River Regulating District and any other appropriate municipalities/organizations; and

WHEREAS, EDP's Findings Report also recommended that Fulton County prepare a "SMART Growth Infrastructure Plan" to identify specific areas of the county where water and wastewater services are desired and/or needed, identify conceptual plans to provide water and wastewater services to those areas and to estimate the cost of providing services to potential water and wastewater districts; and

WHEREAS, EDP has submitted a proposal to Fulton County to prepare a "SMART Growth Infrastructure Plan" as the next step in creating a coordinated regional system; now, therefore be it

RESOLVED, That, based upon the recommendation of the Committees on Economic Development and Environment and Finance, that the Chairman of the Board be and hereby is authorized to sign a contract with Environmental Design Partnership, LLP, of Clifton Park, NY., to prepare a "SMART Growth Infrastructure Plan", in accordance with its proposal dated May 27, 2014, in an amount not to exceed \$45,000.00, and be it further

Resolution No. 198 (continued)

RESOLVED, That said contract include a total not-to-exceed Allowance of \$5,000.00 for EDP to attend meetings with local municipalities, if requested by County officials, provide technical assistance and information, as requested; said costs will only be incurred if EDP's services are requested; and, be it further

RESOLVED, That said contract is 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-795-9950.900 Transfer to Capital Plan Project
To: H-085-8397.100 SMART Waters System
Sum: \$50,000.00

and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 199

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

RESOLUTION AUTHORIZING GRANT APPLICATIONS THROUGH THE NYS CONSOLIDATED FUNDING APPLICATION PROCESS AND THE BASIC PUBLIC INFRASTRUCTURE GRANT PROCESS FOR PHASE II OF THE TRYON TECHNOLOGY PARK AND INCUBATOR CENTER PROJECT

WHEREAS, the County of Fulton and the Fulton County Industrial Development Agency are partnering on a project at the former NYS Tryon Secure Detention Facility to create and construct the Tryon Technology Park and Incubator Center; and

WHEREAS, Phase II of the Tryon Technology Park and Incubator Center Project will involve major components as follows:

- Disconnecting sewer force main from Hale Creek and redirecting along Maloney Road and install larger wastewater pumps in wastewater pumping station
- Disconnect waterline from Hale Creek elevated tank and reroute to Maloney Road and install new elevated tank and water pump station
- Install additional water and wastewater lines

and

WHEREAS, the Mohawk Valley Regional Economic Development Council has announced the availability of the 2014 round of its Consolidated Funding Application process for public infrastructure projects; and

WHEREAS, Phase II of the Tryon Technology Park and Incubator Center Project may also qualify for funding via the NYS Northern Borders Regional Commission Basic Public Infrastructure Grant Program (80% Grant/20% Local Share); now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to submit qualifying grant applications for Phase II of the Tryon Technology Park and Incubator Center Project as follows:

- | | |
|--|----------------|
| • Consolidated Funding Application (NYSESD) | \$1,000,000.00 |
| • Basic Public Infrastructure (Northern Borders Regional Commission) | 200,000.00 |

and, be it further

Resolution No. 199 (continued)

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Mohawk Valley Regional Economic Development Council, NYS Empire State Development, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 200

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

RESOLUTION AUTHORIZING PAYMENT FOR A COURT-ORDERED
COMMITMENT TO SUNMOUNT FORENSIC UNIT
(COMMUNITY SERVICES DEPARTMENT)

WHEREAS, an individual with developmental disabilities was placed at the Sunmount Forensic Unit via a court-ordered commitment; and

WHEREAS, in accordance with New York State Mental Hygiene Law, Fulton County is responsible for 50 percent of the charges; and

WHEREAS, the Director of Community Services has reviewed the circumstances of the committal and the charges and recommends payment of the amounts invoiced to date; now, therefore be it

RESOLVED, that the County Treasurer be and hereby is directed to issue a payment to the Sunmount Forensic Unit in the amount of \$7,904.00; and, be it further

RESOLVED, That the 2014 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A-083-4490.000 MH – Fed Salary Sharing \$7,904.00
(A-082-0691.445 Deferred Revenues-Mental Health)

Appropriation Account:

Increase A-445-4310.409 Mental Health – Ct Ords, Consult, Com. \$7,904.00

and, be it further

Resolution No. 200 (continued)

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

Seconded by Supervisor GREENE and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 201

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2014-15 EMERGENCY
PREPAREDNESS GRANT FUNDS FROM THE NYS DEPARTMENT OF HEALTH
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 346 of 2012 authorized acceptance of 2012-13 Emergency Preparedness Grant funds from the NYS Department of Health; and

WHEREAS, in an effort to reduce the administrative burden associated with executing annual contract renewals, the NYS Department of Health will be amending the current Emergency Preparedness grant to a five (5) year term expiring June 30, 2017; and

WHEREAS, the amendment will result in a five-year contract for the period July 1, 2012 through June 30, 2017 with a total contract amount of \$267,500.00 (\$53,500.00 per year); 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 the New York State Department of Health to accept the Emergency Preparedness grant, in an amount of \$52,096.00, for the period July 1, 2014 through June 30, 2015; and, be it further

RESOLVED, that said agreement 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, County Attorney, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 202

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

RESOLUTION AUTHORIZING PURCHASE OF EQUIPMENT FOR USE IN THE PUBLIC HEALTH DEPARTMENT WITH CERTAIN EQUIPMENT AUCTION PROCEEDS

WHEREAS, Resolution 94 of 2014 authorized the sale of dental equipment through Auctions International and the sale netted a total of \$1,196.00; and

WHEREAS, the sale of miscellaneous dental equipment to a local dentist netted a total of \$425.00; and

WHEREAS, the Public Health Director has requested to purchase a desk, chair, computer hutch and bookcase for use in the Public Health Director's office utilizing the aforementioned proceeds;
now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Human Services and Finance, the Public Health Director be and hereby is authorized to purchase equipment as identified above through normal County purchasing procedures for the Public Health Department utilizing auction proceeds in the amount of \$1,621.00; and, be it further

RESOLVED, That the 2014 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A-083-2665.000 Sale of Equipment	\$1,621.00
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Appropriation Account:

Increase A-405-4010.200 – Public Health-Equipment	\$1,621.00
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and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 203

Supervisor CAPEK offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN THE
COUNTY OF FULTON, FULTON COUNTY SHERIFF AND THE FULTON COUNTY
SHERIFF'S OFFICE EMPLOYEES ALLIANCE (2012-2015)**

RESOLVED, that the Chairman of the Board be and hereby is authorized and directed to sign a Memorandum of Agreement by and between the County of Fulton, Thomas Lorey, as Fulton County Sheriff and the Fulton County Sheriff's Office Employees Alliance, effective January 1, 2012 through December 31, 2015, as attached hereto and made a part hereof; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Sheriff's Office Employees Alliance, Personnel Director, Roemer, Wallens & Mineaux, 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 FAGAN and adopted by the following vote:

Total: Ayes: 20 Nays: 0

MEMORANDUM OF AGREEMENT

The County of Fulton and the Fulton County Sheriff (the "Employer") and the Fulton County Sheriff's Office Employees Alliance (the "Union") are parties to a Collective Bargaining Agreement for the term January 1, 2008 – December 31, 2011 (the "Agreement").

The Employer and the Union wish to modify the Agreement as follows:

1. Wages: 2012: Wage freeze
 2013: 0% increase; however, \$500.00 on base
 2014: 2.25% (retro to 1/1/14)
 2015: 2.25%

(Article III & Appendix "A")

2. Art. III, Section 3.C shall be amended, upon ratification, so that the shift differential will be ninety cents (\$.90) per hour [and] shall only be paid for actual hours worked. (remainder of Agreement language continues as written)
3. The Employer and Union agree to County proposals; numbers, 1, 3, 4, 7 and 8. Copies of these proposals is attached hereto and made a part hereof.
4. Art. VIII at Section 4 shall be amended by deleting current language ("Dental Insurance") and replacing it as follows:

The Employer retains the right to select a dental insurance carrier or at its discretion, to self insure for dental coverage for its employees' provided that should the Employer exercise its right to change dental insurance carriers or self insure the dental benefits. The subsequent benefits shall be at least equivalent to the current benefit levels. (Co #5)

5. Art. III, Section 1.F concerning lag pay (Co #2) See proposal attached hereto and made a part hereof.
6. Items not detailed herein are deemed withdrawn.
7. The Memorandum of Agreement constitutes the entire understanding by and between the Employer and the Union as to modification to the Agreement.
8. The Union reserves the right to have the tentative Agreement taken before its membership for ratification vote, the County reserves the right to have this tentative agreement brought before the Board of Supervisors for ratification vote.

Agreed to this 9th day of April 2014

County Proposal No. 1

Article III at Section 1.A (p.2) shall be amended to add the following language:

Employees on the payroll on the date of ratification by the Fulton County Board of Supervisors or employees who have retired with a pension between the effective date of this Agreement and the date of ratification by the Fulton County Board of Supervisors, shall receive retroactive pay, so long as the employee is entitled to no less than twenty-five dollars (\$25.00).

County Proposal No. 3

Article VI at Section 2.K (p. 11) shall be amended such that sick leave calendar quarter payments will be made in the first payroll in August and February, respectively (thereby deleting the July and January dates).

County Proposal No. 4

Article VII at Section 2.B, “Health Insurance” (p. 17) shall be amended to add the following paragraph:

Employees hired on or after the ratification date of this agreement June 9, 2014, may choose to participate in the Fulton County Health Insurance Plan with coverage beginning thirty (30) days from the date of hire. Employees with less than one year of service shall contribute fifty percent (50%) of the premium being either individual or family coverage. After the completion of one year of service, the employee shall contribute twenty percent (20%) of the individual health insurance premium. An employee electing family/dependent health insurance shall thereafter contribute fifty percent (50%) of the dependent coverage and shall be given full credit for the cost of the individual premium when calculating the family premium contributions.

County Proposal No. 7

Article XVIII “Grievance Procedure” – at Step Three (C.1 & C.2) (at page 25) shall be amended to delete the current panel of arbitrators and replaced with a PERB panel list; the rules of PERB shall be followed.

County Proposal No. 8

Throughout the collective agreement change the term “department head” to read “Sheriff or designee”.

Resolution No. 204

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

RESOLUTION ACCEPTING GOVERNOR'S TRAFFIC SAFETY
COMMITTEE 2013-2014 STEP GRANT (SHERIFF)

WHEREAS, Resolution 157 of 2013 authorized application to the Governors' Traffic Safety Committee for a Selective Traffic Enforcement Program (STEP) grant in the amount of \$8,500.00; and

WHEREAS, the Sheriff has been notified that the County has been awarded a 2013-14 STEP Grant to support Sheriff's patrols targeting speed and aggressive driving on county highways, in an amount of \$8,170.00; and

WHEREAS, the Sheriff proposes to use said grant funds for the following purposes:

Deputy Sheriff Overtime Patrols	\$8,170.00
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now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts a 2013-14 STEP Grant from the Governor's Traffic Safety Committee, in an amount of \$8,170.00, to defray costs of Deputy Sheriff overtime patrols; and, be it further

RESOLVED, That the 2014 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase	A-083-3318.000 State Aid-Sheriff Grants	\$8,170.00
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Appropriation Account:

Increase	A-305-3110.110 Sheriff – Overtime	\$8,170.00
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Resolution No. 204 (continued)

and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 205

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION FOR GOVERNOR’S TRAFFIC
SAFETY COMMITTEE 2014-2015 STEP GRANT (SHERIFF)

WHEREAS, the Sheriff desires to submit an application to the Governor’s Traffic Safety Committee for a 2014-2015 Selective Traffic Enforcement Program (STEP) grant to support Sheriff’s patrols targeting speeding and aggressive driving; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Safety, the Chairman of the Board be and hereby is authorized to sign and submit an application to the Governor’s Traffic Safety Committee for “STEP” grant funds, in an amount of \$11,400.00 for the following purposes:

Deputy Sheriff Overtime Patrols	\$11,400.00
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and, be it further

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

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

Seconded by Supervisor OTTUSO and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 206

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING SUBMITTAL OF UPDATED IGNITION INTERLOCK PROGRAM PLAN TO OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES (PROBATION DEPARTMENT)

WHEREAS, Resolution 339 of 2010 authorized Submittal of County Plan to Office of Probation and Correctional Alternatives for Implementation of Vehicle Interlock Device Monitoring; and

WHEREAS, on July 26, 2013, Governor Cuomo signed into law, legislation strengthening certain provisions of Leandra's Law. effective November 1, 2013, pertaining to youthful offenders subject to Leandra's Law; now, therefore be it

RESOLVED, That the Chairman of the Board and Probation Director be and hereby are authorized to sign and submit an update to the "Ignition Interlock Program Plan" to the NYS Division of Probation and Correctional Alternatives to comply with the newly enacted law; and, be it further

RESOLVED, That the Probation Director and Chairman of the Board 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, Probation Director, District Attorney, County Judges, City Judges, All Town and Village Justices, NYS Department of Probation and Correctional Alternatives, 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 Supervisor POTTER and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 207

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

RESOLUTION AUTHORIZING PAYMENT TO PITTSFIELD COMMUNICATIONS FOR LABOR COST TO INTALL ANTENNA ON SHERIFF'S DEPARTMENT RADIO TOWER (2013 SHSP GRANT)

WHEREAS, Resolution 219 of 2013 authorized purchase of certain equipment and software with 2012 Homeland Security Grant Funds for the Civil Defense/Fire Coordinator's Office, including one (1) Network Connection from Bleecker Mountain Tower to the Fire Training Center at a cost of \$6,129.00; and

WHEREAS, labor cost involved with installing the antenna and cable to the tower for the network wireless connection was not included in the original quote; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the Civil Defense Director/Fire Coordinator be and hereby is authorized to purchase the following:

Labor cost to install antenna and cable for network wireless connection for the Sheriff Tower on Bleecker Mountain	\$1,710.00
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and, be it further

RESOLVED, That the 2014 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A-083-3306.001 Civil Def-SHSP	\$1,710.00
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Appropriation Account:

Increase A-385-3645.401 Civil Def-SHSP-Contractual	\$1,710.00
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and, be it further

Resolution No. 207 (continued)

RESOLVED, That the Civil Defense/Fire Coordinator is hereby directed to carry out said purchase expeditiously and complete all grant requirements in 2014; and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 208

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

**RESOLUTION AUTHORIZING PURCHASE OF DOOR RELEASE MECHANISM
IN THE CIVIL DEFENSE OFFICE (2013 SHSP GRANT)**

WHEREAS, Resolution 66 of 2014 authorized purchase of certain equipment with 2013 NYS Homeland Security Grant; and

WHEREAS, the Civil Defense/Fire Coordinator was authorized to purchase a door entry security system at a cost of \$26,607.00; and

WHEREAS, a door release mechanism is now needed to be installed in the Civil Defense/ Fire Coordinator's office area and this was not included in the original quote; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the Civil Defense Director/Fire Coordinator be and hereby is authorized to purchase the following:

One (1) Door Release Mechanism for the Civil Defense/Fire Coordinator's Office area	\$519.00
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and, be it further

RESOLVED, That the 2014 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A-083-3306.001 Civil Def-SHSP	\$519.00
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Appropriation Account:

Increase A-385-3645.201 Civil Def-SHSP-Equipment	\$519.00
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and, be it further

Resolution No. 208 (continued)

RESOLVED, That the Civil Defense/Fire Coordinator is hereby directed to carry out said purchase expeditiously and complete all grant requirements in 2014; and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 209

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE 2014 RESOURCE ALLOCATION PLAN TO
REFLECT AN INCREASE IN STATE AID (YOUTH BUREAU)

WHEREAS, Resolution 166 of 2014 approved the 2014 Youth Bureau Resource Allocation Plan in the total amount of \$51,756.00; and

WHEREAS, the NYS Office of Children and Family Services has increased the amount of 2014 state aid funding Fulton County will receive to administer youth programs to \$56,522.00, an increase of \$4,766.00 over the earlier estimate; and

WHEREAS, the 2014 Adopted Budget reflects a revenue for Youth Programs at a reimbursement of \$53,534.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign the updated State Aid application to reflect the increase in youth program funds for 2014; and, be it further

RESOLVED, That the 2014 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A-083-3820.000 Youth Service Projects	\$2,988.00
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Appropriation Account:

Increase A-645-7310.417 Youth Prog-Programs (100%)	2,988.00
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and, be it further

RESOLVED, That the Youth Bureau 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, Youth Bureau Director, NYS Office of Children and Family Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 210

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT WITH NEW WORLD SYSTEMS FOR
PURCHASE OF A FINANCE AND HUMAN RESOURCES ENTERPRISE
SOFTWARE SYSTEM (2014 CAPITAL PLAN)

WHEREAS, the 2014 Capital Plan identifies a Software Replacement Project for a Finance and Human Resources Enterprise Software System; and

WHEREAS, Resolution 318 of 2013 authorized a Request for Proposals for a Finance and Human Resources Enterprise Software System and three (3) proposals were received; and

WHEREAS, an extensive RFP review process was conducted by a county management team selected by the Committee on Finance; and

WHEREAS, recommendation of the New World proposal culminates from reviews of written proposals, onsite vendor demonstrations and the observation of working systems at other counties; and

WHEREAS, the software evaluation team, Information Services Director and Committee on Finance recommend contracting with New World Systems Inc., for purchase of a Finance and Human Resources Enterprise Software System, it having presented the best proposal to meet the needs of county departments; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with New World Systems Inc., Troy, Michigan, for a Finance and Human Resources Enterprise Software System in accordance with the project components detailed below:

Logos Software Modules	\$191,600.00
Installation Services & Training	\$195,900.00
Estimated Travel	\$ 39,000.00
Estimated One-time County Expenses	\$ 27,000.00
Miscellaneous Expenses	\$ 10,500.00
Five Year Software Maintenance	<u>\$136,000.00</u>
Total System Cost	\$600,000.00

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

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

From: A-795-9950.900 Transfer to Capital Plan Projects
To: H-085-1680.100 County Software Project
Sum: \$600,000.00

Resolution No. 210 (continued)

and, be it further

RESOLVED, That the Information Services Director and Purchasing Agent 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, Information Services Director, New World Systems, All Proposers, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 211

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION APPROPRIATING COUNTY MATCHING FUNDS TO OBTAIN 2012-2013
PUBLIC NURSING HOME MEDICAID UPPER PAYMENT
LIMIT FUNDS

WHEREAS, Fulton County has been approved to receive Medicaid Upper Payment Limit (UPL) allocations totaling \$1,212,098.00 for State fiscal year 2012-2013 related to RHCF claims; and

WHEREAS, to qualify for said UPL payments, the County must pay a 50 percent local share match to the State in the amount of \$606,049.00; and

WHEREAS, the Committee on Finance recommends accepting the 2012-2013 UPL allocation in June 2014 and committing the required local matches therefore: now, therefore be it

RESOLVED, That upon the recommendation of the Budget Director and Committee on Finance, the Treasurer be and hereby is authorized to appropriate county matching funds to obtain 2012-2013 Public Nursing Home Medicaid Upper Payment Limit Funds; and, be it further

RESOLVED, That the 2014 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A-083-3689.000 State Aid-RHCF Post Closing (new) \$1,212,098.00

Appropriation:

Increase A-505-6100.401 DSS Medicaid Upper Payment Limit \$606,049.00

Increase A-285-1990.400 Contingent Fund Expense \$606,049.00

and, be it further

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

Resolution No. 211 (continued)

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 GENDRON and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 212

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING TRANSFER FROM THE CONTINGENT FUND FOR
START UP COSTS AT THE TRYON TECHNOLOGY PARK
AND INCUBATOR CENTER

WHEREAS, in 2013, the Fulton County Industrial Development Agency (IDA) requested funding for start-up costs at the Tryon Technology Park and Incubator Center projected to occur in 2014; and

WHEREAS, appropriate steps must be taken to re-commission building systems and re-connect equipment to adequately secure and protect the facility from damage by the elements; and

WHEREAS, it was the recommendation of the Economic Development and Environment and Finance Committees to approve the funding request in the amount of \$50,000.00; and

WHEREAS, it was the recommendation and intent to include said start-up funding in 2014; however, the \$50,000.00 was not appropriated in the 2014 Adopted Budget due to an oversight; now, therefore be it

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

From: A-285-1990.400 Contingent Fund Expense
To: A-705-8020.414 Planning Dept – Special Projects (new)
Sum: \$50,000.00

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 213

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING FULTON MONTGOMERY COMMUNITY COLLEGE
(FMCC) TO PURCHASE CERTAIN COMPUTER EQUIPMENT AS PART OF
TECHNOLOGY UPGRADES – PHASE 1 (2014 CAPITAL PLAN)

WHEREAS, the 2014 Capital Plan identifies a Technology Upgrades – Phase 1 Project at Fulton Montgomery Community College; and

WHEREAS, the purpose of the project is to replace and upgrade a variety of campus technology and network equipment; and

WHEREAS, funds for Fulton County’s share of said project are resident in A-795-9950.900 Transfer to Capital Plan Projects; and

WHEREAS, the Committee on Finance recommends that FMCC be authorized to directly purchase said computer equipment to allow for direct delivery to the College, with all warranties and documentation identifying the College; now, therefore be it

RESOLVED, That the Fulton Montgomery Community College be and hereby is authorized to purchase the following equipment, as part of the 2014 Technology Upgrades – Phase 1 Project:

<u>Equipment</u>	<u>Cost</u>
Upgrades to Network Core Router and Associated Hardware	\$225,000.00
Upgrades to Blade Server Environment	75,000.00
Upgrades and additions to Campus Storage Area Network Devices	200,000.00
Upgrades and additions to Backup Storage Environment	100,000.00
Expansion of CITRIX Environment	<u>200,000.00</u>
Total	\$800,000.00

and, be it further

RESOLVED, That FMCC is hereby authorized to act as the project manager for the 2014 Technology Upgrades – Phase 1 Project contingent upon the College President and College officials abiding by all purchasing regulations and/or laws of the State of New York relative to bidding and public procurement; and, be it further

Resolution No. 213 (continued)

RESOLVED, That the 2014 Adopted Budget be and hereby is amended, as follows:

Revenue Accounts:

H-083-3500.685 State Aid- FMCC Project (new)	\$400,000.00
H-083-5035.685 Transfer from Montgomery Co-FMCC Pr (new)	200,000.00
H-083-5036.685 Transfer from Fulton County- FMCC Project (new)	<u>200,000.00</u>
Total	\$800,000.00

Appropriation Account:

H-085-2515.100 FMCC Technology Upgrades (new)	\$800,000.000
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and, be it further

RESOLVED, That approval of this Resolution is contingent upon approval of a similar resolution by the Montgomery County Board of Supervisors; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 214

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE OF PUBLIC HEARING REGARDING
2014-2015 FMCC BUDGET

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 14, 2014, at 1:30 p.m. for the purpose of holding a public hearing on the tentative budget for Fulton-Montgomery Community College as related to the financial share and obligation of Fulton County for the fiscal year beginning September 1, 2014, pursuant to Chapter 631 of the Laws of 1965; 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 tentative budget 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 five 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, Montgomery County Board of Supervisors, Fulton-Montgomery Community College, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 215

Supervisor GENDRON offered the following Resolution and moved its adoption:

RESOLUTION APPROVING THE COUNTY OF FULTON TO SERVE AS APPLICANT FOR A NYS HOUSING AND COMMUNITY RENEWAL GRANT FOR A “SOUTHERN ADIRONDACK ARTS AND FAMILY RETREAT CENTER”

WHEREAS, Lexington Foundation is planning to construct and operate a “Southern Adirondack Arts and Family Retreat Center”; and

WHEREAS, said Center will include a theater, gallery space, classrooms, performance space, a café and retail shop to serve as a focal point for community events; and

WHEREAS, the Lexington Foundation has launched said project with the goal of creating a modern, attractive fine arts and performing arts facility to support educational programs and supportive programs for persons with disabilities; and

WHEREAS, the Center will also host summer education programs to provide learning opportunities for students with disabilities to transition to college and work experience; and

WHEREAS, the Lexington Foundation will provide start-up capital and has commenced a capital campaign to cover other project costs; and

WHEREAS, said project is estimated to cost \$3.25 million for construction costs, equipment and furnishings; and

WHEREAS, the Committee on Economic Development and Environment has reviewed a project briefing by Wally Hart, Executive Director of the Lexington Foundation and has endorsed the “Southern Adirondack Arts and Family Retreat Center” as a great addition to the local community; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts responsibility to act as Applicant/Recipient for a Consolidated Funding Application for a NYS Housing and Community Renewal grant; Lexington Foundation being the sub-recipient for said grant; and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign the grant application to NYS Office of Housing and Community Renewal for a “Southern Adirondack Arts and Family Retreat Center” in the amount of \$750,000.00; and to execute any grant acceptance documentation if said grant is received; and, be it further

RESOLVED, that this Resolution is contingent upon there being no cost to the County of Fulton for said project and that any costs incurred for the County’s administration of the grant process shall be billable to the Lexington Foundation and paid promptly by that organization; and, be it further

Resolution No. 215 (continued)

RESOLVED, That certified copies of this Resolution for forwarded to the County Treasurer, Lexington Foundation Board of Directors, NYS Housing and Community Renewal, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 216

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BIDS FOR THE CHILDREN WITH HANDICAPPING
CONDITIONS TRANSPORTATION PROGRAM (2014)

WHEREAS, Resolution 168 of 2014 authorized advertisement for bids for the Children with Handicapping Conditions Transportation Program and three (3) bids were received; now, therefore be it

RESOLVED, That the bids, as hereinafter specified, for the transportation of children with handicapping conditions to various 2014 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. 2014-40-01, dated May 12, 2014:

<u>Bidder</u>	<u>Program Site/Route</u>	<u>Bid Amount</u> <u>Est. Daily Site Rte. Cost</u>
Brown Transportation	Route #1	
	Whispering Pines (Gloversville)	227.00
	Route #2	
	Whispering Pines (Meco School)	227.00
North Country Transport	Route #7	
	Whispering Pines (Amsterdam)	267.00
	Route #3	
	Whispering Pines (Gloversville)	209.00
	Route #4	
	Whispering Pines (Gloversville)	201.00
	Route #11	
	Whispering Pines (Amsterdam)	147.50

and, be it further

Resolution No. 216 (continued)

RESOLVED, That the bid from Blue Line, Inc., be and hereby is rejected; said bidder not having met all requirements set forth in the Bid Specifications; and, be it further

RESOLVED, That said cost be a charge against A-295-2960.418 Educ of PHC-(3-5) Transportation; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 217

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING SALE OF CERTAIN VACANT COUNTY TAX ACQUIRED
PARCELS TO THE CITY OF GLOVERSVILLE**

WHEREAS, the City of Gloversville has made a written request to purchase a certain parcels of County-owned property in the City of Gloversville; and

WHEREAS, contingent upon the City of Gloversville paying the county for the tax delinquency and filing fees and the County’s auctioneer any penalty for early withdrawal from the auction, as per contract; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized and directed to sell County-owned properties (Parcel No. 149.6-13-29 and Parcel No. 149.6-13-31) on Main Street in the City of Gloversville, to the City of Gloversville, for a total amount due, as follows:

Delinquent Taxes	\$ 1,172.24
Auctioneer Buyer’s Premium	117.22
Filing Fees	<u>618.00</u>
Total Amount Due	\$ 1,907.46

and, be it further

RESOLVED, That the County Treasurer be directed to record the appropriate deed after the execution thereof and after the purchaser pays the proper amount due; 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 Supervisor BRADT and adopted by the following vote:

Total: Ayes: 20 Nays: 0