

## **SIXTH REGULAR SESSION**

Johnstown, NY

June 13, 2016

Roll Call-Quorum Present

Supervisors: Argotsinger, Blackmon, Born, Bradt, Breh, Callery, Christopher, Fagan, Greene, Groff, Handy, Howard, Kinowski, Lauria, Potter, Rice, Sullivan, Waldron, Wilson, Young

TOTAL: Present: 20

Chairman Potter called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, the Chairman asked if there was anyone from the public who wished to address the Board. There was no one present who wished to speak.

Chairman Potter requested a moment of silence for the victims of the recent terrorist attack at the nightclub in Orlando, Florida, with the following introductory words:

Certainly, all Americans have heavy hearts after the cowardly act of terrorism in Orlando this past weekend. As we mourn, we must also carry on the dedicated work of a free republic to honor the victims of this attack against our nation. We must remain strong. God knows, we stand with the families and friends of those lost... Please stand for a moment of silence in memory of the innocent victims.

Chairman Potter then invited members of Pine Tree Rifle Club to the front of the Chambers to receive a proclamation honoring the club. Supervisor Waldron read the proclamation and a photo was taken.

### **COMMUNICATIONS**

1. Communication from Delaware County Board of Supervisors  
Subj: Res. No. 78 of 2016 Declaring "Mayday for Mandate Relief" and urging the New York State Legislature and Governor to commit to their promise and address unfunded mandates that use local tax dollars to fund state and federal programs and services
2. Communication from Delaware County Board of Supervisors  
Subj: Res. No. 77 of 2016 Calling on the State of New York to fully reimburse counties for District Attorney salary increases set by the state
3. Communication from Livingston County Board of Supervisors  
Subj: Res. No. 155 of 2016 Calling on the State of New York to fully reimburse counties for mandated county costs for indigent defense services-Public Defender
4. Communication from Livingston County Board of Supervisors  
Subj: Res. No. 138 of 2016 Calling on the State of New York to fully reimburse counties for District Attorney salary increases set by the state
5. Letter from Calvin N. Cline, President, Fulton Montgomery Assessors' Association  
Subj: Ms. Samantha Miller, Small Claims Assessment Review Hearing Officer

6. Communication from Otsego County Board of Representatives

Subj: Res. No. 171 of 2016 Endorsing the Concept of a Six County Mohawk Valley Land Bank

**REPORTS**

- A. 2014 and 2015 Capital District Regional Off-Track Betting Corporation Audited Financial Statements and Supplemental and Other Information
- B. National Grid Electrical Emergency Plan, March 21, 2016.

**UPDATES FROM STANDING COMMITTEES**

***Personnel:*** Supervisor Callery advised the Personnel Committee that they would have a brief meeting in Mr. Stead's office following the Board meeting to be updated on a collective bargaining matter.

**REPORTS OF SPECIAL COMMITTEES**

***Adirondack Government:*** Supervisor Groff advised the Committee that boat washing stations are located around Fulton County. The stations are provided to tackle the invasive species issue.

***Fish and Wildlife:*** Supervisor Christopher stated that the Committee met on May 19 and that documents pertaining to the meeting are now available online.

***Inter-County Legislative Committee of the Adirondacks:*** Supervisor Young stated that the Committee met on May 26 and took a tour of Little Falls. NYSAC Representative Jill Luther was present. The Committee addressed District Attorney salaries and E911 decreased funding.

***Soil and Water Conservation District Board:*** Supervisor Lauria stated that the Committee met on May 17. The hydro seeder is working out well. The Committee addressed drainage and beaver issues. The State's Environmental Protection Fund for the 2016-2017 budget was approved.

**CHAIRMAN'S REPORT**

Chairman Potter thanked Supervisor Kinowski for signing documents and taking over duties while the Chairman was out of town during a previous week.

Chairman Potter advised that Supervisor Wilson attended an event at the Holiday Inn and the Fulton Montgomery Community College Graduation on behalf of Chairman Potter.

Chairman Potter passed around a photo of the new Tryon Technology Park sign.

Chairman Potter advised that tomorrow he will attend the Gloversville Common Council meeting to update the Council on Operation Green Scene demolitions.

## **RESOLUTIONS**

***No. 192 (Resolution Appointing Frederick Bochenek to the Fulton County Planning Board):*** Supervisor Young stated that he feels Mr. Bochenek is a good fit for the position and other county activities.

***No. 200 (Resolution Authorizing a Contract between the County of Fulton and Gramercy Communications to implement a “Jump Start Fulton County” Public Relations/Public Affairs Campaign (2016 Capital Plan)):*** Supervisor Lauria asked if the Center for Regional Growth and the Fulton Montgomery Regional Chamber of Commerce are working on this project to promote Tryon Technology Park. Mr. Stead answered that he and Mr. Mraz have meetings with Mr. Peters at the CRG at least once a month. He said that the CRG will be instrumental in contracting with Applied Marketing, the lead generation firm, to contact prospective businesses. This contract with Gramercy is not specifically for Tryon. It is for the promotion of activity county-wide. The Chamber of Commerce is not directly working on Tryon Technology Park marketing.

Supervisor Young stated that he feels this is a duplication of service because \$100,000.00 is used to fund the CRG each year. He said that the Board of Supervisors needs to be fiscally responsible and this is not necessary when there are currently other agencies working on the same promotion.

***No. 212 (Resolution Authorizing the mounting of a donated “Quilt Barn Square” on the Office for Aging Building):*** Supervisor Lauria stated that he feels the Quilt Barn Trail is positive for Fulton County.

Supervisor Born thanked Liz Argotsinger for her contributions and dedication bringing the Quilt Barn Trail to fruition. The Trail is beneficial to tourism in the area and attracts many people.

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

***No. 221 (Resolution Supporting Senate Bill S.4964A and Assembly Bill A.8201 to increase the share of revenue counties retain for providing certain DMV services):*** Supervisor Young stated that he believes the County should be allowed a share of the DMV revenue generated from online transactions in Fulton County.

***No. 228 (Resolution endorsing the concept of selling FMCC land to the Fulmont College Association to develop new student housing as a component of the Global Village Project):*** Supervisor Lauria stated that in the last meeting, County Attorney Brott advised that he would be taking a closer look into this matter. County Attorney Brott stated that the concept is admirable. There is a lot to the project and it is currently being reviewed from the legal perspective.

Supervisor Young asked if the revenue that will be generated from the Global Village development will be shared between both Fulton County and Montgomery County. Mr. Stead

noted that the development is in Montgomery County and that he was not aware of any effort to set up a revenue-sharing agreement for the panels involved.

Chairman Potter asked again if there were any members of the public who wished to make comments on the Public Hearing regarding including additional property within the Towns of Johnstown and Mayfield in Agricultural District No. 1 in Fulton County. There being no speakers, Chairman Potter closed the Public Hearing at 1:37 p.m.

Upon a motion by Supervisor Fagan, seconded by Supervisor Handy and unanimously carried, the Committee entered into Executive Session at 1:38 p.m. to discuss collective bargaining.

Upon a motion by Supervisor Fagan, seconded by Supervisor Callery and unanimously carried, the Committee returned to regular session at 1:46 p.m.

### **Old business**

Supervisor Lauria stated that last month, the Economic Development and Environment Committee did not endorse the MVEDD Regional Land Bank concept.

### **Supervisor Lauria made a motion to discuss the Regional Land Bank, Seconded by Supervisor Handy.**

Supervisor Callery stated that he was interested in hearing “positives and negatives about the Regional Land Bank proposal.” Chairman of the Board Potter stated that MVEDD presented information about creating a Regional Land Bank at an earlier Economic Development and Environment Committee meeting that Supervisor Callery did not attend.

Supervisor Blackmon asked if the County donated parcels to a regional land bank, would the County still have control of what the parcel was used for. Mr. Stead explained that the parcel would be under the private ownership of the land bank at that point and the Land Bank’s Board of Directors would make the decision on what the land would be used for.

Mr. Stead stated that there are eleven (11) members proposed for the Regional Land Bank and that Fulton County would only have a couple members on the Board. Mr. Stead stated that his opinion is that a land bank should be local and not regional. Also, the county will only have a couple members out of 11, so a large majority of the decision making would be by others from outside our local community.

Supervisor Wilson stated that the regional land bank is strictly a concept. The County still has time to get better acquainted with the ramifications that would result.

Supervisor Howard stated that he agrees with Mr. Stead that a land bank should be local and not regional. He stated that the County has been diligent about finances and careful decision-making. Supervisor Howard stated that he trusts the Fulton County Board of Supervisors, but not a regional entity that does not have a vested interest in Fulton County. He reiterated that a land bank should be done locally, not on a regional scale.

County Attorney Brott stated that Montgomery County had contacted him regarding Fulton County not endorsing the Regional Land Bank concept. County Attorney Brott stated that the draft application submitted was not complete and had considerable missing information. He believes that it is too quick to take action on this item and it is his suggestion that the County wait until the process is complete to join or not join a regional land bank.

Supervisor Born stated that at the last MVEDD meeting, the application was not even complete yet and MVEDD board members asked for a completed application before moving forward.

Supervisor Callery then questioned why we would have Otsego County market properties for Fulton County through the regional land bank.

Mr. Stead stated that the County is utilizing the Gloversville Housing and Neighborhood Improvement Corporation to “land bank” properties in Gloversville. Mr Stead stated that some statements have contended that the Regional Land Bank will function as a “clearinghouse” for large sums of grant money for rehabilitation projects. He is not certain that it can re-distribute state grants in such a way.

County Attorney Brott answered that MVEDD has indicated that, but there is no confirmation of it being able to function as a grant clearinghouse.

Supervisor Argotsinger asked Supervisor Born and Supervisor Wilson if the initial \$150,000.00 grant being pursued is to keep MVEDD “afloat”. Supervisor Wilson stated he does not believe so and that MVEDD is doing well right now.

Supervisor Born stated that she believes Gloversville and Johnstown will not be the primary targets for regional land bank projects. She thinks the focus will be on bigger cities.

Supervisor Sullivan asked if the County is mandated to turn property over to such a land bank. He said that the demolition team does a great job with Operation Green Scene properties. Mr. Stead answered that there would be no mandate to turn properties over.

Supervisor Greene stated that he believes any vote taken would be premature because there is not enough information known to the Board.

Supervisor Fagan stated that he agrees with those opposed. There are not enough details known about the regional land bank operation. He stated that if the County could be a part of the regional land bank to receive additional funding, that would be something to look into. He stated that at this time he is not willing to commit to a regional land bank, when the community is capable of doing similar work locally. He stated that he believes MVEDD is trying to reestablish themselves in economic development and at this time it is too early to move forward.

Supervisor Young stated that given the concerns raised, it may be worthwhile to invite the regional land bank representatives to a meeting to address the Board’s concerns. There would

also need to be discussion to determine whether or not Fulton County would have sufficient representation in regional approach.

Supervisor Lauria stated that, after hearing the legitimate concerns about the regional land bank approach, he withdrew his motion.

Supervisor Howard stated that money being “dangled” in front of Fulton County is a perceived plus, but the State usually takes back more than they give.

Supervisor Groff stated that he is opposed to any regional organization for this purpose.

Supervisor Argotsinger stated that all of the discussion is about giving MVEDD foreclosure properties, but MVEDD could also purchase parcels from the County auction.

Supervisor Born noted that if Regional Land Bank obtains a foreclosure parcel from the County, there is a specific amount of taxes that are required to be given to the Regional Land Bank when it is returned to the tax rolls.

Mr. Stead stated that he would like to see Fulton County work with the Gloversville Housing and Neighborhood Improvement Corporation on a continuing basis to accomplish the same goals through a local organization.

### **New business**

Supervisor Callery stated that he was upset with the Leader Herald editorial regarding Gloversville having the highest tax rate in the Mohawk Valley. Supervisor Callery stated that he believes Fulton County government is doing everything it can to keep taxes down and to assist Gloversville as well.

Chairman Potter stated that if a 100 percent equalization rate is achieved throughout all of the towns, then individual tax rates in Gloversville will be reduced.

### **PROCLAMATIONS**

#### **RECOGNIZING THE PINE TREE RIFLE CLUB**

WHEREAS, the Pine Tree Rifle Club was organized in 1937; and

WHEREAS, by 1942, the Club had established its permanent home on Johnson Avenue Extension in the Town of Johnstown;

WHEREAS, since its inception, the Club has witnessed many achievements in carrying out its Mission Statement:

- Encouragement of rifle and pistol shooting, clay target shooting, and archery, among the residents of our community, with a view toward a

better knowledge on the part of such citizens, of the safe handling and proper care of firearms as well as improved marksmanship.

- To propagate, protect and aid in the distribution of fish and game.
- To aid in reforestation and the prevention of forest fires.
- To work for the enactment of sound conservation measures, to promote the observance of measures, and to oppose all measures detrimental to sound conservation.
- To instruct our junior members in the proper handling of firearms, and the true meaning of sportsmanship.
- To support sound legislation pertaining to ownership and use of firearms, and oppose restrictive legislation which may be detrimental to the interest of this club in accordance with our 2nd amendment rights to keep and bear arms, as per the Constitution of the United States of America.

now, therefore be it

RESOLVED, That the Board of Supervisors hereby recognizes the Pine Tree Rifle Club and its members for important contributions to the community fabric of Fulton County and for stalwart defense of the United States Constitution and the Bill of Rights

Upon a motion by Supervisor Fagan, seconded by Supervisor Groff and unanimously carried, the Committee adjourned at 2:22 p.m.

*Certified by:*

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

**Resolution No. 191**

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION APPROVING CHICKEN BARBECUE EVENT AT THE “GATEWAY TO  
THE ADIRONDACKS” VISITORS CENTER

WHEREAS, a Facilities Use Application has been received from Irene Sinicropi in conjunction with the Broadalbin Masons requesting permission to sponsor one (1) chicken barbecue event at the “Gateway to the Adirondacks” Visitors Center; and

WHEREAS, Irene Sinicropi and the Broadalbin Masons will arrange for cleanup, as well as provide for sufficient insurance protection coverage as required by County policy; and

RESOLVED, That upon the recommendation of the Committee on Buildings and Grounds, Irene Sinicropi and the Broadalbin Masons be and hereby are authorized to utilize the “Gateway to the Adirondacks” Visitor’s Center for chicken barbecue events on Friday, August 12, 2016, contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

RESOLVED, That said approval is contingent upon a final review of insurance requirements by the County Attorney and his issuance of the required Permit; 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, Superintendent of Highways and Facilities, Fulton County Chamber of Commerce, Irene Sinicropi, Broadalbin Masons, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further purport of this Resolution.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0



**Resolution No. 192**

Supervisors BRADT offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING FREDERICK BOCHENEK TO THE FULTON COUNTY  
PLANNING BOARD**

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

RESOLVED, That upon the recommendation of the Committee on Buildings and Grounds/Highway, Frederick Bochenek of Gloversville, NY, be and hereby is appointed to the Fulton County Planning Board, to serve the balance of the term January 1, 2015 through December 31, 2017; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 193**

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

**RESOLUTION CONFIRMING EMERGENCY PURCHASE OF A CENTRAL RECEIVING STATION AT THE FULTON COUNTY COMMUNICATIONS CENTER (E-911)**

WHEREAS, in mid-April 2016, the Central Receiver Station located at the County E911 Dispatch Center began malfunctioning; and

WHEREAS, said panel is needed to monitor fire alarms and provide alerts of smoke/fires at all county buildings; and

WHEREAS, on May 11, 2016, the Chairman of the Board authorized emergency repairs including the replacement of the malfunctioning unit with a new Honeywell MX8000 Panel to protect the safety and security of County government buildings and personnel; and

WHEREAS, it is now necessary to appropriate funds for said emergency purchase; now, therefore be it

RESOLVED, that upon the recommendation of the Budget Director and Committees on Building and Grounds/Highway and Finance, the County Treasurer be and hereby is directed to make the following transfer:

From: A.1000.1990-4907-EXP-Contingent Fund Expense  
To: A.1620.1621-4030-EXP Repairs  
Sum: \$12,860.00

and, be it further

RESOLVED, that the Superintendent of Highways and Facilities and 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, Superintendent of Highways and Facilities, Civil Defense Director/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor SULLIVAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 194**

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

RESOLUTION TRANSFERRING A CERTAIN PARCEL ADJACENT TO COUNTY  
HIGHWAY 122 TO ABUTTING PROPERTY OWNER JAVARONE IN THE TOWN OF  
JOHNSTOWN

WHEREAS, Section 118-a of Highway Law states in part "that whenever any county road shall have been widened, straightened, extended, drained, paved and/or otherwise improved and there shall be sections of the old road as it existed before said improvement which are of no further use for highway purposes to said county, the Board of Supervisors of said County in which said land is situated, upon the recommendation of the County Superintendent of Highways & Facilities, may abandon to the abutting owner or owners such sections or parts of the old road as it existed before said improvement which are of no further use for highway purposes...; and

WHEREAS, Mrs. Iona Javarone of 808 County Road 122, Town of Johnstown, has requested to acquire certain surplus right-of-way, adjacent to her residence that is owned by Fulton County; and

WHEREAS, said surplus right-of-way constitutes approximately 21,700 square feet and is located at the intersection of State Highway 29A and County Road 122 is of no use to Fulton County Road System or the Fulton County Highway Department; and

WHEREAS, Iona Javarone has proposed acquiring the 21,700 square feet of County highway right-of-way adjacent to her property; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities, County Attorney and Committee on Buildings and Grounds/Highway, the County Attorney hereby is authorized to convey approximately 21,700 sq. ft. of said parcel, in the Town of Johnstown, to Iona Javarone, the adjacent property owner, in accordance with a plan devised by the Superintendent of Highways and Facilities; and, be it further

RESOLVED, That said conveyance is contingent upon Mrs. Javarone's bearing all costs associated with this transfer of ownership and obtaining a letter from the other abutting property owner proving they have no interest in said property; and, be it further

**Resolution No. 194 (continued)**

RESOLVED, That certified copies of this Resolution shall be forwarded to the County Treasurer, County Attorney, Superintendent of Highways and Facilities, Real Property Tax Services Agency Director, County Clerk, 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 WALDRON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 195**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING 2016-2017 CHIEF LOCAL ELECTED OFFICIALS (CLEO) AGREEMENT BETWEEN FULTON, MONTGOMERY AND SCHOHARIE COUNTIES FOR SPONSORSHIP AND OPERATION OF THE F-M-S WORKFORCE DEVELOPMENT BOARD**

WHEREAS, in accordance with the Workforce Investment Act (WIA) of 1998, Fulton, Montgomery and Schoharie Counties entered into an agreement to govern the management structure of the Fulton-Montgomery-Schoharie Workforce Development Board; and

WHEREAS, in 2014, the federal government reorganized its workforce development program via the “Workforce Innovation and Opportunity Act of 2014” (WIOA); and

WHEREAS, the Chief Local Elected Officials (CLEO) agreement authorizes the F-M-S Workforce Development Board to provide planning, guidance, monitoring, support, oversight and regulation to ensure the highest quality workforce development system in accordance with WIOA regulations; and

WHEREAS, the last extension of said CLEO agreement will expire on June 30, 2016; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Chief Local Elected Officials (CLEO) agreement between the County of Fulton, and the Counties of Montgomery and Schoharie to implement requirements of the Workforce Investment Act, effective July 1, 2016 through June 30, 2017; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED That certified copies of this Resolution be forwarded to the County Treasurer, Workforce Development Board, Montgomery County Legislature, Schoharie County Board of Supervisors, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 196**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING AND/OR CONFIRMING MEMBERS TO THE FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD**

WHEREAS, the Federal Workforce Investment Act directed the creation of local Workforce Development Boards to administer job training and workforce development policy on behalf of local governments throughout the United States; and

WHEREAS, Resolution 81 of 2015 reorganized the Workforce Development Board structure and terms to better facilitate operations under the Workforce Innovation and Opportunity Act of 2014; and

WHEREAS, in order to provide for a proper rotation of appointments and reappointments, initial terms of the reorganized Workforce Development Board shall be hereby staggered; now, therefore be it

RESOLVED, That the following individuals are hereby appointed, reappointed and/or confirmed to the Fulton-Montgomery-Schoharie Workforce Development Board for terms as hereinafter specified:

May 31, 2016 through June 30, 2019:

Peter Stearns (Organized Labor)	Re-Appointed
Anne Boles (Private Sector)	Re-Appointed
Rita A. Franko (Private Sector)	Re-Appointed

June 1, 2015 through May 31, 2017:

Kristin Thompson (Private Sector)	Confirmed
Andrea Fettinger (Sr. Community Services Employment)	Confirmed
Judy Petroski (Vocational Rehabilitation)	Confirmed

June 1, 2015 through May 31, 2018:

James Law (Private Sector)	Confirmed
Brian Seeley (Private Sector)	Confirmed
Laurie Bargstedt (Local Education)	Confirmed

and, be it further

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

**Resolution No. 196 (continued)**

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 197**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING BOUNDARIES OF FULTON COUNTY AGRICULTURAL DISTRICT NO. 1 TO INCLUDE CERTAIN PARCELS IN THE TOWNS OF JOHNSTOWN AND MAYFIELD (2016)**

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

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

WHEREAS, Resolution 171 of 2016 set the date of a public hearing on a request from property owners in the Towns of Johnstown and Mayfield to be included in Agricultural District No. 1 as follows:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Richard Cast	137 Jackson Summit West	103.-2-8.1	64.4
Richard Cast	137 Jackson Summit West	103.-3-64	1.66
David Cast	460 County Highway 146	103.-2-37	2.8

and

WHEREAS, said public hearing was held on Monday, June 13, 2016 in the Board of Supervisors Chambers to receive comments on said request and anyone who was present to speak was heard; now, therefore, be it

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

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Richard Cast	137 Jackson Summit West	103.-2-8.1	64.4
Richard Cast	137 Jackson Summit West	103.-3-64	1.66
David Cast	460 County Highway 146	103.-2-37	2.8

and, be it further

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



**Resolution No. 197 (continued)**

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

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 198**

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

RESOLUTION AMENDING THE 2016 CAPITAL PLAN TO REDUCE THE SCOPE OF THE  
JUMPSTART FULTON COUNTY: RENOVATE TRYON REGIONAL BUSINESS  
TRAINING/INCUBATOR CENTER PROJECT

WHEREAS, the 2016 Capital Plan includes a project titled “Jump Start Fulton County: Renovate Tryon Regional Business Training/Incubator Center” in the amount of \$400,000.00 with the goal of repurposing existing “Building 3” into a multi-purpose training facility for the Tryon Technology Park; and

WHEREAS, the 2016 Budget includes \$150,000.00 in County funds for said project; and

WHEREAS, an engineering evaluation commissioned by the Fulton County IDA determined that the costs for restarting heating and air conditioning systems for the entire Building 3 Complex would be much larger than anticipated and significantly exceed the existing capital project’s appropriations; and

WHEREAS, the Planning Director and IDA Board of Directors have proposed an alternate plan to renovate only a portion of the complex, formerly known as the “Midas Building”, into a smaller training/incubator center at this time; and

WHEREAS, the Committees on Economic Development and Environment, and Finance have reviewed said alternate plan and concur with it; now, therefore be it

RESOLVED, That the 2016 Capital Plan be and hereby is amended to repurpose the “Jump Start Fulton County: Renovate Tryon Regional Business Training and Incubator Center Project to down-size the scale of said project to a smaller project to convert the so-called “Midas Building” into a Regional Training/Incubator Center at the Tryon Technology Park; and, be it further

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

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 199**

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

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE GLOVERSVILLE  
BOARD OF WATER COMMISSIONERS AND FULTON COUNTY FOR WATER  
INFRASTRUCTURE OPERATION AND MAINTENANCE AT THE TRYON  
TECHNOLOGY PARK

WHEREAS, Resolution 300 of 2015 awarded a contract to W.M. Schultz to install a new water pumping station and elevated tank at Tryon Technology Park as a component of the Jump Start Fulton County: Tryon Technology Park and Incubator Center Project: Phase II; and

WHEREAS, construction of the pump station and elevated tank is nearing completion; and

WHEREAS, W.M. Schultz will provide a one (1) year warranty upon completion of said work; and

WHEREAS, the County will be responsible for regular operation and maintenance on the pump station and tank; and

WHEREAS, the County will be responsible for all National Grid bills during said time; and

WHEREAS, in accordance with the 2015 Intermunicipal Agreement between Fulton County, City of Groversville and Groversville Board of Water Commissioners, the Groversville Water Department will take ownership of said pump station, tank and related infrastructure at the expiration of the one (1) year warranty period; and

WHEREAS, the Planning Director and Administrative Officer recommend that the County contract with Groversville Water Department to perform regular operations and maintenance duties on said pump for a cost of \$3,000.00 during the interim period until it takes ownership; now, therefore be it

RESOLVED, That the Chairman of the Board, be and hereby is authorized to sign an intermunicipal agreement with the Groversville Water Department to perform regular operations and maintenance duties on said pump station, tank and related infrastructure for a cost of \$3,000.00 commencing at the beginning of the warranty period and running 12 months; and, be it further

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

**Resolution No. 199 (continued)**

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 200**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE COUNTY OF FULTON AND GRAMERCY COMMUNICATIONS TO IMPLEMENT A "JUMP START FULTON COUNTY" PUBLIC RELATIONS/PUBLIC AFFAIRS CAMPAIGN (2016 CAPITAL PLAN)

WHEREAS, Resolution 49 of 2016 authorized the transfer of \$42,500.00 to a project titled Jump Start Fulton County: Economic Development and Marketing Project within the 2016 Capital Plan; and

WHEREAS, Fulton County has received a proposal from Gramercy Communications, Troy, NY to implement a professional Public Relations/Public Affairs pilot campaign to publicize the many positive Fulton County initiatives underway to people and businesses outside the region; and

WHEREAS, said pilot Campaign will be eighteen months and adjusted based upon results and evaluation of the 2016 phase of the Campaign; and

WHEREAS, the Director of Planning, Purchasing Agent and the Committees on Economic Development and Environment, and Finance recommend that a contract be awarded to Gramercy Communications for a professional Public Relations/Public Affairs pilot campaign in an amount not to exceed \$30,000.00 (\$5,000.00 per month) for an initial six (6) month contract; now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is authorized to sign an initial six (6) month contract with Gramercy Communications of Troy, NY for a public relations/public affairs campaign at an amount not to exceed \$30,000.00; effective July 1, 2016 through December 31, 2016; and, be it further

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

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 526 (19)      Nays: 25 (1) (Supervisor Young)

**Resolution No. 201**

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

**RESOLUTION AUTHORIZING HANSON VAN VLEET, LLC TO PROCEED WITH INSTALLING TEST WELLS AT TRYON TECHNOLOGY PARK (JUMP START FULTON COUNTY: SMART WATERS-PRELIMINARY ENGINEERING FOR COUNTY WATER SYSTEM, 2016 CAPITAL PLAN)**

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

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

WHEREAS, Resolution 444 of 2015 authorized the Chairman of the Board to sign a contract with Hanson VanVleet, LLC, Clifton Park, NY, a subsidiary of Environment Design Partnership, LLP, of Clifton Park, NY, to prepare a “Preliminary Engineering Study on Conducting Preliminary Groundwater Testing at the Tryon Technology Park”, in an amount not to exceed \$150,000.00; now, therefore be it

RESOLVED, That inasmuch as initial hydro geologic evaluations indicate that substantial water well potential exists on site at Tryon, Hanson Van Vleet, LLC is authorized to proceed with installing test wells at Tryon Technology Park per the indications of its report in overlap areas of Target Area 3 and Target Area 5; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 202**

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

RESOLUTION AWARDING BID FOR BULLDOZER FOR USE IN THE SOLID WASTE DEPARTMENT (2016 CAPITAL PLAN)

WHEREAS, the 2016 Capital Plan includes one (1) Bulldozer for use in the Solid Waste Department; and

WHEREAS, Resolution 136 of 2016 authorized advertisement for bids for said Bulldozer and three (3) bids were received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committees on Economic Development and Environment, and Finance recommend that the Base Bid be awarded to Nortrax, for one (1) Bulldozer, at a cost not to exceed \$322,277.00 as follows:

now, therefore be it

RESOLVED, That the net Base Bid, with Trade-In of a used 2006 John Deere 850J Bulldozer in the amount of \$322,277.00, as submitted by Nortrax of Clifton Park, NY for one (1) 2016 John Deere 850K Bulldozer with 30” tracks, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

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

From: CL-0898.0878-CL Building Depreciation  
To: CL-0909-Unreserved Fund Balance  
Sum: \$22,277.00

Budget Amendment

Increase CL.1000.0511-0511-REV-Appropriated Reserve \$22,277.00

Revenue

Increase CL.8160.81625-2665-REV-Sale of Equipment \$44,500.00

Appropriation

Increase CL.8160.8162-2010 EXP-Capital Expense \$66,777.00

and, be it further

**Resolution No. 202**

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0



**Resolution No. 203**

Supervisors WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION SUPPORTING S.426A AND A.7763 TO AMEND NYS VEHICLE AND TRAFFIC LAW TO INCLUDE SANITATION COLLECTION VEHICLES IN THE DEFINITION OF A “HAZARD VEHICLE”**

WHEREAS, NYS Senate Bill S426A and NYS Assembly Bill A7763 propose to amend the Vehicle and Traffic Law definition of “Hazard Vehicle” to include recycling and waste collection vehicles; and

WHEREAS, said Bills would require motorists to drive at an appropriate reduced speed when approaching recycling and waste collection vehicles which are in the process of collecting materials in the performance of their official duties; and

WHEREAS, the Director of Solid Waste recommends a Resolution of Support for Senate for Senate Bill 426A and Assembly Bill A7763 to improve safety for recycling and solid waste workers throughout the State; now, therefore be it

RESOLVED, That the Board of Supervisors hereby endorses amending the NYS Vehicle and Traffic Law by supporting Senate Bill S426A and Assembly Bill A7763, to include sanitation collection vehicles as a “hazard vehicle”, and be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Cuomo, Senator Hugh Farley, Assemblyman Marc Butler, NYSAC, NYMIR, NYSASWM, Director of Solid Waste, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 204**

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

RESOLUTION AUTHORIZING APPLICATION TO FOOD SERVICE PACKAGING  
INSTITUTE FOR A GRANT TO PURCHASE A FOAM DENSIFIER (SOLID WASTE  
DEPARTMENT)

WHEREAS, the Recycling Division of the Department of Solid Waste has received requests from businesses and residents interested in recycling polystyrene foam (styrofoam); and

WHEREAS, recycling styrofoam is not currently part of the County's recycling program; and

WHEREAS, the Director of Solid Waste requests authorization to submit a grant application to Foodservice Packaging Institute (FPI) for an equipment grant to purchase a Foam Densifier as the first step in establishing a Styrofoam recycling program; and

WHEREAS, the Solid Waste Director intends to propose the purchase of said Foam Densifier as a 2017 Capital Plan project and the FPI grant will cover 100 percent reimbursement of the \$25,500.00 identified costs for a Foam Densifier; and

RESOLVED, That the Chairman of the Board hereby is authorized to submit a grant application to the Foodservice Packaging Institute in an amount not to exceed \$25,500.00 to purchase a Foam Densifier on behalf of the Department of Solid Waste; and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 205**

Supervisors GREENE offered the following Resolution and moved its adoption:

RESOLUTION URGING THE U.S. VETERANS AFFAIRS ADMINISTRATION  
TO IMPROVE ITS SYSTEM FOR ENSURING VETERANS' ACCESS  
TO NON-VA HEALTH CARE

WHEREAS, the U.S. Veterans Affairs Administration (VA) has established guidelines governing emergency health care needs of veterans; and

WHEREAS, the Non-VA Emergency Care Fact Sheet states that the veterans, family, friends or hospital staff should contact the VA as soon as possible, preferably within 72 hours of emergency, so they are better aware of what services the VA may or may not cover; and

WHEREAS, the Fulton County Veterans Service Agency has stated his concerns that existing VA guidelines related to authorizing Veterans access to non-VA health care providers is not clear nor easily understood; now, therefore be it

RESOLVED, That the Board of Supervisors hereby respectfully urges the U.S. Veterans Affairs Administration to improve the system for Veterans seeking non-VA healthcare providers, including:

1. That the VA provide a no-nonsense, clearly understood, non-VA care authorization system that ensures the veteran will not be billed for emergency services by non-VA care facilities.
2. That the VA provide payment authorization between the non-VA care provider servicing the veteran and the VA approval authority.
3. Ensure the VA continues to improve its non-VA care coordination through the Non-VA Care Coordination (NVCC) program office to standardize its process for referrals to non-VA care.
4. Provide all non-VA providers with full access to the VA's Computer Patient Record System (CPRS) to ensure the contracted community provider can review the patient's full history, allow the provider to meet all the quality of care screening and measures traced in ePRS, and speed up receipt and documentation from the non-VA provider.
5. Clarify community care for the VA staff, and make it easier for community providers to partner with the VA.

and, be it further

**Resolution No. 205 (continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Veterans Service Agency, U.S. Veterans Services Administration, Nathan Littauer Hospital, St. Mary's Healthcare, Stratton VA Medical Center, Administrative Officer/Clerk of the Board and to each and every other person, agency or institution who may further the purport of this Resolution.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 206**

Supervisor GREENE offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING THE CONTRACT BETWEEN DSS AND FAMILY FOCUS TO  
INCLUDE RATES FOR FOSTER PARENTS**

WHEREAS, Resolution 457 of 2015 authorized a contract with Family Focus for specialized Adoption Services in an amount not to exceed \$30,000.00; and

WHEREAS, Family Focus has worked with a child for over a year and has found a potential adoptive home; and

WHEREAS, once the child is placed, the Social Services Department will be required to pay the foster/adoptive parents at the State MSAR Exceptional rate which is currently \$63.38 per day and \$2.39 per day for clothing; and

WHEREAS, this rate is not included in the current contract with Family Focus; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an amended contract between the County of Fulton and Family Focus of Little Neck, NY, effective immediately to include payment of the State MSAR Exceptional rate in the amount of \$63.38 per day and a clothing rate of \$2.39 per day; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 207**

Supervisors GREENE offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACT BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND AWIXA GROUP HOME FOR TRANSITIONAL PLACEMENT SERVICES**

WHEREAS, the Department of Social Services currently has a young man in an out-of-state residential facility, which is converting to an all-girl facility on July 1, 2016; and

WHEREAS, the young man needs to be removed from this facility before July 1, 2016; and

WHEREAS, a perspective adoptive placement has been achieved for the young man, but said placement is in the visitation stage and not at a point where the youth can be placed with the prospective family full-time; and

WHEREAS, AWIXA Group Home would be a suitable transitional placement for the young man until such time as he can be placed full-time with the prospective adoptive parents; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the County of Fulton and AWIXA Group Home of Massapequa, NY for transitional placement services, effective immediately, at a rate of \$363.53 per day; and, be it further

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

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

Seconded by Supervisor SULLIVAN and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 208**

Supervisor GREENE AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BIDS FOR CHILDREN WITH HANDICAPPING CONDITIONS TRANSPORTATION PROGRAM (2016-2017 SCHOOL YEAR)**

WHEREAS, Resolution 141 of 2016 authorized advertisement for bids for the Children with Handicapping Conditions Transportation Program and two (2) bids were received; now, therefore be it

RESOLVED, That the bids, as hereinafter specified, for the transportation of children with handicapping conditions to various 2016 school programs be and hereby are accepted, as reviewed and recommended by the Public Health Director and Purchasing Agent; they being the lowest responsible bidders in accordance with Specification No. 2016-40-01, dated May 18, 2016:

<u>Bidder</u>	<u>Program Site/Route</u>	<u>Bid Amount</u> <u>Est. Daily Site Rte. Cost</u>
North Country Transport	Route #1 & Route #2	
	Whispering Pines (Meco)	\$298.99
	Using alternate pricing option by combining routes	
	Route #3	
	Whispering Pines (Gloversville)	\$138.99
Brown Transportation	Route #5	
	Whispering Pines (Gloversville)	\$637.00
North Country Transport	Route #7 & Route 11	
	Whispering Pines (Amsterdam)	\$274.99
	Using alternate pricing option by combining routes	
North Country Transport	Route #8	
	New Meadow (Malta)	\$141.99

and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 209**

Supervisor GREENE offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CHILDREN WITH HANDICAPPING CONDITIONS SUMMER 2016 TRANSPORTATION TO HERKIMER COUNTY BOCES**

WHEREAS, Transportation for children enrolled in center-based special education programs is required by Federal IDEA (Individuals with Disabilities Education Act),and

WHEREAS, proposed Resolution 18 of 2016 awarded bids for the Children with Handicapping Conditions Transportation Program for transportation services in 2016-2017; and

WHEREAS, a pre-school child will be attending Herkimer BOCES in Herkimer, NY, beginning July 1, 2016 for a summer school program, and will require transportation; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertised for sealed bids from vendors for transportation to the Herkimer BOCES in Herkimer, NY (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, June 22, 2016, 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 BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0





**Resolution No. 210**

Supervisors GREENE offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DEPARTMENT OF PUBLIC HEALTH TO  
CONTRACT WITH LANGUAGE SERVICES ASSOCIATES FOR TELEPHONIC  
INTERPRETOR SERVICES

WHEREAS, the Public Health Director has requested access to a telephonic interpreter service to facilitate communication with clients on an as-needed basis and the Committee on Human Services concurs; now, therefore be it

RESOLVED, That, the Chairman of the Board be and hereby is authorized to sign a contract between the Public Health Department and Language Services Associates of Horsham, PA, effective immediately through December 31, 2016, at costs identified below:

Translation – Over the phone .75 per minute (Spanish, Chinese, Italian, Russian, French)  
Translation – Over the Phone .81 per minute (Other languages)

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

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 211**

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

**RESOLUTION COMMITTING LOCAL MATCHING FUNDS FOR PURCHASE OF TWO NEW BUSES VIA A FULMONT COMMUNITY ACTION AGENCY GRANT APPLICATION**

WHEREAS, Fulton County Office for Aging contracts with Fulmont Community Action Agency for OFA senior transportation services; and

WHEREAS, the buses for said transportation are purchased by Fulmont via a grant with the New York State Department of Transportation; and

WHEREAS, a local share of \$23,000.00 for the grant application is required, and the Office for Aging has historically raised such funds through private donations; and

WHEREAS, Fulmont has informed the Office for Aging that the amount of the match has increased an additional \$5,646.00 due to an increase in the cost of buses; and

WHEREAS, Fulmont is requesting that the Office for Aging sign an agreement stating that the Office for Aging will raise the additional \$5,646.00; now, therefore be it

RESOLVED, That upon the recommendation of the Office for Aging Director and Committees on Human Services and Finance, the Chairman of the Board, be and hereby is, authorized to sign a Memorandum of Agreement committing the Office of Aging to raising the additional funding to provide the local matching share for Fulmont Community Action Agency's grant application for the purchase of two (2) new buses for the Senior Transportation Program in Fulton County; local share coming from private donations in the amount of \$5,646.00; and, be it further

RESOLVED, That the OFA Director be and hereby is directed to commence an ambitious fundraising effort to further the purport of this resolution; and, be it further

RESOLVED, That copies of this Resolution be forwarded to the County Treasurer, Director for Office for Aging, Fulmont Community Action Agency, New York State Department of Transportation, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 212**

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

**RESOLUTION AUTHORIZING THE MOUNTING OF A DONATED “QUILT BARN SQUARE” ON THE OFFICE FOR AGING BUILDING**

WHEREAS, the Fulton Montgomery Quilt Barn Trail organization has donated a “Quilt Barn Square” for display on the Office for Aging Building; and

WHEREAS, the Fulton County Office for Aging Advisory Council has endorsed the hanging of the Square because it will be a part of county tourism efforts as the square will be on a map of all the squares across the counties; and

WHEREAS, the County Highways and Facilities Department will assist in hanging said Square; now, therefore be it

RESOLVED, That upon the recommendation of the Office for Aging Director and Committees on Human Services and Buildings & Grounds/Highway, the Board of Supervisors hereby authorizes the mounting of one (1) donated “Quilt Barn Square” on the Office for Aging Building; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Office for Aging Director, Fulton Montgomery Quilt Barn Trail Organization, Superintendent of Highways and Facilities, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 213**

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

**RESOLUTION ACKNOWLEDGING PREMIUMS FOR CSEA EMPLOYEE BENEFIT FUND  
SUNRISE DENTAL PLAN FOR COUNTY EMPLOYEES**

WHEREAS, the CSEA General Unit collective bargaining agreement expired on December 31, 2014; and

WHEREAS, the CSEA Employee Benefit Fund for the Sunrise Dental Plan runs currently for the duration of the collective bargaining agreement; and

WHEREAS, the County previously entered into a contract with CSEA Employee Benefit Fund for dental coverage through June 30, 2015, at a cost of \$80.38 per month per employee; and

WHEREAS, the CSEA Employee Benefit Fund has notified the County that the monthly premiums for said dental plan will increase as follows:

July 1, 2015 – June 30, 2016	\$81.18 per month per employee
July 1, 2016 – June 30, 2017	\$85.24 per month per employee
July 1, 2017 – December 31, 2017	\$89.50 per month per employee

and, be it further

RESOLVED, That upon the recommendation of the Committees on Personnel and Finance, the Board of Supervisors hereby acknowledges the premiums specified herein for the CSEA Employee Benefit Fund Sunrise Dental Plan for County employees; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, 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: 20    Nays: 0

**Resolution No. 214**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION SETTING DATE FOR A PUBLIC HEARING REGARDING “A LOCAL LAW TO ESTABLISH THE POST OF PUBLIC HEALTH DIRECTOR IN FULTON COUNTY”**

WHEREAS, there has been duly presented and introduced at a meeting of the Fulton County Board of Supervisors, held on June 13, 2016, a proposed local law entitled “LOCAL LAW “A” OF 2016 TO ESTABLISH THE POST OF PUBLIC HEALTH DIRECTOR IN FULTON COUNTY”, now therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law “A” of 2016 by the Fulton County Board of Supervisors, on July 11, 2016 at 1:30 p.m., in the Supervisors Chambers, County Office Building, Johnstown, NY, and at least seven days’ notice (excluding Sundays) of such public hearing be given by the Clerk of the Board by duly posting upon the bulletin boards in the Fulton County Office Building, Johnstown, NY, and by publication at least once in the official Fulton County newspaper; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Public Health Director, New York State Department of Health, 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 HOWARD and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**COUNTY OF FULTON  
LOCAL LAW “A” OF 2016 ENTITLED,  
“A LOCAL LAW TO ESTABLISH THE POST OF PUBLIC HEALTH DIRECTOR IN  
FULTON COUNTY”**

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

**SECTION 1 TITLE:**

This Local Law shall be entitled, “A Local Law to Establish the Post of Public Health Director in Fulton County”.

**SECTION 2. PURPOSE:**

The purpose of this Local Law is to establish the post of Public Health Director in Fulton County including a description of general duties, responsibility and authority.

**SECTION 3. PUBLIC HEALTH DIRECTOR**

- A. There shall be the position of Fulton County Public Health Director.
1. Appointment  
The Fulton County Public Health Director shall be appointed by the Fulton County Board of Supervisors.
  2. Term  
The Fulton County Public Health Director shall serve and perform the duties of the Fulton County Public Health Director at the pleasure of the Fulton County Board of Supervisors during the six (6) year term specified by New York State Law.
  3. Qualifications  
The qualifications of the Fulton County Public Health Director shall be those as set forth in New York State Law and Sanitary Code, Section 11.182 and/or 11.11.

**SECTION 4. POWERS AND DUTIES**

The Fulton County Public Health Director shall, as chief executive officer of the county Public Health Department will have all of the general powers and duties described as follows:

1. Plan, direct, and administer local public health programs based on a Community Health Assessment and Municipal Public Health Services Plan approved by County administration and New York State Department of Health; enforce state and local health laws, regulations and standards; and ensure agency compliance with the above.

2. Interact with federal, state and local government officials, boards and advisory councils, medical, scientific and other professionals, lay groups and individuals.
3. Develop and manage the local health department budget ensuring appropriate expenditures of public funds through efficient operation of programs; this includes responsibility for contract and grant development and management including negotiation of service contracts with other government agencies and community organizations, oversight of the reimbursement system and budget forecasting.
4. Develop and enforce department operating policies and procedures in consultation with local governing authorities, the New York State Department of Health, professional staff of the local county health department, federal government agencies and in accordance with all applicable laws, rules and regulations.
5. Shall have the power and authority to appoint and remove subordinate employees within the Public Health Department.
6. Supervise medical consultant(s) for the agency.
7. Provide direct leadership and legal health authority for all local public health policies to address the health care needs of diverse communities.
8. Provide information and consultation on health issues to the county administration, general public and health care providers.
9. Conduct evaluation of the efficacy and efficiency of public health programs.
10. Plan and direct analytic and research studies as appropriate.
11. All such other duties as shall be prescribed or enumerated by the Board of Supervisors.



**Resolution No. 215**

Supervisors GROFF offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING RELOCATION OF THE CITIZENS IN  
COMMUNITY SERVICES OFFICE TO THE PROBATION DEPARTMENT  
BUILDING**

WHEREAS, the Probation Department interacts with the Citizens in Community Services Office and Alternatives to Incarceration (CICS/ATI) program on a frequent basis; and

WHEREAS, the County contracts with the Citizens in Community Services Agency to operate its Citizens in Community Services programs, including Alternatives to Incarceration, Community Restitution and Youth Community Service placement; and

WHEREAS, the Probation Department has available office space with telephone and computer access, that could accommodate the CICS/ATI Agency; and

WHEREAS, co-locating the CICS Agency with the Probation Department will promote efficiency and economy in delivering county services; now, therefore be it

RESOLVED, That upon the recommendation of the Probation Director and Committees on Public Safety and Buildings & Grounds/ Highway, the Board of Supervisors hereby approves co-locating the CICS/ATI Agency with the Probation Department as soon as feasible to promote effective service delivery to the community; and, be it further

RESOLVED, That the Probation Director, CICS Administrator, CICS Board of Directors, Information Services Director and Superintendent of Highways and Facilities do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Probation Director, CICS Administrator, Information Services Director, Superintendent of Highways and Facilities and Administrative Officer/Clerk of the Board.

Seconded by Supervisor RICE and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 216**

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

RESOLUTION WAIVING THE START RATE FOR THE FIRST ASSISTANT DISTRICT ATTORNEY POSITION (2016)

WHEREAS, the First Assistant District Attorney position in the District Attorney's Office remains vacant following substantial advertising; and

WHEREAS, the Committees on Public Safety, Personnel and Finance recommended that the Board of Supervisors waive the start rate for the First Assistant District Attorney position in order to attract qualified candidates; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety, Personnel and Finance, the District Attorney be and hereby is authorized to advertise for a First Assistant District Attorney at the permanent one-year rate as identified in the Non-Union Salary schedule, in this instance only; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 217**

Supervisors GROFF offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR BURN BUILDING RENOVATION PROJECTS AT THE FIRE TRAINING CENTER (2016 CAPITAL PLAN)**

WHEREAS, the 2016 Capital Plan identifies a Burn Building Renovation Project at the Fire Training Center; and

WHEREAS, the Committee on Public Safety recommends advertising for bids for the “Burn Building Renovation Projects”; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for the “Burn Building Renovations Projects” (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, July 20, 2016, 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, Civil Defense Director/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 218**

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

**RESOLUTION AUTHORIZING CONTRACT WITH ADMIT COMPUTER, INC. FOR  
IMPACT SOFTWARE TRAINING**

WHEREAS, Resolution 103 of 2014 accepted a 2013 Statewide Interoperable Communications Grant in the amount of \$2,327,780.00 to upgrade the County's Digital Microwave Radio system; and

WHEREAS, Resolution 119 of 2010 authorized a contract with Impact Computer Services for Computer Aided Dispatch and Records Management System in the Sheriff's Department to support emergency dispatch services; and

WHEREAS, training is needed for dispatch and emergency management personnel on the use of the Impact software and reporting system; now, therefore be it

WHEREAS, funds for consultant services for training and exercises were included in said grant; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract between the Fulton County Civil Defense/Fire Coordinator's Office and Admit Computer, Inc., of Farmingdale, NY for Impact Software Training effective immediately at a cost not to exceed \$2,601.00; and, be it further

RESOLVED, That the 2016 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase H.3640.3020-3397.0680	REV-State Aid-Public Safety	\$2,601.00
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Appropriation:

Increase H.3640.3020-2100.0680	EXP-Statewide Interoperable Communications	\$2,601.00
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RESOLVED, That said contract is subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 219**

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

RESOLUTION AUTHORIZING A MAINTENANCE CONTRACT BETWEEN FULTON COUNTY CIVIL DEFENSE/FIRE COORDINATOR AND R.S TELECOM FOR FULTON COUNTY'S DIGITAL MICROWAVE RADIO SYSTEM (2016)

WHEREAS, Resolution 103 of 2014 accepted a 2013 Statewide Interoperable Communications Grant in the amount of \$2,327,780.00; and

WHEREAS, funding for a new digital microwave system was included in the grant funding; and

WHEREAS, Resolution 245 of 2014 authorized a contract with Light Speed Technologies (Alcatel-Lucent) for Interoperable Radio Communications Project in the amount of \$427,927.00; and

WHEREAS, inasmuch as the new microwave system has been installed, the Civil Defense Director/Fire Coordinator is recommending a maintenance contract with Alcatel-Lucent's certified installer R. S. Telecom to provide maintenance and support services for the Fulton County digital microwave system; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract between the Fulton County Civil Defense/Fire Coordinator's Office and R.S. Telecom of Rutland, VT, for a maintenance contract for Fulton County's Digital Microwave Radio System effective June 15, 2016 through December 31, 2016 at a cost not to exceed \$14,000.00; and, be it further

RESOLVED, That the 2016 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase H.3640.3020-3397.0680 REV-State Aid-Public safety Capital Projects \$14,000.00

Appropriation:

Increase H.3640.3020-2100.0680 EXP-Statewide Interoperable Communications \$14,000.00

and, be it further

**Resolution No. 219 (continued)**

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 220**

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

**RESOLUTION AUTHORIZING A CONTRACT WITH PRIORITY ONE REFRIGERATION FOR THE INSTALLATION OF AN AIR CONDITIONING SYSTEM IN THE RADIO EQUIPMENT ROOM AT COUNTY COMPLEX I (SHERIFF'S DEPARTMENT)**

WHEREAS, the Civil Defense Director/Fire Coordinator is requesting a contract with Priority One Refrigeration for the installation of an air conditioning system for the Radio Room and Uninterrupted Power Supply closet at County Complex I, because excessive heat and humidity can cause malfunctioning of equipment vital to the 911 Center, Digital Microwave System and the County Fire, EMS, law enforcement and Highway Department radio systems; now, therefore be it

RESOLVED, That upon the recommendation of the Civil Defense Director/Fire Coordinator and the Committees on Public Safety and Finance, the Chairman of the Board be and hereby is authorized to sign a contract with Priority One Refrigeration of Mayfield, NY, for the installation of an air conditioning system in the Radio Equipment Room/UPS Closet at County Complex I, at a cost not to exceed \$9,800.00; and, be it further

RESOLVED, That the 2016 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A.3110.3020-1760 REV-Enhanced 911 Surcharges	\$9,800.00
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Appropriation:

Increase A.3110.3020-2000 EXP-Fixed Asset	\$7,860.00
Increase A.3110.3020-4130 EXP-Contractual	\$1,940.00

and, be it further

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

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

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 221**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION SUPPORTING SENATE BILL S.4964A AND ASSEMBLY BILL A.8201 TO INCREASE THE SHARE OF REVENUE COUNTIES RETAIN FOR PROVIDING CERTAIN DMV SERVICES**

WHEREAS, 51 of the 62 counties in New York State are mandated by the state to operate a local Department of Motor Vehicles (DMV) office; and

WHEREAS, the Fulton County DMV is one of the many examples of shared services that counties provide for the state; and

WHEREAS, under current law, the State of New York retains 87.3 percent of all fees collected from Fulton County from the work performed by the county-operated DMV transactions despite the county providing the face-to-face services, including overhead and staffing to fulfill its state-mandated obligations; and

WHEREAS, the 12.7 percent fee retention rate for Fulton County has not been increased since 1999, while the amount of work required by the local DMV has increased; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby urges the New York State Senate and Assembly to approve legislation in the form of Senate Bill S.4964A and Assembly Bill A.8201, to increase the share of revenue counties retain for providing certain DMV services; from 12.7 percent to 25 percent; and, be it further

RESOLVED, That a copy of this Resolution be forwarded to the County Treasurer, County Clerk, Governor Andrew Cuomo, Senator Hugh Farley, Assemblyman Marc Butler, Fulton Montgomery Regional Chamber of Commerce, 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 CALLERY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0





**Resolution No. 223**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR PAPER SUPPLIES FOR  
USE IN THE INFORMATION SERVICES/PRINTING DEPARTMENT**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of paper for use in the Information Services/Printing Department (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 the 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, July 6, 2016, 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, Information Services/Printing Director, Printing Division and Clerk of the Board/Purchasing Agent.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 224**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION REGISTERING CONCERN REGARDING FINANCIAL  
IMPLICATIONS OF NEW YORK STATE MANDATE RELATED TO VOLUNTEER  
FIREFIGHTER ILLNESSES**

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC) has reviewed the Senate Bill S.03891 and Assembly Bill A.05518; and

WHEREAS, NYSASIC, the professional organization representing the majority of self-insured counties and many other municipalities in the State of New York, strongly opposes said legislation due to the financial consequences it holds for municipal taxpayers; and

WHEREAS, said proposed legislation provides that in the event that an individual passes his or her physical examination upon entry into firefighter service and then is subsequently diagnosed with cancer or any other type of related illnesses, said illness is presumed to have arisen in the performance of that individual's duties as a volunteer firefighter; and

WHEREAS, many of the conditions covered by the proposed legislation may be present and remain undiagnosed even though an individual may be admitted into firefighter service; and

WHEREAS, such legislation would place a financial burden on county taxpayers and could potentially bankrupt municipal Self-Insurance Plans; now, therefore be it

RESOLVED, That Fulton County Board of Supervisors hereby registers its strong concern regarding the financial implications of Senate Bill S.03891 and Assembly Bill A.05518 and urges their defeat in their current form; and, be it further

RESOLVED, That a copy of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senator Hugh Farley, Assemblyman Marc Butler, Fulton Montgomery Regional Chamber of Commerce, 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 HANDY and adopted by the following vote:

TOTAL: Ayes: 20    Nays: 0

**Resolution No. 225**

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; 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:

*Social Services:*

Chair (0007484)

Chair (0004833)

Typewriter (0003111)

Typewriter (0003222)

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, Commissioner of DSS, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 226**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING THE DATE OF A PUBLIC HEARING REGARDING THE  
PROPOSED 2016-2017 FMCC BUDGET

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors' Chambers in the County Building, Johnstown, New York, on Monday, July 11, 2016, at 1:30 p.m. for the purpose of holding a public hearing on the tentative budget for Fulton-Montgomery Community College as related to the financial share and obligation of Fulton County for the fiscal year beginning September 1, 2016, pursuant to Chapter 631 of the Laws of 1965; and, be it further

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

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 227**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ENDORSING THE CONCEPT OF A PROPOSED “ALLEN HOUSE” ADMINISTRATIVE AND COMMUNITY CENTER CAPITAL PROJECT AT FMCC AND AUTHORIZING A REQUEST FOR PROPOSALS FOR ENGINEERING DESIGN SERVICES

WHEREAS, Fulton-Montgomery Community College’s 2012-2018 Master Plan includes the development of a new “Campus Welcome Center/Administration Building”; and

WHEREAS, the FMCC, through its Foundation, received a private donation of \$2 million from the Estate of Frances Allen for unrestricted use at the College; and

WHEREAS, the FMCC Board of Trustees is proposing to use \$1 million from said Allen donation” and will seek \$1.3 million from SUNY in matching funds to build the “Allen House” Administrative and Community Center at no cost to Fulton or Montgomery County for said project; and

WHEREAS, said project requires Resolutions from both Fulton and Montgomery County to qualify for funding through SUNY; and

RESOLVED, That the Board of Supervisors hereby endorses the concept of a proposed “Allen House” Administrative and Community Center Project; and, be it further

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to distribute a Request for Proposals from Architects/Engineers to obtain cost proposals to prepare design plans for the “Allen House” Administrative and Community Center Project (and according to further specifications which may be obtained at the office of the Purchasing Agent, Supervisors’ Chambers, Room 203, County Building, Johnstown, NY, 12095, during the usual business hours); and, be it further

RESOLVED, That such proposals must be addressed to Jon R. Stead, Purchasing Agent, Supervisors’ Chambers, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, August 3, 2016; and, be it further

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

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

**Resolution No. 227 (Continued)**

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 228**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ENDORSING THE CONCEPT OF SELLING FMCC LAND TO THE  
FULMONT COLLEGE ASSOCIATION TO DEVELOP NEW STUDENT HOUSING AS A  
COMPONENT OF THE GLOBAL VILLAGE PROJECT**

WHEREAS, all land at the Fulton-Montgomery Community College is jointly owned by Fulton and Montgomery Counties; and

WHEREAS, New York State Education Law does not allow Community Colleges to directly fund the costs of constructing and operating student housing; and

WHEREAS, the Fulmont College Association (FCA), a separate subsidiary of the College, owns and operates two (2) student housing projects; and

WHEREAS, the FMCC Foundation purchased land on the east side of Bendick Corners Road for the FMCC Global Village Project, including the development of additional student housing; and

WHEREAS, because a significant amount of wetlands have been identified on said land, the FCA is now proposing to build the student housing on FMCC land owned by the Counties at the intersection of Bendick Corners Road and NYS Route 67; and

WHEREAS, the FMCC Board of Trustees has endorsed said new proposal and has requested that the sponsor counties sell FMCC land to the FCA for said additional student housing; now, therefore be it

RESOLVED, That the Board of Supervisors hereby endorses the concept of selling 8.2+ acres of FMCC land to the Fulmont College Association to develop approximately 96 units of additional student housing to benefit the College and its students; and, be it further

RESOLVED, That the County Attorney's in both Fulton and Montgomery County hereby prepare the necessary documents required for this transaction for submission back to the Boards of both counties for final approval; and, be it further



**Resolution No. 228 (Continued)**

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney in Fulton County, County Attorney in Montgomery County, Montgomery County Legislature, Fulton-Montgomery Community College, FMCC Foundation, Fulmont College Association, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 229**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN  
FULTON-MONTGOMERY COMMUNITY COLLEGE, FULTON COUNTY,  
MONTGOMERY COUNTY AND FMCC BUILDINGS AND GROUNDS UNIT

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, hereby approves the official Memorandum of Agreement, as attached hereto, between Fulton-Montgomery Community College, Fulton County, Montgomery County and FMCC Buildings and Grounds Unit, CSEA, Inc., AFSCME, Local 1000, AFL-CIO, for the period from and as of September 1, 2016 through August 31, 2019; 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 further the purport of this Resolution; and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

## MEMORANDUM OF AGREEMENT

**By and Between Fulton-Montgomery Community College and  
the Buildings and Grounds Unit CSEA Inc, AFSCME, Local 1000, AFL-CIO  
as prepared March 22, 2016**

- I. Subject to ratification by the members of the Buildings and Ground Unit of the Civil Service Employees Association, the Board of Trustees of Fulton-Montgomery Community College, the Legislatures of Fulton County and the Legislatures of Montgomery County, the representatives of the respective parties agree to a successor agreement effective September 1, 2016 through August 31, 2019 as follows:
- II. Wage and Salary schedule to be increased one and a half percent (1.50%) for each year of the agreement; September 1, 2016 – August 31, 2019.
- III. Amend Article IV.E. Longevity as follows:
  - a. \$150 starting in the seventh (7<sup>th</sup>) year.
  - b. \$200 starting in the sixteenth (16<sup>th</sup>) year.
  - c. \$250 starting in the twenty first (21<sup>st</sup>) year.
- IV. Amend Article VI. Fringe Benefits to add item “T” Uniforms. Permanent employees of the Buildings and Grounds Unit will receive information as follows:
  - a. College will provide uniforms (pants, shirts, boots and jackets).
  - b. College will replenish uniforms when worn out or damaged due to normal wear and tear.
  - c. Employee will wear uniforms only when on duty.
  - d. Employees will be responsible for cleaning uniforms.
  - e. Employees will not alter uniforms.

**Resolution No. 230**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACT WITH BRUCE ELLSWORTH FOR  
ACCOUNTANT CONSULTING SERVICES IN THE COUNTY TREASURER'S OFFICE**

WHEREAS, Bruce Ellsworth retired from his position as Fulton County Treasurer effective December 14, 2008; and

WHEREAS, the Committee on Finance recommends contracting with Mr. Ellsworth for specialized accountant consulting services related to the close-out of 2015 year-end accounting records; now, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Bruce Ellsworth, of Northville, NY, to provide accountant consulting services to the County Treasurer, at a rate of \$40.00 per hour not to exceed \$2,000.00, effective immediately through December 31, 2016; 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 is hereby directed to make the following transfer:

From: A.1325.1325-4210 EXP – Training and Conference  
To: A.1325.1325-4090 EXP – Professional Services  
Sum: \$1,910.00

and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0

**Resolution No. 231**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS**

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

Information Services

From: A.1680.1680-4030 – EXP – Repairs  
To: A.1680.1680-4530 – EXP – Supplies  
Sum: \$1,200.00

Workers Compensation

From: MS.9040.9901-5000 – EXP – Transfer to Reserve  
To: MS-0853 – Workers Comp - Reserve  
Sum: \$100,000.00

and, be it further

RESOLVED, That the 2016 Adopted Budget be and hereby is amended, as follows:

Treasurer

Revenue:

Increase A.1000.5630-3594 REV-State Aid-Buses & Other \$40,000.00  
Mass Transportation Projects

Appropriation:

Increase A.1000.5630-4130 EXP-Contractual \$40,000.00

and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 20 Nays: 0