

## FOURTH REGULAR SESSION

Johnstown, NY

April 13, 2015

### Roll Call- Quorum Present

Supervisors: Argotsinger, Bradt, Breh, Christopher, Fagan, Gendron, Greene, Groff, Handy, Johnson, Kinowski, Lauria, MacVean, Ottuso, Potter, Waldron, Young

TOTAL: Present 17 Absent: 3 (Supervisors Born, Callery, and Howard)

Chairman Ottuso called the meeting to order at 1:00 p.m. with Supervisors Born, Callery and Howard absent upon roll call. Following the Pledge of Allegiance to the Flag, Chairman Ottuso recognized the following public speakers:

***Ron McLain, 281 County Highway 111, Caroga Lake:*** Mr. McLain stated that he has an issue with proposed Resolution No. 10 (Resolution Authorizing the Fulton County Demolition Team to Demolish a Building Owned by the Caroga Lake Volunteer Fire Department). He stated that the Town of Caroga does not own this property and questioned how the County Demolition Team can demolish the building on this property. He stated that last year the Board had issues with a parcel that the City of Gloversville didn't own that it wanted demolished. He stated that the Demolition Team was established to assist in demolishing municipal-owned property. He stated that it is time to take care of what is important to the town, not just a few people with their own agendas.

***John Kane, West Bush Road, Gloversville:*** Mr. Kane stated that he is a member of Solidarity for a Better County Government. Mr. Kane referenced a section of State Law relating to the County Board of Supervisors appointing standing committees. Under this law it states that the Chairman of the Board shall appoint members to the Standing Committees. He questioned when the Board of Supervisors, under this law, approved to have a standing committee this year. "Did the Chairman of the Board appoint the members to these committees?"

### COMMUNICATIONS

1. Press Release from Fulton County Soil & Water Conservation District, dated March 18, 2015  
Subj: Conservation District Acquires Funding for Fulton County Projects (Supervisors Christopher and Johnson requested a copy of Communication #1)
2. Communication from Adirondack Park Local Government Review Board  
Subj: Resolution 3 of 2015 Requesting Retention of 30 Additional Danzer Forestland Camps on the Long Pond Easement (Supervisors Christopher, Johnson and Lauria requested a copy of Communication #2)
3. Communication from Niagara County Legislature, dated March 5, 2015  
Subj: Resolution IL-038-15 Opposing Executive Action to Ban Widely-Used Common .223/5.56 Rifle Ammunition Designated M855/SS109 By the U.S. Department of Justice and Bureau of Alcohol, Tobacco and Firearms and Condemning All Backdoor Gun Control Via Executive Actions (A copy of Communication #3 was requested by all Supervisors)
4. Communication from State of New York Public Service Commission, issued March 4, 2015  
Subj: Notice Inviting Further Comment on Staff White Paper (Supervisor Young requested a copy of Communication #4)
5. Communication from NYSAC, dated March 20, 2015  
Subj: Acknowledging Receipt of Resolution 82 of 2015 Opposing Competition Formula in the proposed "Upstate Revitalization Competition" (Supervisors Greene and Lauria requested a copy of Communication #5)

### REPORTS

- A. Fisheries Highlights Region 5 Fish and Wildlife Board & ACC Meetings, February 2015
- B. Annual Report from Fulton County Planning Board
- C. Empire Plan Fourth Quarter Report from NYS Department of Civil Service

### UPDATES FROM STANDING COMMITTEES

***Personnel:*** Supervisor Fagan advised that negotiations are ongoing with CSEA and hopes they are settled in the near future.

## **REPORTS OF SPECIAL COMMITTEES**

***Soil and Water Conservation:*** Supervisor Lauria stated that a meeting was held March 17. He stated that the District is receiving a \$50,000.00 CFA grant for the Hudson Water Shed. He also stated that several projects are ongoing and that tree sales are ongoing.

## **CHAIRMAN'S REPORT**

Chairman Ottuso stated that the year is moving along, going fast and a lot has been going on. He stated that he has attended several committee meetings and stated that these meetings will keep him informed. He stated that he enjoys the fact that everyone puts in their comments and works for the greater good to make things happen. He stated that he appreciates everything that everyone does for the County.

## **RESOLUTIONS**

***No. 117 (Resolution Authorizing the Fulton County Demolition Team to Demolish a Building Owned by the Caroga Lake Volunteer Fire Department):*** Supervisor Johnson asked about the property being privately owned as stated earlier by a public speaker. Mr. Stead stated that he believed that the fire department owns the property, therefore it is municipally-owned.

Supervisor Greene also questioned whether a private fire department is different than a municipal fire department. Supervisor Johnson stated because the fire department is funded by the Town, it is considered municipally-owned property.

**No. 119 (Resolution Requesting the Governor and State Legislature to Amend the Vehicle and Traffic Law to allow All Terrain Vehicles up to 1,500 pounds to be registered):** Supervisor Johnson questioned what vehicles this involves. Mr. Stead stated that UTV's relate to the side-by-side vehicles. Supervisor Johnson stated that right now these vehicles use slow moving vehicle signs on them and drive them all over with no issues.

Chairman Ottuso opened the Public Hearing to receive comments regarding Local Law "1" of 2015, entitled, "A Local Law to allow certain "SPARKLING DEVICES" to be excluded from the Dangerous Fireworks Definition as Permitted by New York Penal Law Section 405(b)" at 1:29 p.m.

**Vincent Zabo, 124 Germanhill Road, Freehold, NY:** Mr. Zabo thanked the Board for their time in considering this local law. On behalf of Phantom Fireworks, he supports this law that allows the County to regulate and monitor the sale of consumer fireworks in the open. This law allows residents to purchase these products locally. It also supports the regulated market place that New York has established. He also stated that Code Enforcement officials have the right to monitor the storage and sale of these goods. He also noted that sparklers sold in New York State are the wooden stick type, not metal. The wooden stick sparklers simply ash off as they burn and do not leave a hot metal core which can cause injury. He also stated that his company conducts training programs for retailers. He stated that his company also provides extensive safety information on their website, as well as free download videos. He thanked the Board for its time.

Chairman Ottuso asked if there were any additional speakers regarding proposed Local Law "1". There being no public speakers who wished to address the Board, Chairman Ottuso announced that he would keep the public hearing open for a portion of the Board Meeting.

Chairman Ottuso again asked if there were any members of the public who wished to make comments regarding the Public Hearing to receive comments on proposed Local Law "1" of 2015, entitled, "A Local Law to allow certain "SPARKLING DEVICES" to be excluded from the Dangerous Fireworks Definition as Permitted by New York Penal Law Section 405(b)" at There being no interested speakers, Chairman Ottuso closed the Public Hearing at 1:39 p.m. moved forward with Updates from Standing Committees.

**No. 134 (Resolution Adopting Proposed Local Law "1" of 2015, entitled "A Local Law to Allow Certain "SPARKLING DEVICES" to be Excluded From the Dangerous Fireworks Definition as Permitted by New York Penal Law Section 405(b):** Supervisor Gendron stated that during the Public Safety Committee meeting, Civil Defense Director Steven Santa Maria gave some very good information about his opposition to this local law. As a result of Mr. Santa Maria's input, Supervisor Gendron stated that he is going to defer his vote to the department head and his opinion.

Supervisor Groff stated he doesn't see the high level of concern over these types of fireworks. He stated that anyone who is out and about on the Fourth of July sees the types of fireworks being used that are much more dangerous than what is being proposed.

Supervisor Young stated he has some concerns about the health and fire safety of these items; however, since they are already available in surrounding counties, he believes having this law in place is better for the area.

Supervisor Ottuso stated that he is in favor of this and it should create some additional tax revenue for the county.

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 Resolution 155.

Chairman Ottuso then called for a ten minute recess at 1:45 p.m.

Upon a motion by Supervisor Fagan, seconded by Supervisor Groff and unanimously carried, the Board entered into Executive Session at 1:55 p.m. to discuss collective bargaining.

Upon a motion by Fagan, Greene and unanimously carried at 2:05 p.m. the Board re-entered into Regular Session.

## **PROCLAMATIONS**

### **DECLARING MAY 2015 “OLDER AMERICANS MONTH IN FULTON COUNTY”**

WHEREAS, Fulton County includes a thriving community of older Americans who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

WHEREAS, Fulton County Office for Aging is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible; and

WHEREAS, since 1965, the Older Americans Act has provided services that help older adults remain healthy and independent by complementing existing medical and health care systems, helping prevent hospital readmissions, and supporting some of life’s most basic functions, such as bathing, or preparing meals; and

WHEREAS, these programs also support family caregivers, address issues of exploitation, neglect and abuse of older adults; and

WHEREAS, our community can provide opportunities to enrich the lives of individuals young and old by:

- Promoting and engaging in activity, wellness, and social inclusion.
- Emphasizing home and community based services that support independent living.
- Ensuring community members of all ages benefit from the contributions and experience of older adults.

now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby proclaims May 2015, as “OLDER AMERICANS MONTH IN FULTON COUNTY”, and urges every resident to take time this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

### **DECLARING THE WEEK OF APRIL 12-18 2015 AS “AGING SERVICES VOLUNTEERS WEEK” IN FULTON COUNTY**

WHEREAS, the entire Fulton County community can inspire, equip and mobilize people to take action that changes the County as a whole, particularly in regard to respecting and supporting senior citizens; and

WHEREAS, volunteers can connect with local community service opportunities through a variety of options, such as Fulton County Senior Nutrition Program meal deliveries and dining sites; Fulton County Youth Bureau Advisory Council; Fulton County Office for Aging Advisory Council; Volunteer Peer Health Insurance Counseling; Long Term Care Ombudsmen program model; annual Fulton County Office for Aging Senior Picnic, Senior Clubs and Centers, and Senior Council; and

WHEREAS, in recognition of Aging Services Volunteers Week, the Fulton County Office for Aging will honor Dotty Blowers and Kitty Riznyk as Outstanding Senior Citizens for their years of volunteering in Fulton County; and

WHEREAS, volunteers are vital to promoting the Country’s future as a caring and productive nation; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby proclaims April 12 – 18, 2015 as “AGING SERVICES VOLUNTEERS WEEK” IN FULTON COUNTY.

### **PROCLAMATION DECLARING WEEK OF APRIL 19-26, 2015**

**“CRIME VICTIMS’ RIGHTS WEEK IN FULTON COUNTY”**

WHEREAS, 26 million Americans are victims of crime each year and each crime affects many more, including family members, friends, neighbors, and co-workers; and

WHEREAS, crimes can leave a lasting physical, emotional, or financial impact on people of all ages and abilities, and of all economics, racial and social backgrounds; and

WHEREAS, in 1984, the Crime Victims Fund was established by the Victims of Crime Act (VOCA) to provide a permanent source of support for crime victim services and compensation through fines and penalties paid by convicted federal offenders; and

WHEREAS, incorporating communities’ existing experts and trusted sources of support into efforts to serve survivors will develop a criminal justice system response that is truly accessible and appropriate for all victims of crime; and

WHEREAS, Fulton County officials are joining forces with victim service programs, criminal justice agencies, and concerned citizens throughout Fulton County and America to raise awareness of victims’ rights; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby proclaims April 19-26, 2015, as “CRIME VICTIMS’ RIGHTS WEEK IN FULTON COUNTY”.

**OLD BUSINESS**

Supervisor Lauria advised that he attended a presentation by the “Beekman Boys” at FMCC last week. He advised that the Beekman Boys distribute a \$50,000.00 grant to small farmers. If anyone knows of a farmer in need, they can apply online at the Beekman Boys website.

Chairman Ottuso then called for a five minute recess at 2:15 p.m.

Chairman Ottuso called the meeting back to order at 2:20 p.m.

Upon a motion by Supervisor Groff and seconded by Supervisor Fagan, the Board entered into Executive Session at 2:22 p.m. to discuss employment history.

Upon a motion by Supervisor Fagan and seconded by Supervisor Gendron, the Board re-entered into Regular Session at 3:13 p.m.

Upon a motion by Supervisor Bradt, seconded by Supervisor Waldron and unanimously carried, the Board adjourned at 3:15 p.m.

*Certified by:*

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

**Resolution No. 108**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING SUBMITTAL OF 2015-2016 FEDERAL SECTION 5311  
CONSOLIDATED TRANSPORTATION GRANT APPLICATION FOR  
SPONSORS WITH CONTINUING AGREEMENTS

WHEREAS, Fulton County is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for Fulton County's Commuter Run through I. Persch Transit, Inc. for the project years 2015-2016; and

WHEREAS, Fulton County and the State of New York have entered into a continuing agreement which authorizes the undertaking of the project and payment of the Federal share; and

WHEREAS, Fulton County is contracting with a third party subcontractor for the project described above; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors is authorized to act on the behalf of Fulton County to sign the application and progress and complete the above named project; and, be it further

RESOLVED, That the Chairman of the Board of Supervisors is authorized to sign any contracts or agreements between Fulton County and any third party subcontractor necessary to complete the public transportation project, subject to the approval of the Fulton County attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Department of Transportation, Statewide Mass Transportation Operating Assistance Program, I. Persch Transit, Planning Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who may further the purport of this Resolution.

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 109**

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

**RESOLUTION AWARDING BID TO R&B CONSTRUCTION LLC FOR THE RECORDS STORAGE ROOM PROJECT – PHASE II (2015 CAPITAL PLAN)**

WHEREAS, the 2015 Capital Plan identifies a Records Storage Room Project – Phase II in the Fort Johnstown Building; and

WHEREAS, Resolution 30 of 2015 authorized advertisement for bids for the demolition and structural repair component of said project and two (2) bids were received; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committees on Buildings and Grounds/Highway and Finance, the net bid, in the amount of \$34,500.00, (including Alternate Bid 1 and Alternate Bid 2) as submitted by R&B Construction, LLC, of Amsterdam, NY, for the demolition and structural repair component of the Records Storage Room Project – Phase II in the Fort Johnstown Building be and hereby is awarded as follows:

Base Bid	\$32,100.00
Alternate Bid 1 (Deduct)	- 2,000.00
Alternate Bid 2 (Add)	<u>4,400.00</u>
	\$34,500.00

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 transfer:

From: A.9950.9950-9000 Transfer to Capital Plan Projects - Transfers  
 To: H.8020.1622-2100.0725 Records Storage Room Project – Phase II (New)  
 Sum: \$34,500.00

and, be it further

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

Seconded by Supervisor GENDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 110**

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

RESOLUTION AUTHORIZING CONTRACT WITH DM ROMEYN CIVIL ENGINEERING DESIGN, PLLC FOR CONSTRUCTION INSPECTION SERVICES FOR THE RECORDS STORAGE ROOM PROJECT – PHASE II (2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan includes Phase II of a Records Storage Room Project; and

WHEREAS, Resolution 335 of 2012 authorized a contract with DM Romeyn Civil Engineering Design, LLC to conduct structural evaluation of the Fort Johnstown building; and

WHEREAS, based upon a proposal received from DM Romeyn Civil Engineering Design, PLLC, the Planning Director, the Committees on Buildings and Grounds/Highway and Finance, recommend contracting with DM Romeyn Civil Engineering Design, PLLC for construction inspection services during said project; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with DM Romeyn Civil Engineering Design, PLLC, of Gloversville, NY to provide construction inspection services at the Fort Johnstown Building, in an amount not to exceed \$625.00; 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.9950.9950-9000 Transfer to Capital Plan Projects - Transfers  
To: H.8020.1622-2100.0725 Records Storage Room Project – Phase II  
Sum: \$625.00

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, DM Romeyn Civil Engineering Design PLLC, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County



**Resolution No. 111**

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

RESOLUTION APPROVING “FIRE TRUCK PULL AND FAMILY FUN DAY EVENT”  
SPONSORED BY UNITED WAY OF FULTON COUNTY AT THE FULTON COUNTY  
AIRPORT (2015)

WHEREAS, a Facilities Use Application has been received from United Way of Fulton County requesting permission to sponsor a “Fire Truck Pull and Family Fun Day Event” at the Fulton County Airport; and

WHEREAS, United Way of Fulton County 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 Buildings and Grounds/Highway and Finance, United Way of Fulton County be and hereby is authorized to utilize the Fulton County Airport for “Fire Truck and Family Fun Day Event” on September 19, 2015, 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, United Way of Fulton County, 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 WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 112**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION RESCINDING RESOLUTION 78 OF 2015 THAT CREATED AN ADMINISTRATIVE AIDE POSITION AND ABOLISHED A SENIOR STENOGRAPHER POSITION IN THE PLANNING DEPARTMENT

WHEREAS, Resolution 78 of 2015 created an Administrative Aide Position and Abolished a Senior Stenographer Position in relation to an impending vacancy in the Planning Department; and

WHEREAS, since that time, the incumbent Senior Stenographer in the Planning Department has rescinded her letter of resignation; now, therefore be it

RESOLVED, That based upon the recommendation of the Planning Director and Committee on Building and Grounds/Highway, Resolution 78 of 2015 entitled "Resolution Creating an Administrative Aide Position and Abolishing Senior Stenographer Position in the Planning Department" be and hereby is rescinded; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

## Resolution No. 113

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

### RESOLUTION AWARDING BIDS FOR VARIOUS HIGHWAY CONSTRUCTION MATERIALS FOR USE IN THE DEPARTMENT OF HIGHWAYS AND FACILITIES (2015)

WHEREAS, Resolution 74 of 2015 authorized advertisement for bids for various highway construction materials for use in the Department of Highways and Facilities, and said bids were opened on March 11, 12 and 18, 2015, respectively; now, therefore be it

RESOLVED, That bids for various Construction Materials and Lubricants for use by the Fulton County Highway Department, as placed on file in the Purchasing Office and identified by specification number below, be and hereby are accepted and awarded, and that the County, towns and villages in Fulton County may purchase the materials needed (when appropriate) from the plant whose bid price, plus hauling cost, indicates that the supplies will be delivered to the job site at the lowest price:

- D 3310.1 Acrylic Water Borne Pavement Markings – Seneca Pavement Marking, Horseheads, NY
- D 5110.1 Bridge Repair – R&B Construction, LLC, Amsterdam, NY  
Stephen Miller General Contractors, Mayfield, NY
- D 5110.2 Pneumatically Projected Concrete – R&B Construction, LLC
- D 5110.3 Ready Mix Concrete – Fulmont Ready Mix, Miller’s Ready Mix Concrete
- D 5110.4 Plant Mixed Patching Material – Callanan Industries, Cushing Stone Co., Hanson Aggregates, Palette Stone Corp.
- D 5110.5 Corrugated Metal & Polyethylene Pipe – Lane Enterprises, Chemung Supply Corp., Steel Sales, Inc., Town & Country Bridge & Rail, Inc., Advanced Drainage Systems
- D 5110.6 Guide Railing – Chemung Supply Corp.
- D 5110.7 Vegetation Control – Allen Chase Enterprises
- D 5112.1 Coarse Aggregates; Crushed Stone/Crushed Gravel – Callanan Industries, Carver Sand & Gravel, Cranesville Block,(Aggregate Div), Cushing Stone, Hansen Aggregates, Palette Stone Corp, Peckham Materials Corp, Pompa Bros., Inc. Rifenburg General Contractors,
- D 5112.2 Asphalt Concrete – Callanan Industries, Cushing Stone Co., Hanson Aggregates, Palette Stone Corp., Pompa Bros, Inc.
- D 5112.3 Hot Mix Paving CR 112 - \$66.88 per ton, 9.5 F3 Top Course, Hanson Aggregates
- D 5112.3 Hot Mix Paving CR 106 - \$65.40 per ton, 9.5 F3 Top Course, Cobleskill Stone Products, Cobleskill, NY
- D 5112.3 Hot Mix Paving CR 142 - \$65.40 per ton, 9.5 F3 Top Course, Cobleskill Stone Products, Cobleskill, NY
- D 5112.3 Hot Mix Paving CR 153- \$73.98 per ton, 9.5 F3 Top Course, Cobleskill Stone Products, Cobleskill, NY
- D5112.3 Hot Mix Paving CR126 - \$65.35 per ton, 9.5 F3 Top Course, Cobleskill Stone Products, Cobleskill, NY

**Resolution No. 113 (continued)**

- D 5112.4 Cold-In Place Recycling Type I – Gorman Brothers, Peckham Road Corp.,  
Suit-Kote
- D 5112.5 Cold Planing – Callanan Industries, Kubricky Construction, Peckham Road Corp
- D 5112.6 In-Place Road Base Stabilization – Gorman Brothers
- D 5112.7 Cold In-Place Recycling Hammermill Method – Bell & Flynn, Inc.
- D 5112.8 Hot In-Place Asphalt Recycling – Highway Rehabilitation Corp.
- D 5142.1 Abrasives Snow & Ice Control – Carver Sand & Gravel, Cranesville Block Co., Inc.  
Delaney Crush Rock Products, Inc., Furman Aggregates, Rifenburg
- DM 5130.1 Lubricants – RH Crown Co., GH Berlin Windward

and, be it further

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

Seconded by Supervisor JOHNSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 114**

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

RESOLUTION AWARDING BID FOR A NEW 4X2 CREW CAB DUAL WHEELED DUMP TRUCK FOR USE IN THE HIGHWAYS AND FACILITIES DEPARTMENT  
(2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan identifies a 4x2 Crew Cab Dual Wheeled Dump Truck for use in the Highways and Facilities Department; and

WHEREAS, Resolution 31 of 2015 authorized advertisement for bids for a new 4x2 Crew Cab Dual Wheeled Dump Truck, and five (5) bids were received; and

WHEREAS, the Superintendent of Highways and Facilities and Purchasing Agent recommend awarding bid to Browns Ford as the lowest responsible bidder; now, therefore be it

RESOLVED, That the net bid, in an amount of \$42,980.00, as submitted by Browns Ford, Johnstown, NY for the purchase of a 2016 4x2 Crew Cab Dual Wheeled Dump Truck for use in the Highways and Facilities Department be and hereby is awarded; they being the lowest responsible bidder in accordance with Specification No. 2015-82-01, dated February 11, 2015; and, be it further

RESOLVED, That the cost of said 2016 4x2 Crew Cab Dual Wheeled Dump Truck will be a charge against the DM.5130.5130.2000 Machinery-Equip; and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 115**

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

RESOLUTION RECLASSIFYING ONE PART-TIME ACCOUNT CLERK POSITION TO  
SENIOR ACCOUNT CLERK (FULL-TIME) IN THE  
HIGHWAYS AND FACILITIES DEPARTMENT

WHEREAS, the current part-time Account Clerk in the Highways and Facilities Department is retiring, effective April 13, 2015; and

WHEREAS, due to added duties and to promote efficient operation of the Department, the Superintendent of Highways and Facilities recommends that said position be reclassified; and

WHEREAS, based upon the Job Duties Statement prepared by the Superintendent, the Personnel Director recommends reclassification to Senior Account Clerk; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities, Committees on Building and Grounds/Highway, Personnel and Finance, effective immediately, one (1) part-time Account Clerk position (Union Job Group A-3; \$12.46 per hour) be and hereby is reclassified to Senior Account Clerk (Union Job Group A-7; \$13.73 per hour, full-time) in the Highways and Facilities Department; and, be it further

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

From: A.1010.1990-4907 Contingent Fund Expense  
To: A.1620.1620-1000 EXP-Payroll  
Sum: \$6,000.00

and, be it further

RESOLVED, That the Superintendent of Highways and Facilities and Personnel Director does 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, Personnel Director, Payroll Division, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 116**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING SUPERINTENDENT OF HIGHWAYS AND FACILITIES**

RESOLVED, That in accordance with Local Law No. 6 of 2006 Amending Local Law 4 of 1985, Which Created the Fulton County Highway Department, to Provide Authority for New Department of Highway and Facilities, Mark E. Yost, of Gloversville, NY, be and hereby is reappointed as Superintendent of Highways and Facilities, for the term effective April 1, 2015 through March 31, 2019, in accordance with the Non-Union Salary Schedule; and, be it further

RESOLVED, That the Superintendent is hereby authorized to appoint a Deputy Superintendent of Highways and a Deputy Superintendent of Facilities, with the approval of the Board of Supervisors, and in accordance with the Non-Union Salary Schedule; and, be it further

RESOLVED, That the Superintendent of Highways and Facilities is required to sign the Fulton County Oath book located in the County Clerk's Office and submit a Financial Disclosure Statement to the Fulton County Ethics Board; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 434 (16) Nays: 65 (1) (Supervisor Argotsinger) Absent: 52 (3)  
(Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 117**

Supervisor POTTER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE FULTON COUNTY DEMOLITION TEAM TO  
DEMOLISH A BUILDING OWNED BY THE CAROGA LAKE  
VOLUNTEER FIRE DEPARTMENT

WHEREAS, Resolution No. 234 of 2000 supported the concept of a "Municipal Demolition Team" in Fulton County, comprised of County manpower and equipment and manpower and equipment from municipal forces, when feasible; and

WHEREAS, Resolution No. 49 of 2001 formally established a Municipal Demolition Team, with basic operating guidelines identified in the "Municipal Demolition Team Proposal", dated February 12, 2001; and

WHEREAS, the Caroga Lake Volunteer Fire Company has requested that the County's Municipal Demolition Team demolish a building located at 3237 State Highway 29A, Caroga Lake, NY owned by the Caroga Lake Volunteer Fire Company; now, therefore be it

RESOLVED, That the Deputy Director of Solid Waste is hereby authorized to mobilize the County Demolition Team to raze a structure owned by the Caroga Lake Volunteer Fire Company located at 3237 State Highway 29A, in the Town of Caroga, NY (parcel I.D. 83.-1-1); and, be it further

RESOLVED, That all environmental concerns, approvals, disposal fee, and/or permits required shall be the responsibility of the Caroga Lake Volunteer Fire Company; and, be it further

RESOLVED, That said project shall be completed in the most efficient and cost-effective manner possible, in accordance with the Municipal Demolition Team Proposal approved by the Board of Supervisors on February 12, 2001; and, be it further

RESOLVED, That the Deputy 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, Deputy Solid Waste Director, Town of Caroga, Caroga Lake Volunteer Fire Company, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County



**Resolution No. 118**

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

RESOLUTION AWARDING BID FOR AN EXCAVATOR FOR USE IN THE SOLID WASTE DEPARTMENT (2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan identifies a new Excavator for use in the Solid Waste Department; and

WHEREAS, Resolution 33 of 2015 authorized advertisement for bids for said Excavator and five (5) bids were received; and

WHEREAS, the Deputy Solid Waste Director and Purchasing Agent recommend awarding the bid to Tracey Road Equipment, including the trade-in of a used 2001 Hyundai Excavator ; now, therefore be it

RESOLVED, That the net bid, in an amount of \$184,437.00, as submitted by Tracey Road Equipment, of Syracuse, NY, for the purchase of a Kobelco Model SK260LC-9 Excavator (with trade-in) for use in the Solid Waste Department be and hereby is awarded; they being the lowest responsible bidder in accordance with Specification No. 2015-86-01, dated 27 February 2015; and, be it further

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

From: CL-0878 CL Building-Equipment Depreciation  
To: CL-0909 Unreserved Fund Balance  
Sum: \$184,437.00

and, be it further

RESOLVED, That the cost of said Excavator will be a charge against the CL 8160.8162-2010 – Rd Machinery-Equip; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County

**Resolution No. 119**

Supervisor POTTER offered the following Resolution and moved its adoption:

RESOLUTION REQUESTING THE GOVERNOR AND STATE LEGISLATURE TO  
AMEND THE VEHICLE AND TRAFFIC LAW TO ALLOW ALL TERRAIN VEHICLES UP  
TO 1,500 POUNDS TO BE REGISTERED

WHEREAS, an all terrain side-by-side seating vehicle has been developed by All Terrain Vehicle (ATV) manufactures, referred to as a Utility Task Vehicle (UTV); and

WHEREAS, this vehicle is better suited for the elderly, handicapped and less active riders because it allows two people to ride side-by-side; and

WHEREAS, the current Vehicle and Traffic Law allows only ATV's weighing up to 1,000 pounds to be registered, but will not allow UTV's to be registered because they weigh more than 1,000 pounds; and

WHEREAS, Adirondack Local Government Review Board and the Inter-County Legislative Committee of the Adirondacks believe that the ATV weight limit for registration should be raised to 1,500 pounds to accommodate the registration of UTV's; and

WHEREAS, the ability to register ATV/UTV weighing up to 1,500 pounds and ride them on multiuse trail systems will provide significant economic benefits to local businesses, towns, counties and New York State; now, therefore be it

RESOLVED, That Fulton County Board of Supervisors hereby supports state legislation (S.1792A/A.01951) to raise the defined weight of an all terrain vehicle (ATV) to 1,500 pounds of dry weight; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senator Dean Skelos, Senator Elizabeth Little, Senator Hugh Farley, Assemblyman Marc Butler, Assembly Speaker Carl Heastie, DEC Region 5 Director Bob Stegemann, NYSDEC Commissioner Joseph Martens, the Twelve Counties of the Adirondacks, Adirondack Park Agency, Adirondack Association of Towns and Villages, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County

**Resolution No. 120**

Supervisor POTTER offered the following Resolution and moved its adoption:

RESOLUTION REQUESTING THE GOVERNOR AND STATE LEGISLATURE TO  
AMEND THE VEHICLE AND TRAFFIC LAW REGARDING DESIGNATION OF  
HIGHWAYS AND TRAVEL BY ALL TERRAIN VEHICLES

WHEREAS, All Terrain Vehicle (ATV) riding is a popular activity in New York State; and

WHEREAS, many towns and counties in the Adirondacks and across New York State have developed, or are developing multiuse trail systems open to ATV's; and

WHEREAS, these trail systems are important to rural economies that are dependent on tourism and increase revenue streams for local, county and state government; and

WHEREAS, an "otherwise impossible" restriction in current Vehicle and Traffic Law Section 2405, does not allow towns and counties the flexibility to open roads to adjoining trail systems and lands for completion of trail systems; and

WHEREAS, the Adirondack Park Local Government Review Board has asked the Fulton County Board of Supervisors to support state legislation to amend NYS Vehicle and Traffic Law to allow localities the ability to connect trail systems and facilitate travel by All Terrain Vehicles; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby urges the Governor and the State Legislature to amend the Vehicle and Traffic Law to provide local governments with increased authority to designate roads open for ATV and UTV use as they deem necessary by deleting the "otherwise impossible" restriction; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Cuomo, Senator Dean Skelos, Senator Elizabeth Little, Senator Hugh Farley, Assemblyman Marc Butler, DEC Commissioner Joseph Martens, Assembly Speaker Carl Heastie, DEC Region 5 Director Bob Stegemann, the Twelve Counties of the Adirondacks, Adirondack Park Agency, Adirondack Association of Towns and Villages, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 121**

Supervisor POTTER offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING DAVID D'AMORE TO THE FULTON COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

WHEREAS, a vacancy exists on the Fulton County Industrial Development Board of Directors; now, therefore be it

RESOLVED, That David D'Amore of Johnstown, NY, be and hereby is appointed to serve on the Fulton County Industrial Development Agency Board of Directors for 2015; and, be it further

RESOLVED, That Mr. D'Amore 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, Industrial Development Agency, County Clerk, Ethics Board, David D'Amore and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GENDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 122**

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

RESOLUTION ACCEPTING A GRANT FROM EMPIRE STATE DEVELOPMENT FOR THE TRYON TECHNOLOGY PARK AND INCUBATOR CENTER PROJECT – PHASE II (2015 CAPITAL PLAN)

WHEREAS, Resolution 199 of 2014 authorized a Grant Application 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, which was not approved; and

WHEREAS, Fulton County submitted a revised follow-up grant application to Mohawk Valley Regional Economic Development Council for unused grant funds that were not allocated during the prior round and said REDCCF grant was approved in the amount of \$180,000.00; and

WHEREAS, as a condition of said grant award, the County, as grantee, must pay certain required state application fees and other related costs as follows:

- Application Fee \$ 250.00
  - Commitment Fee 1,800.00
  - Misc. Project Costs est.) 950.00
- \$3,000.00

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement between the County of Fulton and NYS Empire State Development Corporation for the Tryon Technology Park and Incubator Center Project – Phase II in the amount of \$180,000.00 and to pay grant application fees and other costs estimated at \$3,000.00; and, be it further

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

From: A.9950.9950-9000 EXP- Transfers  
To: H.8020.6430-2100.0720 EXP-Tryon Technology Park and Incubator Center Phase II  
Sum: \$3,000.00

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, Center for Regional Growth, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County

**Resolution No. 123**

Supervisor MACVEAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE COUNTY OF FULTON  
AND UPSTATE CEREBRAL PALSY CENTER TO PROVIDE PRESCHOOL ED (3-5)  
CENTER-BASED SERVICES AND/OR PRESCHOOL EVALUATIONS IN 2015  
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 463 of 2014 authorized contracts between the County of Fulton and NYS Approved Providers for Preschool Ed 3-5 Center-Based Services and/or Preschool Evaluations in 2015; and

WHEREAS, the Public Health Director has requested to contract with United Cerebral Palsey Center to provide preschool education center-based services for children ages 3-5; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract between the County of Fulton and Upstate Cerebral Palsey Center of Herkimer, NY, for various preschool education (3-5) center-based services and/or preschool evaluations for children, effective immediately through December 31, 2015; at NYS Department of Education set rates; and, be it further

RESOLVED, That said contract shall be subject to the approval of the County Attorney and periodic review by the Committee on Human Services of those contracted services; and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 124**

Supervisor MACVEAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CHILDREN WITH HANDICAPPING CONDITIONS TRANSPORTATION PROGRAM (2015-2016)**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from contractors for the Children with Handicapping Conditions Transportation Program (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 usual business hours); and, be it further

RESOLVED, That such sealed bids 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, May 6, 2015, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 125**

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

RESOLUTION ACCEPTING 2015-2016 EBOLA GRANT FROM THE NYS DEPARTMENT OF HEALTH (PUBLIC HEALTH DEPARTMENT)

WHEREAS, the NYS Department of Health has notified the Public Health Director that the County has been awarded a Ebola Grant, in the amount of \$38,000.00; and

WHEREAS, said grant will allow the purchase of equipment and supplies necessary for surveillance and monitoring Ebola activities in Fulton County; 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 Ebola Grant funds, in an amount of \$38,000.00, for the period beginning April 1, 2015 through September 30, 2016; and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A.4010.4010-3402 REV-Public Health – Grant Revenues \$1,600.00

Appropriation Account:

Increase A.4010.4189-2000 EXP-Equipment-Over Threshold Value \$1,600.00

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, Public Health Director, NYS Department of Health, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County



**Resolution No. 126**

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

RESOLUTION AUTHORIZING WRITE-OFF OF BAD DEBT IN THE PUBLIC HEALTH DEPARTMENT FOR 2014

WHEREAS, the Public Health Department holds numerous clinics and a large portion of the clinic costs are supported by public health grant funds; and

WHEREAS, recipients are charged a co-pay based upon a sliding fee scale, and many recipients do not pay their share of the cost, as determined by said sliding fee scale; and

WHEREAS, Resolution No. 299 of 1998 adopted a policy for the write-off of bad debts in the Public Health Department; and

WHEREAS, in accordance with said Policy, the County Attorney has determined that certain accounts are uncollectible; now, therefore be it

RESOLVED, That upon the recommendation of the County Attorney, the Board of Supervisors hereby authorizes the write-off of four (4) bad debts for the year 2014, related one tuberculosis test and three (3) immunization fees in an amount of \$36.00; and, be it further

RESOLVED, That the Public Health Director and 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, Public Health Director, 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 WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County



**Resolution No. 128**

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

RESOLUTION WAIVING RESIDENCY RULE FOR HIRE OF A PART-TIME WEB SPECIALIST (INFORMATION SERVICES DEPARTMENT)

WHEREAS, Information Services Director is experiencing difficulty filling a part-time Web Specialist position in the Information Services Department; and

WHEREAS, the Information Services Director requests that applicants who are not residents of Fulton County be considered; and

WHEREAS, after careful review of the hiring procedure utilized, the Committees on Personnel and Finance recommend waiving the County's "Residency Rule" to hire an out-of-county resident in this instance only; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for the hire of a part-time Web Specialist in the Information Services Department; and, be it further

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

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 129**

Supervisor KINOWSKI offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING RICHARD GIARDINO TO THE FULTON COUNTY  
TRAFFIC SAFETY BOARD

WHEREAS, vacancies exist 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, 2014 Through December 31, 2016:

Richard Giardino

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, Richard Giardino and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 130**

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

RESOLUTION AUTHORIZING READVERTISEMENT FOR BIDS FOR THE FULTON  
AND MONTGOMERY COUNTIES VESTA/SENTINEL PSAP PROJECT  
(SHERIFF-E911, 2015 CAPITAL PLAN)

WHEREAS, Resolution 57 of 2015 authorized advertisement of bids for the Fulton and Montgomery Counties Vesta/Sentinel PSAP Project; and

WHEREAS, two (2) bids were received; and

WHEREAS, the bidders failed to comply with the specification's requirement to use the Bid Form provided, thereby making it impossible to accurately tabulate the bids; now, therefore be it

RESOLVED, That the Board of Supervisors hereby rejects the bid submitted; and, be it further

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the Fulton and Montgomery Counties Vesta/Sentinel PSAP Project (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 1205, and received by said Purchasing agent no later than 2:00 p.m., Wednesday, April 22, 2015, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 131**

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

RESOLUTION PURCHASING INSTALLATION OF SECURITY CAMERAS FOR THE CIVIL DEFENSE/FIRE COORDINATOR’S OFFICE USING 2013 STATE HOMELAND SECURITY PROGRAM GRANT FUNDS (CIVIL DEFENSE DEPARTMENT)

WHEREAS, Resolution 220 of 2013 accepted a 2013 Homeland Security Program Grant in the amount of \$52,500.00 for the Civil Defense/Fire Coordinator’s Office; and

WHEREAS, Resolution 174 of 2014 accepted a 2014 Homeland Security Program Grant in the amount of \$60,000.00; and

WHEREAS, Resolution 288 of 2014 authorized the purchase of three security cameras for the Civil Defense/Fire Coordinator’s Office with 2012 and 2013 State Homeland Security Program Grant funds; and

WHEREAS, the Civil Defense/Fire Coordinator requests that said funds be used to install three (3) security cameras for the Civil Defense/Fire Coordinator’s Office; now, therefore be it

RESOLVED, That the Civil Defense/Fire Coordinator be and hereby is authorized to install three (3) security cameras with 2013 and 2014 Homeland Security Program grant funds, in an amount not to exceed \$1,754; and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase REV A.3640.3640-3306.0001 Civil Defense-SHSP \$1,754.00

Appropriation Account:

Increase EXP A.3640.3645-2840 SHSP-Equipment \$1,754.00

and, be it further

RESOLVED, That the Civil Defense/Fire Coordinator 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, Civil Defense/Fire Coordinator, Information Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County

**Resolution No. 132**

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

RESOLUTION AUTHORIZING PURCHASE OF CALIBRATION GAS CYLINDERS FOR  
THE CIVIL DEFENSE/FIRE COORDINATOR’S OFFICE USING 2013 STATE HOMELAND  
SECURITY HAZARDOUS MATERIALS GRANT FUNDS  
(CIVIL DEFENSE DEPARTMENT)

WHEREAS, Resolution 259 of 2013 allocated a 2013 State Homeland Security Hazardous Material Program Grant in the amount of \$34,000.00 for the Civil Defense/Fire Coordinator’s Office; and

WHEREAS, funding for calibration and maintenance of equipment was included in this grant; and

WHEREAS, the Civil Defense Director/Fire Coordinator requests that said funds be used to purchase four (4) calibration gas cylinders for the Civil Defense/Fire Coordinator’s Office; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator be and hereby is authorized to purchase the following:

(1) calibration gas cylinder – chlorine	\$238.05
(1) calibration gas cylinder – ammonia	238.05
(1) RAE multi gas cylinder-CO, O2, H25	238.05
(1) calibration gas cylinder – Isobutylene	<u>215.60</u>
	\$929.75

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase REV A.3640.3640-3306.0001 Civil Defense-SHSP \$930.00

Appropriation Account:

Increase EXP A.3640.3645-2840 SHSP-Equipment \$930.00

**Resolution No. 132 (continued)**

and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator 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, Civil Defense/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County



**Resolution No. 133**

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

RESOLUTION AUTHORIZING PURCHASE OF CALIBRATION OF CERTAIN EQUIPMENT IN THE CIVIL DEFENSE/FIRE COORDINATOR'S OFFICE USING 2013 STATE HOMELAND SECURITY HAZARDOUS MATERIAL GRANT FUNDS

WHEREAS, Resolution 259 of 2013 allocated a 2013 State Homeland Security Hazardous Material Program Grant in the amount of \$34,000.00 for the Civil Defense/Fire Coordinator's Office; and

WHEREAS, funding for calibration and maintenance of equipment was included in this grant; and

WHEREAS, the Civil Defense Director/Fire Coordinator requests that said funds be used to calibrate certain equipment in the Civil Defense/Fire Coordinator's Office; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator be and hereby is authorized to utilize 2013 Hazardous Material Grant Funds to have the following items calibrated in appropriate amounts:

T.S.I. Port-a-Count	\$ 780.00
N95-Companion	180.00
Particle Generator	145.00
Shipping	<u>100.00</u>
	\$1,205.00

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase REV A.3640.3640-3306.0001 0001 Civil Defense-SHSP \$1,205.00

Appropriation Account:

Increase EXP A.3640.3645-2840 SHSP-Equipment \$1,205.00

and, be it further

**Resolution No. 133 (continued)**

RESOLVED, That the Civil Defense Director/Fire Coordinator 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, Civil Defense/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 134**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING PROPOSED LOCAL LAW “1” OF 2015, ENTITLED “A LOCAL LAW TO ALLOW CERTAIN “SPARKLING DEVICES” TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK PENAL LAW SECTION 405(b)”

WHEREAS, proposed Local Law “1” of 2015 entitled, “A LOCAL LAW TO ALLOW CERTAIN “SPARKLING DEVICES” TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK PENAL LAW SECTION 405(b)” has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on April 13, 2015, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law “1”, hereinabove referenced, be and hereby is approved; and, be it further

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

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Secretary of State, Fulton County Code Book, 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: 450 (15) Nays: 49 (2) (Supervisors Gendron and Kinowski)  
Absent: 52 (3) (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**COUNTY OF FULTON  
LOCAL LAW “1” OF 2015 ENTITLED,  
“A LOCAL LAW TO ALLOW CERTAIN “SPARKLING DEVICES” TO BE  
EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED  
BY NEW YORK PENAL LAW SECTION 405(b)”**

BE ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FULTON, AS FOLLOWS:

**SECTION 1. INTENT:**

The purpose of this Local Law is to allow certain “Sparkling Devices” to be excluded from the dangerous fireworks definition as permitted by New York State Penal Law Section 405(b) in Fulton County.

**SECTION 2. DECLARATION OF POLICY:**

- A. On November 21, 2014, Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.7888/A.10141) that amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public. Said state legislation only allows for certain “sparkling devices” to be sold and used in municipalities that affirmatively enact a local law authorizing such.

**SECTION 3. DEFINITIONS:**

”Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

- (1) Cylindrical foundation: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.
- (2) Cone foundation: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.
- (3) Wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
- (4) Novelties which do not require approval from the United States Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:

- a) Party popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
  
- b) Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material

**SECTION 4. SPARKLING DEVICES PERMITTED:**

In accordance with Chapter 477 of the Laws of 2014, and Penal Code Section 405, the Board of Supervisors hereby authorizes that “sparkling devices” may be sold and enjoyed in the manner described below, within Fulton County:

1. Sales will only be permitted on or between June 1 through July 5 and December 26 through January 2 of each calendar year.
2. All distributors, manufacturers and retailers must be licensed through the New York State Department of State.
3. Only those persons over the age of 18 may purchase said products.

**SECTION 5. SEPARABILITY:**

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

**SECTION 6. EFFECTIVE DATE:**

This law shall take effect June 1, 2015.

**Resolution No. 135**

Supervisor KINOWSKI offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE  
DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE  
MUTUALINK EMERGENCY INCIDENT INTEROPERABILITY  
AND COLLABORATION PROGRAM

WHEREAS, the Mutualink Interoperability and Collaboration Program is an initiative by the NYS Department of Homeland Security and Emergency Services to provide a “safer and more secure New York”; and

WHEREAS, Mutualink provides a common platform for sharing of radio, video, telephone and data with any invited user utilizing this platform, and consists of both software and hardware; and

WHEREAS, each county will be provided with five licenses for distribution and two radio interfaces; and

WHEREAS, New York State will incur all acquisition, licensing and installation costs for this initiative; and

WHEREAS, the Civil Defense Director/Fire Coordinator recommends joining said program to enhance Fulton County’s emergency communications system; now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is, authorized to sign an agreement between the County of Fulton and the NYS Department of Homeland Security and Emergency Services to participate in the Mutualink Emergency Incident Operability and Collaboration Program; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Civil Defense Director/Fire Coordinator, NYS Department of Homeland Security and Emergency Services, Sheriff, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County

**Resolution No. 136**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE COUNTY TREASURER TO ISSUE A COURT-  
ORDERED REFUND TO HUSSY 140 LLC FOR OVERPAYMENT OF PROPERTY TAXES  
IN 2014

WHEREAS, pursuant to Supreme Court Order 17-1-2014-0192, the tax on Hussy 140 LLC property (SBL 134.-3-4.5) in the Town of Johnstown, was reduced from \$1,277,500.00 to \$752,115.00; and

WHEREAS, Town of Johnstown Assessor Katherine Oare neglected to follow a previous Supreme Court order; and

WHEREAS, the County is mandated to refund Hussy 140 LLC the sum of \$7,645.89 for property taxes collected in 2014 as a result of the Town Assessor's neglect; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to issue a refund, in the amount of \$7,645.89, to Hussy 140 LLC, for overpayment of taxes on Parcel 134.-3-4.5, in the Town of Johnstown; and, be it further

RESOLVED, That the Town of Johnstown will refund their apportionment of the court-ordered refund; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Real Property Tax Service Agency Director, Town of Johnstown Assessor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County



**Resolution No. 137**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING RECOUPMENT PAYMENT TO THE NYS DEPARTMENT OF HEALTH FOR OVERPAYMENT OF MEDICAID TO THE FORMER FULTON COUNTY RESIDENTIAL HEALTH CARE FACILITY FOR THE PERIOD ENDING MARCH 31, 2012

WHEREAS, the New York State Office of Medicaid Inspector General (OMIG) has audited prior Medicaid claims for the former Fulton County Residential Health Care Facility for the period January 1, 2012 through March 31, 2012; and has determined that a retroactive rate adjustment resulted in overpayments to the Clinic in the amount of approximately \$2,886.00; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is directed to issue a check for repayment to the New York State Department of Health in the amount of \$2,886.00, representing payment due to satisfy said retroactive rate adjustment for the former Fulton County Residential Health Care Facility for the period January 1, 2012 through March 31, 2012; and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A.1325.1325-2771 REV-RHCF Post Closing-Other Revenue \$ 2,886.00

Appropriation Account:

Increase A.1325.6020-4000 EXP-RHCF Post Closing Contractual \$2,886.00

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, NYS Department of Health, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 138**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE “REPLACE QUAD LIGHTING” COMPONENT OF THE FMCC PRIORITY CAMPUS SAFETY PROJECT (2015 CAPITAL PLAN)

WHEREAS, the proposed 2015 Capital Plan identifies a Priority Campus Safety Project at Fulton-Montgomery Community College; and

WHEREAS, the Committee on Finance recommends advertising for bids for the “Replace Quad Lighting” component of the FMCC Priority Campus Safety Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for the “Replace Quad Lighting” component (and according to further specifications which may be obtained at the Office of Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, May 20, 2015, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 139**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE “WAYFINDING SIGNAGE” COMPONENT OF THE FMCC PRIORITY CAMPUS SAFETY PROJECT (2015 CAPITAL PLAN)**

WHEREAS, the proposed 2015 Capital Plan identifies a Priority Campus Safety Project at Fulton-Montgomery Community College; and

WHEREAS, the Committee on Finance recommends advertising for bids for the “Wayfinding Signage” component of the FMCC Priority Campus Safety Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for the “Wayfinding Signage” component (and according to further specifications which may be obtained at the Office of Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, May 20, 2015, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 140**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE “MASTER KEY SYSTEM” COMPONENT OF THE FMCC PRIORITY CAMPUS SAFETY PROJECT  
(2015 CAPITAL PLAN)

WHEREAS, the proposed 2015 Capital Plan identifies a Priority Campus Safety Project at Fulton-Montgomery Community College; and

WHEREAS, the Committee on Finance recommends advertising for bids for the “Master Key System” component of the FMCC Priority Campus Safety Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for the “Master Key System” component (and according to further specifications which may be obtained at the Office of Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, May 20, 2015, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 141**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH AnD ARCHITECTURE AND DESIGN TO REVIEW SPECIFICATIONS COMPLIANCE FOR THE “WAYFINDING SIGNAGE” AND “MASTER KEY SYSTEM” COMPONENTS OF THE FMCC PRIORITY CAMPUS SAFETY PROJECT (2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan included funding for the Priority Campus Safety Project at Fulton-Montgomery Community College; and

WHEREAS, FMCC has obtained a proposal from AnD Architecture and Design of Johnstown, NY to review the bids received and submittals for conformance with the Project Specifications with regards to the “Wayfinding Signage” and “Master Key System” components of this project at a cost not to exceed \$4,500.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between Fulton County and AnD Architecture of Johnstown, New York, to review specifications compliance for the “Wayfinding Signage” and “Master Key System” components of the FMCC Priority Campus Safety Project, in not to exceed amounts as follows:

Wayfinding Signage	\$2,250.00
Master Key System	\$2,250.00

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.9950.9950-9000 EXP- Transfers  
To: H.8020.2497-2100-0730 EXP FMCC Priority Campus Safety Project (NEW)  
Sum: \$1,125.00

and, be it further

**Resolution No. 141 (continued)**

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue:

H.8020.2497-3500.0730 REV-State Aid-FMCC Campus Safety (New)	\$2,250.00
H.8020.2497-2397.0730 REV-Capital Projects-Montgomery County-FMCC Campus Safety (NEW)	\$1,125.00

Appropriation:

H.8020.2497-2100.0730 EXP FMCC Priority Campus Safety Project (NEW)	\$3,375.00
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and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, AnD Architecture and Design, Montgomery County Legislature, FMCC, Budget Director/County Auditor, Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 142**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH RYAN BIGGS/CLARK DAVIS ENGINEERING AND SURVEYING FOR ENGINEERING SERVICES FOR THE “REPLACE QUAD SIDEWALK/STAIRS” COMPONENT OF THE FMCC PRIORITY CAMPUS SAFETY PROJECT**

WHEREAS, the 2015 Capital Plan included funding for the Priority Campus Safety Project at Fulton-Montgomery Community College; and

WHEREAS, FMCC has obtained a proposal from Ryan Biggs/Clark Davis Engineering and Surveying to prepare design plans and bid specifications to reconstruct concrete stairs for the “Replace Quad Sidewalks/Stairs” component of this project at a cost not to exceed \$1,500.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between Fulton County and Ryan Biggs/Clark Davis Engineering and Surveying of Clifton Park, NY, to prepare design plans and bid specifications to reconstruct concrete stairs for the “Replace Quad Sidewalks/Stairs” component of this project at a cost not to exceed \$1,500.00; 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.9950.9950-9000 EXP- Transfers  
To: H.8020.2497-2100.0730 EXP FMCC Priority Campus Safety Project (NEW)  
Sum: \$375.00

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue:  
H.8020.2497-3285.0730 REV-State Aid-FMCC Campus Safety (New) \$750.00  
H.8020.2497-2397.0730 REV-Capital Projects-Montgomery County-  
FMCC Campus Safety (NEW) \$375.00

Appropriation:  
H.8020.2497-2100.0730 EXP FMCC Priority Campus Safety Project (NEW) \$1,125.00

and, be it further

**Resolution No. 142 (continued)**

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Ryan Biggs/Clark Davis Engineering and Surveying, Montgomery County Legislature, FMCC, Budget Director/County Auditor, Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County



**Resolution No. 143**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR “REPLACE QUAD  
SIDEWALKS/STAIRS” COMPONENT OF THE FMCC PRIORITY CAMPUS SAFETY  
PROJECT (2015 CAPITAL PLAN)

WHEREAS, the proposed 2015 Capital Plan identifies a Priority Campus Safety Project at  
Fulton-Montgomery Community College; and

WHEREAS, the Committee on Finance recommends advertising for bids for the “Replace Quad  
Sidewalks/Stairs” component of the FMCC Priority Campus Safety Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids  
for the “Replace Quad Sidewalks/Stairs” component (and according to further specifications  
which may be obtained at the Office of Purchasing Agent, Room 203, County Office Building,  
Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent,  
County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing  
Agent no later than 2:00 p.m., Wednesday, May 20, 2015, at which time and place they will be  
publicly opened and read; and, be it further

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

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared  
the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County,  
at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and  
correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 144**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH FRIEDMAN FISHER  
ASSOCIATES, P.C. TO PREPARE A PRELIMINARY SYSTEMS EVALUATION AND  
COST ESTIMATES FOR THE FMCC PRIORITY CAMPUS SAFETY PROJECT  
(2015 CAPITAL PLAN)

WHEREAS, the proposed 2015 Capital Plan identifies a Priority Campus Safety Project at Fulton-Montgomery Community College; and

WHEREAS, a component of this project is the design PE Building Mechanical and Electrical Systems; and

WHEREAS, with respect to the design of the PE Building Mechanical and Electrical Systems Upgrades, FMCC has received a cost proposal from Friedman Fisher Associates, PC of Albany, NY to prepare a preliminary systems evaluation and costs estimates for this component; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between Fulton County and Friedman Fisher Associates, P.C. to prepare preliminary systems evaluation and cost estimates for the PE Building Mechanicals and Electrical Systems Upgrade FMCC at a cost not to exceed \$11,500.00; 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.9950.9950-9000 EXP- Transfers  
To: H.8020.2497-2100.0730 EXP FMCC Priority Campus Safety Project (NEW)  
Sum: \$2,875.00

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue:

H.8020.2497-3285.0730 REV-State Aid-FMCC Campus Safety (New)	\$5,750.00
H.8020.2497-2397.0730 REV-Capital Projects-Montgomery County- FMCC Campus Safety (NEW)	\$2,875.00

Appropriation:

H.8020.2497-2100.0730 EXP FMCC Priority Campus Safety Project (NEW)	\$8,625.00
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**Resolution No. 144 (continued)**

and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 145**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH JMZ ARCHITECTS TO PERFORM CONCEPTUAL PLANNING AND PREPARE COST ESTIMATES AS PART OF THE “PE BUILDING LOCKER ROOM AND BATHROOM RENOVATIONS” COMPONENT OF THE FMCC PRIORITY CAMPUS SAFETY PROJECT (2015 CAPITAL PLAN)

WHEREAS, the proposed 2015 Capital Plan identifies a Priority Campus Safety Project at Fulton-Montgomery Community College; and

WHEREAS, a component of this project is the design of the PE Building Locker Room and Bathroom Renovations; and

WHEREAS, with respect to the design of the PE Building Locker Room and Bathroom Renovations, FMCC has received a cost proposal from JMZ Architects of Glens Falls, NY to prepare a conceptual design plans and costs estimates for this work; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between JMZ Architects of Glens Falls, NY to prepare a conceptual design plans cost estimates for the PE Building Locker Room and Bathroom Renovations component of the FMCC Priority Campus Safety Project at a cost not to exceed \$38,500.00; 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.9950.9950-9000 EXP- Transfers  
To: H.8020.2497-2100.0730 EXP FMCC Priority Campus Safety Project (NEW)  
Sum: \$9,625.00

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue:

H.8020.2497-3285.0730 REV-State Aid-FMCC Campus Safety (New)	\$19,250.00
H.8020.2497-2397.0730 REV-Capital Projects-Montgomery County-FMCC Campus Safety (NEW)	\$ 9,625.00

Appropriation:

H.8020.2497-2100.0730 EXP FMCC Priority Campus Safety Project (NEW)	\$28,875.00
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**Resolution No. 145 (continued)**

and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 146**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH JMZ ARCHITECTS FOR THE FMCC STUDENT UNION IMPROVEMENT PROJECT (2015 CAPITAL PLAN)**

WHEREAS, the proposed 2015 Capital Plan identifies a Student Union Improvement Project at Fulton-Montgomery Community College; and

WHEREAS, with respect to the Student Union Improvement Project, FMCC has received a cost proposal from JMZ Architects of Glens Falls, NY to prepare a design plans and bid specifications for this work; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between JMZ Architects of Glens Falls, NY to prepare design plans and bid specifications for the FMCC Student Union Improvement Project at a cost not to exceed \$259,950.00; and, be it further

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

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue:

H.8020.2497-2770.0735 REV-Other-FMCC Foundation (New)	\$129,975.00
H.8020.2497-3285.0735 REV-State Aid-FMCC Student Union Imp (New)	\$129,975.00

Appropriation:

H.8020.2497-2100.0735 EXP FMCC Student Union Improvements (NEW)	\$259,950.00
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RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Montgomery County Legislature, FMCC, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County

**Resolution No. 147**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A LAND USE PERMIT FOR FMCC PROPERTY FOR A  
SUNY RESEARCH FOUNDATION WEATHER STATION

WHEREAS, Fulton-Montgomery Community College (FMCC) has received a request to lease land to the State University of New York for an early alert weather station at no cost to the College or County; and

WHEREAS, this weather station would become part of the “NYS Mesonet” project led by the University at Albany and its partners, the National Weather Service and the Division of Homeland Security and Emergency Services; and

WHEREAS, the weather station is free standing, powered by solar panels and the data generated will be used by SUNY Albany and New York State to assist in weather predictions with emphasis on better predictions of dangerous weather; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Land Use Permit with the Research Foundation for the State University of New York, Albany, NY to allow a SUNY Research Foundation Weather Station to be placed on FMCC property, at no cost to the College or County; subject to approval of the County Attorney; and, be it further

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

RESOLVED, That the Board of Trustees and FMCC Administration do each and every other thing necessary to carry out the purport of this Resolution; and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County

**Resolution No. 148**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING THE CONCEPT OF LOCATING A SOLAR ENERGY FARM ON THE FMCC CAMPUS FOR USE BY HAMILTON-FULTON-MONTGOMERY BOCES**

WHEREAS, Fulton-Montgomery Community College has received a request from H-F-M BOCES to allow construction of a 768 kilowatt Solar Energy System on College property owned by Fulton County and Montgomery County as College Sponsors; and

WHEREAS, said proposed project will involve the installation of several acres of photovoltaic solar panel arrays to generate electricity for the H-F-M BOCES Vocational-Technical Training Center on State Route 67; and

WHEREAS, said proposed project involves a “Power Purchase Agreement” with Dynamic Energy, LLC of Saratoga Springs, NY with the potential to save an estimated \$837,868.00 via net-metering off-sets over a 20-year period; and

WHEREAS, inasmuch as College property is owned jointly by Fulton and Montgomery Counties, any proposed long-term land use must be approved by each County sponsor; now, therefore be it

RESOLVED, That the Board of Supervisors hereby approves the concept of locating a solar energy farm on the FMCC Campus for use by Hamilton-Fulton-Montgomery BOCES, stipulated upon there being no cost to be incurred by either the College or Fulton County; and, be it further

RESOLVED, That this Resolution does not constitute final approval of construction and directs that the President of FMCC return to the Board of Supervisors with final land lease documents and a detailed description of the lease terms and conditions for final approval of the project by Resolution; and, be it further

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

RESOLVED, That the Board of Trustees and FMCC Administration do each and every other thing necessary to carry out the purport of this Resolution; and, be it further

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

Seconded by Supervisor GENDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County



**Resolution No. 149**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

WHEREAS, the Purchasing Agent recommends disposal of broken equipment in certain departments barn; and

WHEREAS, the County Treasurer has inspected numerous items in the County pole barn that are also in disrepair and will likely bring more revenue to the County through disposal for scrap value than through auction; now, therefore be it

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

Board of Elections:

Dehumidifier (broken) (0005110) (Purchased 2/9/00)

and, be it further

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

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 150**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BIDS FOR FOODSTUFFS AND OTHER SUPPLIES FOR  
USE IN THE FULTON COUNTY CORRECTIONAL FACILITY**

RESOLVED, That bids, as submitted and placed on file in the Office of the Purchasing Agent, for the purchase of foodstuffs and other supplies for use by the Fulton County Correctional Facility, effective May 1, 2015 through August 31, 2015, be and hereby are awarded to vendors as follows:

<u>Vendor</u>	<u>Items</u>	<u>Total Bid Estimate</u>
Sysco Foods Halfmoon, NY	Frozen Foods Refrigerated Foods/Dry Goods	\$21,965.57 18,890.19
Bimbo Foods Albany, NY	Bread and Rolls	3,663.00

and, be it further

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

Seconded by Supervisor JOHNSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County

**Resolution No. 151**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION REQUESTING SPECIAL HOME RULE LEGISLATION AUTHORIZING  
EXTENSION OF ADDITIONAL RATE OF SALES AND COMPENSATING USE TAXES  
AND AUTHORIZING THE CITIES OF GLOVERSVILLE AND JOHNSTOWN TO  
PREEMPT SUCH ADDITIONAL RATE**

WHEREAS, Resolution 259 of 2009 increased taxes on sales and uses of tangible personal property and certain services, on occupancy of hotel rooms and on amusement charges, pursuant to Article 29 of the Tax Law of the State of New York by an additional 1 percent, in accordance with special State Home Rule legislation by the NYS Legislature; and

WHEREAS, Resolution 296 of 2013 extended the additional rate of sales and compensating use taxes and authorized the Cities of Gloversville or Johnstown to preempt such additional rate through November 30, 2015; and

WHEREAS, extension of the additional 1 percent County sales tax can provide a mechanism to reduce the County's reliance on the property tax to fund government operations; and

WHEREAS, the Finance Committee recommends requesting continuation of special Home Rule legislation to grant the County of Fulton the local option to impose an additional rate of sales and compensating use taxes and the Cities of Gloversville or Johnstown to preempt such additional rate; and

WHEREAS, appropriate Home Rule legislation has now been introduced in the form of Senate Bill S.4145 and Assembly Bill A.4830 to grant the County of Fulton the local option to impose an "additional rate of sales and compensating use taxes" equal to 1 percent beyond November 30, 2013; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors by this Resolution, requests State legislative approval of Home Rule Legislation S.4145 and A.4830 to grant the County of Fulton the local option to impose an "additional rate of sales and compensating use taxes in an amount equal to 1 percent additional to the 3 percent already enacted and the Cities of Gloversville or Johnstown to preempt such additional rate; and, be it further

RESOLVED, That the Chairman of the Board, as appropriate, be and hereby is authorized to sign a "Home Rule Request" and related documentation related to the local option to impose an additional rate of sales and compensating use taxes; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Governor Cuomo, Senate Majority Co-Leader Skelos, Senate Majority Co-Leader Klein, Assembly Speaker Heastie, Senator Farley, Assemblyman Butler, Budget Director/ County Auditor and Administrative Officer/ Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } <sup>ss:</sup>

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

**Resolution No. 152**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION REQUESTING SPECIAL HOME RULE LEGISLATION TO EXTEND THE  
“ADDITIONAL MORTGAGE TAX” IN FULTON COUNTY**

WHEREAS, Resolution 167 of 2013 reestablished an “Additional Mortgage Tax”, in an amount of 25 cents per \$100.00 of debt, in accordance with special State Home Rule legislation approved by the NYS Legislature, and said special legislation expires on November 30, 2015; and

WHEREAS, appropriate Home Rule legislation to extend said “Additional Mortgage Tax” has now been introduced in the form of Senate Bill S.3403 and Assembly Bill A.4765 to grant the County of Fulton the local option to impose an “additional mortgage recording tax” beyond November 30, 2013; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors by this Resolution, requests State legislative approval of Home Rule Legislation S.3403 and A.4765 to grant the County of Fulton an extension of the local option to impose an “additional mortgage recording tax” on each deed recorded with the County of Fulton, effective December 1, 2015 through November 30, 2017; and, be it further

RESOLVED, That the Chairman of the Board, as appropriate, be and hereby is authorized to sign a “Home Rule Request” and related documentation related to the local option to impose an “additional mortgage recording tax”; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Governor Cuomo, Senate Majority Co-Leader Skelos, Senate Majority Co-Leader Klein, Assembly Speaker Heastie, Senator Farley, Assemblyman Butler, Budget Director/ County Auditor and Administrative Officer/ Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor GENDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

*STATE OF NEW YORK }  
COUNTY OF FULTON } ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

---

Clerk of the Board of Supervisors of Fulton County

**Resolution No. 153**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPROVING NEW COLLECTIVE BARGAINING AGREEMENT  
BETWEEN FMCC, FULTON COUNTY, MONTGOMERY COUNTY AND THE FULMONT  
ASSOCIATION OF COLLEGE EDUCATORS

WHEREAS, negotiations have been completed for a successor employment agreement between the Fulton-Montgomery Community College, Fulton County, Montgomery County and the Fulmont Association of College Educators (FACE); now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Memorandum of Agreement by and between the Fulton-Montgomery Community College, Fulton County, Montgomery County and the Fulmont Association of College Educators (FACE), effective September 1, 2016 through August 31, 2018, 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 Board of Supervisors, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County

*Memorandum of Agreement  
By and Between  
Fulton-Montgomery Community College and  
The Fulmont Association of College Educators*

**DATE: FEBRUARY 19, 2015**

**SUBJECT: EXTENSION AGREEMENT TO CBA EXPIRING 8/31/16**

Whereas, the current Negotiated Agreement expires August 31, 2016; and

Whereas, the College and FACE agree to extend the terms and conditions of the current Negotiated Agreement for a period of two years commencing from September 1, 2016 through August 31, 2018.

All terms and conditions of the current Negotiated Agreement shall continue in full force and effect during the extension period.

**Resolution No. 154**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS**

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

and, be it further

Treasurer:

From: A.1010.1990-4907 EXP- Contingent Fund Expense  
To: A.1325.1325-4530 EXP- Supplies  
Sum: \$3,700.00

Sheriff:

From: A.3110.3110-1000 EXP- Payroll  
To: A.3110.3110-1100 EXP- Overtime  
Sum: \$4,178.00

From: A.3110.3113-1000 EXP-Payroll  
To: A.3110.3113-1100 EXP-Overtime  
Sum: \$5,937.00

From: A.3110.3150-1000 EXP-Payroll  
To: A.3110.3150-1100 EXP-Overtime  
Sum: \$30,861.00

Solid Waste:

From: CL.8160.8163-1000 EXP-Payroll  
To: CL.8160.8163-1900 EX-Uniform Allowance  
Sum: \$900.00

From: CL.8160.8162.2000 EXP-Equipment-Over Threshold Value  
To: CL.8160.8160.4100 EXP-Advertising  
Sum: \$5,000.00

and, be it further

**Resolution No. 154 (continued)**

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Budget Amendment (Highways and Facilities):

Revenue:

Increase A.1325.1325-2680 REV-Insurance Recoveries \$1,071.00

Appropriation:

Increase A.1620.1620-4540 EXP-Auto Supplies \$1,071.00

Water District No. 1:

Revenue:

Increase FX-0599 Appropriated Fund Balance \$3,700.00

Appropriation:

Increase FX.8310.8310-1100 EXP-Overtime \$3,700.00

and, be it further

RESOLVED, That certified copies be transferred to the County Treasurer, Sheriff, Deputy Solid Waste Director, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } *ss:*

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

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Clerk of the Board of Supervisors of Fulton County



**Resolution No. 155**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A PILOT PROGRAM WITH THE GREATER JOHNSTOWN SCHOOL DISTRICT FOR IMAGE CAST ELECTRONIC VOTING**

WHEREAS, area school district officials have contacted the Board of Elections regarding the use of the County’s electronic voting machines to conduct school elections to meet new State-mandates for school board elections; and

WHEREAS, the Board of Elections Commissioners and Committee on Finance recommend authorizing a Pilot Program with the Greater Johnstown School District for the Image Cast Electronic Voting for the May 2015 school elections prior to offering the service to other Districts; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Board of Elections and Greater Johnstown School District to conduct electronic voting including Imagecast Ballots, with the School District paying \$90.00 for machine set-up and for 750 ballots (at 48 cents each) for the above referenced election on a pilot project basis; and, be it further

RESOLVED, That the Board of Elections Commissioners shall return to the Board of Supervisors for approval to continue said contract beyond 2015 and shall update the Committee on Finance periodically regarding the success of the pilot project; and, be it further

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

RESOLVED, That the 2015 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A.1450.1450-2215 REV- Election Service Charges \$450.00

Appropriation Account:

Increase A.1450.1450-4927 EXP- Chargeback Expense \$450.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Elections Commissioners, Greater Johnstown School District, H-F-M BOCES Superintendent, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GENDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Callery and Howard)

STATE OF NEW YORK }  
COUNTY OF FULTON } ss:

I, Jon R. Stead, Clerk of the Board of Supervisors of Fulton County hereby certify that I have compared the foregoing resolution with the original resolution, adopted by the Board of Supervisors of said County, at a duly called and held meeting of said Board on the 13<sup>th</sup> day of APRIL 2015, and the same is a true and correct transcript therefrom and the whole thereof.

Witness my hand and official seal  
this 13<sup>th</sup> day of APRIL 2015

\_\_\_\_\_  
Clerk of the Board of Supervisors of Fulton County