

SECOND REGULAR SESSION

Johnstown, NY

February 13, 2017

Roll Call – Quorum Present

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

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

Chairman Kinowski called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance to the Flag, Chairman Kinowski asked if there was anyone from the public who wished to address the Board. No one from the public came forward and Chairman Kinowski then invited Mr. Ronald Peters to come forward as an invited speaker.

INVITED SPEAKER

Mr. Ronald Peters, President, Fulton County Center for Regional Growth provided an overview of the 2016 Annual Report for the Fulton County Center for Regional Growth, including major highlights. (Mr. Peters placed copies of the report on all Supervisors desks).

(Supervisor Waldron arrived at 1:03 p.m.)

Chairman Kinowski thanked Mr. Peters for his report. Chairman Kinowski then asked for the reading of the Communications and Reports.

COMMUNICATIONS

1. Communication from Chemung County Legislature
Subj: Res. No. 17-045 of 2017 Resolution Calling on Governor Andrew Cuomo and the State Legislature to Plan for Next Generation 911 in New York State and Create a New York State 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services (Supervisors Howard and Lauria requested a copy)
2. Communication from Chemung County Legislature
Subj: Res. No. 17-046 of 2017 Resolution Calling on Governor Andrew Cuomo and the State Legislature to More Equitable and Efficiently Impose the 9-1-1 Surcharge on All Wireless Communication Devices and Use Revenues to Finance Life Saving County 9-1-1- Services (Supervisors Howard and Lauria requested a copy)
3. Letter received from Assemblyman Marc Butler, dated 19 December 2016
Subj: Receipt of Resolution No. 379 of 2016 from Fulton County Supporting Increased Public Access to Various Properties Located Within the Boundaries of the Adirondack State Park. (Supervisors Christopher, Greene, Howard and Lauria requested a copy)

REPORTS

- A. 2016 Annual Report, Fulton County Planning Board.
- B. 2016 Annual Report, Fulton County Department of Solid Waste.

UPDATES FROM STANDING COMMITTEES

(No report updates)

REPORTS OF SPECIAL COMMITTEES

Adirondack Government: Supervisor Morris advised that she attended a meeting in Cold Brook. Topics discussed were tourism in upstate New York, regulations and funding. There was also discussions about what could be done to increase interest in tourism. Another topic discussed was invasive species in our lakes. Ms. Morris also advised that the state is holding up funding for boat washing stations and it would be up to each individual municipality to pay for their own this year. She was proud to say that in her municipality of Caroga, 93 people used the boat washing station last summer.

Inter-County Legislative Committee of the Adirondacks: Supervisor Young advised that the meeting was held on January 26 at the Essex County Government Center. He was appointed Chairman of Inter-County for 2017. He further advised that Brittany Christenson, Executive Director of ADK Action presented a program on the consequences of road salt and its effect on the environment. Inter-County also adopted a Resolution requesting that New York State not eliminate the EMT-CC Level of Certification Emergency Services.

Soil and Water Conservation District: Supervisor Greene advised that the last meeting was held on January 17. The topics discussed were the City of Johnstown bridge replacements, Fulton County site evaluation for hydroseeding and the Town of Stratford bridge site visit. He also advised that the Tree and Shrub Program is underway. The next meeting of Soil and Water Conservation District is February 21.

CHAIRMAN'S REPORT

Chairman Kinowski advised that he attend the NYSAC Conference last week in Albany and found it very informative.

RESOLUTIONS

Mr. Stead, Administrative Officer, explained that there would be a Public Hearing today regarding Proposed Local Law "A" of 2017 to Establish an Occupancy Tax in Fulton County. He further explained that proposed Resolution 64 has suggested revisions regarding a Resolution Amending Proposed Local Law of 2017 regarding Establishing an Occupancy Tax. If approved, another Public Hearing would be needed at the March 13 Board meeting regarding the revised Local Law.

No. 32 (Resolution Authorizing Grant Installation of a Security Door for the Second Floor in the County Office Building): Supervisor Callery asked about the high cost of the door. Mr. Stead explained that the secure door will cost \$10,000.00 and the \$5,000.00 is for costs for securing the outside doors at the County Office Building. He also explained that the second floor work entails a full wall with the security door and electronic access hardware.

No. 61 (Resolution Discontinuing the Contract with Whiteman, Osterman & Hanna for Legal Services to Contest Recoupment of Certain FMAP Funds by the State of New York) (Social Services): Supervisor Callery asked how much loss this was to the County. Mr. Stead responded approximately \$600,000.00. Supervisor Callery commented, “the State got us again – the County lost”.

Chairman Kinowski opened the Public Hearing to receive comments regarding Local Law “A” of 2017, entitled, “A Local Law to Establish an Occupancy Tax in Fulton County” at 1:30 p.m.

James Landrio, General Manager of the Holiday Inn, Johnstown, NY: Mr. Landrio thanked the Board and the advisory committee that was organized to discuss the possibility of an Occupancy Tax in Fulton County. He served on the advisory committee and he thought the process went well and appreciated the comments that were made. He wanted to remind the Board that this is “another tax” on not only business people, but residents in Fulton County. Mr. Landrio commented that the bill was drafted for the Occupancy Tax to be 4 percent; however, he was making a plea that the Board adopt a tax less than 4 percent. He said that surrounding counties started their Occupancy Tax at a lower amount and 4 percent may make Fulton County “non-competitive”. He referenced an editorial that was in the Leader Herald on May 17 “a bed tax will cost us all”. He also advised that a poll was conducted on the Leader Herald’s website and 62 percent were not in favor of a bed tax. He explained that there is some merit in what the County is trying to do and he was not totally against the tax, but the County should be rather cautious in the implementation. He appreciated the opportunity to address the Board and thanked them for their consideration.

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

No. 70 (Resolution Authorizing Grant Application to NYS Office of Indigent Legal Services for Counsel at First Appearance (CAFA) Grant) (Public Defender’s Office): Mr. Stead advised that there are a lot of costs associated with this program if the Governor’s budget is passed as is. Any person under arrest must now have legal counsel at first arraignment any time of day or night.

Supervisor Callery asked what would happen if the State only grants funding for a certain time. Mr. Stead answered that the County would have to pay the associated costs.

Chairman of the Board Kinowski advised that there was a meeting between the Public Defender, District Attorney, Sheriff, local magistrates, himself and Supervisor Groff recently. Chairman Kinowski further advised that he did not think the costs would be that great for the County. Supervisor Groff advised that “down the road”, it would cost the County substantial money.

Mr. Stead advised that Washington County was a pilot county for this new requirement and due to caseload restrictions upon public defenders; they now employ 15 full-time public defenders.

Supervisor Callery asked if NYSAC was advocating on behalf of the County.

Supervisor Groff stated that he agreed with Chairman Kinowski about the plan that the group came up with, but he does not have faith in the State continuing with the funding.

Supervisor Young commented that the State should be responsible for all the Indigent Legal Services expenses. He advised that NYSAC passed a Resolution to have the State assume all the costs associated with the Indigent Legal expense and it was a NYSAC priority.

Supervisor Greene commented that he agreed with Supervisor Callery and explained that with his past history of being the Probation Director, back in the late 1970's and early 1980's, the State Probation Services did operate the Indigent Legal Defense Program and when the cost became too prohibitive, they pushed the expense back on the County. He further commented that the State will do the same this time with indigent defense.

No. 80 (Resolution Revising Contract with ESRI Corporation to Increase Annual Contract Amount) (Real Property): Supervisor Lauria advised that he read through the Finance Committee Minutes and questioned why the Real Property Director had money in his budget that he knew that he was not going to use. He said that he did not like the method used.

Chairman Kinowski again asked if there were any members of the public who wished to make comments regarding the Public Hearing on proposed Local Law "A" of 2017, entitled, "A Local Law to Establish an Occupancy Tax in Fulton County". There being no additional speakers, Chairman Kinowski closed the Public Hearing at 1:58 p.m. and moved forward with the remainder of the Resolutions.

No. 96 (Resolution Authorizing Certain Transfers): Supervisor Callery questioned why the District Attorney was transferring money so early in the year for Utilities-Electric. Mr. Stead explained that it was for the three (3) stationary License Plate Readers placed around the County and the costs were unknown at the time of placement.

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

Upon a motion by Supervisor Callery, seconded by Supervisor Waldron and unanimously carried, the Board adjourned at 2:03 p.m.

Certified by:

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

Resolution No. 31

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

RESOLUTION AUTHORIZING A CLEAN ENERGY COMMUNITY GRANT APPLICATION THROUGH THE MOHAWK VALLEY ECONOMIC DEVELOPMENT DISTRICT FOR AN AIR CONDITIONING PROJECT IN THE COUNTY BUILDING AND OTHER ASSOCIATED ENERGY CONSERVATION PROJECTS

WHEREAS, the Mohawk Valley Economic Development District has announced the availability of the 2017 Clean Energy Community (CEC) Grant process for public infrastructure projects; and

WHEREAS, the Superintendent of Highways and Facilities has proposed to apply for a grant from said CEC program for an Air Conditioning Project at the County Office Building, 223 West Main Street, Johnstown; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committees on Buildings and Grounds/Highway and Finance, the Chairman of the Board be and hereby is authorized to submit an application for a Clean Energy Community Grant for an “Air Conditioning Project in the County Office Building and other Associated Energy Conservation Projects” administered through the Mohawk Valley Economic District in an amount of \$250,000.00; and, be it further

RESOLVEDM That the 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, Planning Director, Mohawk Valley Economic Development District, Clean Energy Community, Budget Director/County Auditor and Administrative Officer/Clerk of the Board

Seconded by Supervisor POTTER and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 32

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

RESOLUTION AUTHORIZING INSTALLATION OF A SECURITY DOOR FOR THE SECOND FLOOR IN THE COUNTY OFFICE BUILDING

WHEREAS, the 2016-2017 contract with the New York State Unified Court System contains Section 486 “Tenant Work” identifying a Second Floor Secure Access Door; and

WHEREAS, Resolution 328 of 2016 authorized a list of Section 686 projects, but requiring additional planning details for said “Second Floor Secure Access Door”; and

WHEREAS, the Committee on Buildings and Grounds/Highway also recommends adding secure access controls at the rear entrances of the County Office Building to create “Employee Only” doors in conjunction with the new Security Door to improve security; and

WHEREAS, the additional work will require adding additional electrical components to the current contract with Linstar at a cost of approximately \$5,000.00; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Buildings and Grounds/Highway, and Finance, the Superintendent of Highways and Facilities is hereby authorized to install additional security measures outlined herein at the County Office Building at a total cost not to exceed \$15,000.00 (\$5,000.00 local County share); and be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 33

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR VARIOUS HIGHWAY
CONSTRUCTION MATERIALS FOR USE IN THE DEPARTMENT OF HIGHWAYS AND
FACILITIES (2017)**

WHEREAS, the Committee on Buildings and Grounds/Highway recommends advertising for bids for various highway construction materials; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of construction materials for use by the Department of Highways and Facilities (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Building, Room 203, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than the dates and times identified below, at which time and place they will be publicly opened and read:

GROUP 1 - Wednesday, March 8, 2017 at 2:00 p.m.:

Acrylic Water Borne Pavement Markings
Bridge Repair
Pneumatically Projected Concrete
Ready Mix Concrete
Lubricants
Vegetation Control

GROUP 2 - Thursday, March 9, 2017 at 2:00 p.m.:

Plant Mixed Patching Material
Coarse Aggregates--Crushed Stone, Crushed Gravel
Asphalt Concrete
Hot Mix Paving

GROUP 3 - Wednesday, March 15, 2017 at 2:00 p.m.:

Corrugated Metal & Polyethylene Pipe
Guide Railing
Cold-In Place Recycling Type I
Cold Planing
In-Place Road Base Stabilization
Abrasives Snow & Ice Control
Cold In-Place Recycling-Hammermill Method
Hot In-Place Recycling

Resolution No. 33 (Continued)

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, Superintendent of Highways and Facilities and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 35

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

RESOLUTION AUTHORIZING AMENDMENT TO THE DSS CUSTODIAL SERVICES
CONTRACT WITH BREZZY'S CLEANING SERVICE TO INCLUDE COUNTY
COMPLEX I AND COMPLEX II (2017)

WHEREAS, Resolution 366 of 2014 awarded the bid for custodial services at the DSS Building to Brezzy's Cleaning Service, Gloversville, NY, for 2015, with option years 2016 and 2017; and

WHEREAS, Resolution 299 of 2016 authorized an extension to said contract for 2017 in the amount of \$30,000.00; and

WHEREAS, the Superintendent of Highways and Facilities recommends amending said contract to include full custodial services at Complex I and Complex II in an amount not to exceed \$20,830.00 effective March 1, 2017 through December 31, 2017; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committees on Buildings and Grounds/Highway, and Finance, the Chairman of the Board be and hereby is authorized to sign an amendment to the contract with Brezzy Cleaning Services, of Gloversville, NY, for Custodial Services at the DSS Building to add County Complex I and County Complex II, effective March 1, 2017 through December 31, 2017, at a cost not to exceed \$20,830.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

From: A.1620.1620-1000-EXP-Payroll	\$20,830.00	
To: A.1620.1620-4130-EXP-Contractual		\$11,200.00
To: A.1620.1621-4130-EXP-Contractual		\$ 9,630.00

and, be it further

RESOLVED, That said contract amendment is contingent upon approval by the County Attorney; and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 36

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PRE-APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION FOR DESIGN OF THE FULTON COUNTY AIRPORT RUNWAY AND TAXIWAY LIGHTING PROJECT (2017 CAPITAL PLAN)

WHEREAS, the 2017 Capital Plan includes an Airfield Lighting and Design Project at the Fulton County Airport; and

WHEREAS, Fulton County received a federal FAA Non-Primary Entitlement Grant to fund 90 percent of the cost of said Airfield Lighting and Design Project at the Fulton County Airport, New York State to fund 5 percent of the cost and the County to provide a local share of 5 percent, for a total project cost of \$100,000.00; and

WHEREAS, in order to obtain the Non-Primary Entitlement Grant Funds, Fulton County must submit a pre-application package for said project to the Federal Aviation Administration (FAA) now; therefore be it

RESOLVED, That upon the recommendation of the Committees on Buildings and Grounds/Highway and Finance, the Chairman of the Board be and hereby is authorized to submit a pre-application package to the FAA to obtain a Non-Primary Entitlement Grant Funds, for the design of the Airport Runway and Taxiway Lighting Project at the Fulton County Airport in amounts as follows:

FAA Gant (90%)	\$90,000.00
State Share (5%)	\$ 5,000.00
<u>County Share (5%)</u>	<u>\$ 5,000.00</u>
	\$100,000.00

and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 37

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

RESOLUTION EXPLORING THE CONCEPT OF PURCHASING SOLAR POWER VIA
A SOLAR FARM AT THE TRYON TECHNOLOGY PARK

WHEREAS, the Fulton County Industrial Development Agency (IDA) hired C.T. Male Associates to conduct an engineering analysis on the feasibility of developing a solar array at the Tryon Technology Park; and

WHEREAS, said engineering analysis concluded that a solar array is feasible at the Tryon Technology Park; and

WHEREAS, the Planning Director recommends researching the advantages and disadvantages of entering a Power Purchase Agreement with Ameresco, Framingham, MA to generate electric power on IDA property at Tryon for resale to County government; and

WHEREAS, the Committees on Building and Grounds/Highway, and Finance recommend exploring the potential benefits and feasibility of Solar Energy Project at the Tryon Technology Park including the advisability of a Power Purchase Agreement for the resulting electricity; now, therefore be it

RESOLVED, That the Board of Supervisors hereby supports exploring the concept of a Solar Energy Project at the Fulton County Airport via a Power Purchase Agreement with Ameresco, Framingham, MA, to generate cost savings through net-metering principles; and, be it further

RESOLVED, That the Board of Supervisors hereby directs the Planning Director to meet with representatives of Ameresco to explore the concept to develop, design and present a final Solar Energy Project at Tryon Technology Park and Power Purchase Agreement as soon as feasible; and, be it further

RESOLVED, That said Power Purchase Agreement, when drafted, will be submitted to this legislative body for final approval and implementation; and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 38

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

**RESOLUTION WAIVING THE RESIDENCY RULE FOR HIRE OF A SENIOR PLANNER
(PLANNING DEPARTMENT)**

WHEREAS, Planning Director is experiencing difficulty filling a Senior Planner position in the Planning Department; and

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

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

RESOLVED, That the County "Residency Rule" be and hereby is waived for the hire of a Senior Planner in the Planning Department in this instance only, contingent upon any successful candidate being required to establish residency within Fulton County within 180 days of said employee's permanent appointment to the Senior Planner Title; and, be it further

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

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

Seconded by Supervisor WILSON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 39

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

RESOLUTION ACCEPTING STATE MATCHING FUNDS FOR 2017 “I LOVE NEW YORK” TOURISM PROGRAM

WHEREAS, Resolution 361 of 2016 authorized submittal of a grant application for “I Love New York” Tourism Matching Funds for 2017 in the amount of \$61,756.00; and

WHEREAS, the County of Fulton has been advised that it has been awarded up to \$60,290.00 for its 2017 Tourism Matching Funds Program; and

WHEREAS, the Committees on Economic Development & Environment and Finance recommend that the County accept the full amount of the grant matching funds; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, hereby accepts 2017 Tourism Matching Funds, in an amount of \$60,290.00 (Fulton County to match its share of \$60,290.00) for 2017; and, be it further

RESOLVED, That the 2017 Adopted Budget be and hereby is amended, as follows:

Decrease: A.1000.0599-0599-REV-Appropriated Fund Balance \$1,466.00

Appropriation Account:

Decrease: A.1000.6410-4935-EXP-County Tourism Development \$1,466.00

and, be it further

RESOLVED, That the Fulton Montgomery Regional Chamber of Commerce, as Fulton County’s Tourism Promotion Agency, do each and every other thing necessary to receive such funds; and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 40

Supervisor Waldron offered the following Resolution and moved its adoption:

**RESOLUTION SETTING A PUBLIC HEARING DATE ON THE EIGHT YEAR REVIEW
OF FULTON COUNTY AGRICULTURAL DISTRICT NO. 1**

WHEREAS, in accordance with the Agriculture and Markets Law of New York State, Fulton County is required to review the boundaries of Agricultural District No. 1 every eight (8) years; and

WHEREAS, Resolution 363 of 2016 authorized commencement of the eight-year review of Agricultural District No. 1 in Fulton County and offered a public comment period for review of the existing boundaries of Agricultural District No. 1; and

WHEREAS, approximately 524 responses were received during the comment period; and

WHEREAS, a revised boundary map and profile of Agricultural District No. 1 has been prepared; and

WHEREAS, the Agricultural and Farmland Protection Board and the Fulton County Planning Board have prepared reports on the proposed revised boundaries of Agricultural District No. 1 and recommend approval of the new boundaries; and

RESOLVED, That a public hearing on the Eight-year Review of Agricultural District No. 1 will be held on Monday, March 13, 2016 at 1:45 p.m., in the Fulton County Board of Supervisors Chambers (Room 201), County Office Building, Johnstown, NY; and, be it further

RESOLVED, That in accordance with the Agriculture and Markets Law of New York State, the County of Fulton shall place a notice in the County's official newspaper and give individual written notice to those municipalities whose territories encompass the District and any proposed modification to the District and to persons as listed on the most recent assessment roll whose land is the subject of the proposed modification, and to the Commissioner of Agriculture and Markets; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, RPTSA Director, 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 GREENE and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 41

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

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH DCG CORPLAN CONSULTING, LLC FOR ADDITIONAL MARKETING SERVICES AS A COMPONENT OF THE COUNTY PUBLIC RELATIONS/AFFAIRS/MARKETING CAMPAIGN (2017 CAPITAL PLAN)

WHEREAS, the 2017 Capital Plan contains a “Public Relations/Affairs/Marketing Campaign” Project intended to continue intensive marketing efforts for Tryon Technology Park and other County-sponsored economic development initiatives during 2017; and

WHEREAS, Resolution 118 of 2014 authorized a contract with DCG Corplan Consulting, LLC to prepare a Targeted Industry Analysis and Marketing Plan for the Tryon Technology Park in the amount of \$139,480.00; and

WHEREAS, said Targeted Industry Analysis Project has been completed; and

WHEREAS, the Planning Director recommends contracting with DCG Corplan for additional specialized commercial/industrial marketing services such as marketing documents and advertising media, website and social media production, and assisting in County special events to promote Tryon Technology Park in 2017; and

WHEREAS, DCG Corplan’s additional work will be utilized for a marketing initiative “Tryon Public Relations/Public Affairs-2017” as a component of the Public Relations/Affairs/ Marketing Campaign within the 2017 Capital Plan; and

RESOLVED, That the Chairman of the Board, be and hereby is authorized to execute an amendment to the original contract with DCG Corplan for additional specialized commercial/industrial marketing services as follows:

<u>Original Contract Amount</u>	<u>Additional Work</u>	<u>Revised Contract Amount</u>
\$139,480.00	\$15,000.00	\$154,480.00

and be it further,

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

Resolution No. 41 (Continued)

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

From: A.1000.9950-9000.1000-EXP-Other-Unrestricted

To: H.8020.6497-2100.0855-EXP-Public Relations/Affairs/Marketing Campaign

Sum: \$100,000.00

and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 42

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

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH GRAMERCY COMMUNICATIONS, LLC FOR PUBLIC RELATIONS/PUBLIC AFFAIRS SERVICES AS A COMPONENT OF THE COUNTY PUBLIC RELATIONS/AFFAIRS/MARKETING CAMPAIGN (2017 CAPITAL PLAN)

WHEREAS, the 2017 Capital Plan contains a “Public Relations/Affairs/Marketing Campaign” Project intended to continue intensive marketing efforts for Tryon Technology Park and other County-sponsored economic development initiatives during 2017; and

WHEREAS, Resolution 200 of 2016 authorized a six (6) month contract with Gramercy Communications, LLC. for a project titled Jump Start Fulton County: Economic Development and Marketing Project within the 2016 Capital Plan 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, the Director of Planning and Administrative Officer recommend an extension of said contract for an additional twelve (12) months during 2017 at a rate of \$3,500.00 per month; now; therefore be it

RESOLVED, That the Chairman of the Board be and hereby is, authorized to execute an amendment to the original contract with Gramercy Communications, LLC for a marketing initiative titled “Jump Start Fulton County: Public Relations/Public Affairs-2017” as a component of the Public Relations/Affairs/Marketing Campaign within the 2017 Capital Plan; at a rate of \$3,500.00 per month, not to exceed \$42,000.00; subject to the approval of the County Attorney; and, be it further

RESOLVED, That said cost shall be charged to H.8020.6497-2100.0855 EXP – Public Relations/Affairs/Marketing Campaign; 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 BORN and adopted by the following vote:

Ayes: 525 (19) Nays: 25 (1) (Supervisor Young)

Resolution No. 43

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

RESOLUTION SETTING A PUBLIC HEARING DATE REGARDING THE DRAFT
MAP, PLAN AND REPORT FOR PROPOSED FULTON COUNTY WATER DISTRICT
NO. 2

WHEREAS, the Fulton County Board of Supervisors has determined that it is in the interest of the residents of Fulton County to establish public water services along Hales Mills Road Extension in the Town of Johnstown; and

WHEREAS, the Fulton County Water and Sewer Agency, via a cooperative inter-municipal agreement (SMART Waters Agreement) with the City of Gloversville, has sufficient capacities and ability to supply public water service to the proposed district; and

WHEREAS, NYS County Law Article 5-A authorizes Fulton County to establish county water and sewer districts, which districts are further authorized to purchase water and sewer services for resale within the district; now, therefore be it

RESOLVED, That a public hearing shall be held on Monday, March 13, 2017 at 2:15 p.m., in the Board of Supervisors Chambers, Johnstown, NY, to receive public comments on the proposed establishment of Fulton County Water District No.2; 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 said matters pursuant to and in accordance with Section 254 of the County Law, and that said notice shall be published once in the official newspaper of this County, not less than ten (10) days or more than twenty (20) 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, All Affected Departments, Planning Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor LAURIA and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 44

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION CLASSIFYING THE PROPOSED CREATION OF FULTON COUNTY WATER DISTRICT NO. 2 ALONG HALES MILLS ROAD EXTENSION AS A TYPE 1 ACTION AND PROPOSING THAT THE BOARD OF SUPERVISORS SERVE AS LEAD AGENCY FOR THE SEQRA PROCESS

WHEREAS, Resolution 505 of 2015 authorized Environmental Design Partnership (EDP) to prepare a Map, Plan and Report for creation of County Water District No. 2 for the Hales Mills Road Extension Area; and

WHEREAS, a Part 1 Full Environmental Assessment Form (EAF) has been prepared for the proposed action and the following entities have been identified as Involved Agencies:

- NYS Department of Health (NYSDOH)
- NYS Department of Agriculture and Markets

now, therefore be it

RESOLVED, that the Board of Supervisors hereby proposes that it act as the Lead Agency for the purpose of conducting a Coordinated SEQRA review of the proposed action and for issuing a determination of significance under SEQRA; and be it further

RESOLVED, that the Board of Supervisors hereby classifies the proposed action as a Type 1 action; and be it further

RESOLVED, that the Planning Director is hereby authorized and directed to distribute a copy of the EAF and draft Map, Plan and Report to all Involved Agencies asking for each Agency's consent to the Board of Supervisors serving as SEQRA Lead Agency and comments regarding the project; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, All Involved Agencies, Town of Johnstown, Planning Director, Administrative Officer/Clerk of the Board and to each and every institution or agency which will further the purport of this resolution.

Seconded by Supervisor CHRISTOPHER and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 46

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

RESOLUTION AUTHORIZING AMENDMENT TO THE CONTRACT WITH BARTON & LOGUIDICE ENGINEERS FOR PHASE V LANDFILL EXPANSION CONSTRUCTION ADMINISTRATION (2017 CAPITAL PLAN)

WHEREAS, Resolution 331 of 2016 authorized a contract with Barton & Loguidice Engineers for Phase V Landfill Expansion Design Work (2016 Capital Plan); and

WHEREAS, all required components of the engineering and design project resulted in production of bid specifications for construction; and

WHEREAS, it is the recommendation of the Interim Solid Waste Director to amend the current contract with Barton & Loguidice Engineers to add Construction Administration on the Phase V Landfill Expansion Project at a cost not-to-exceed \$362,000.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is, authorized to execute an amendment to the Contract with Barton & Loguidice, Engineers, PC. of Albany, NY to perform Construction Administration for the Phase V Landfill Expansion Project at a cost not-to-exceed \$362,000.00; subject to the approval of the County Attorney; and be it further

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

From: CL-0898.0879-CL Landfill Depreciation
To: CL-0909-Unreserved Fund Balance
Sum: \$362,700.00

From: CL.1000.9950-9000- EXP-Transfers
To: H.8160.8162-2100.0840-EXP-Phase V Landfill Expansion
Sum: \$362,700.00

and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 47

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

RESOLUTION AUTHORIZING AMENDMENT TO THE 2017 CAPITAL PLAN TO
REPLACE A TRACTOR TRUCK WITH TWO (2) REFURBISHED COMPACTOR
RECYCLING TRUCKS FOR USE IN THE SOLID WASTE DEPARTMENT
(2017 CAPITAL PLAN)

WHEREAS, the 2017 Capital Plan identifies one (1) Tractor Truck for use in the Solid Waste Department; and

WHEREAS, the Interim Director of Solid Waste and Operations Consultant recommend postponing the Tractor Truck until 2018 and purchasing two (2) Refurbished Compactor Style Recycling Trucks under the 2017 Capital Plan to implement single stream recyclable collections; now, therefore be it

RESOLVED, That the 2017 Capital Plan be, and hereby is amended to replace a Tractor Truck with two (2) Refurbished Compactor-style Recycling Trucks for purchase in 2017; and, be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 48

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

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR TWO (2)
REFURBISHED COMPACTOR RECYCLING TRUCKS FOR USE IN THE SOLID
WASTE DEPARTMENT (2017 CAPITAL PLAN)

WHEREAS, the 2017 Capital Plan identifies one (1) Tractor Truck for use in the Solid Waste Department; and

WHEREAS, the Interim Director of Solid Waste and Operations Consultant recommend postponing the Tractor Truck until 2018 and purchasing two (2) Refurbished Compactor Style Recycling Trucks under the 2017 Capital Plan to implement single stream recyclable collections; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of two (2) Refurbished Compactor Style Recycling Trucks to implement single stream recyclable collection for use at Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Building, Room 203, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Building, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday March 22, 2017, 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, Interim Solid Waste Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 49

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR DIESEL FUEL
FOR USE BY THE SOLID WASTE DEPARTMENT**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of diesel fuel for the fuel dispensing system located at the Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Office Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That said bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, February 22, 2017; 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, Solid Waste Interim Director, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by Supervisor LAURIA and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 50

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND ORIGIN CLIMATE, INC. FOR THE SALE OF CARBON CREDITS

WHEREAS, Resolution 303 of 2016 authorized a contract with Environmental Capital, LLC to market Fulton County Landfill gas-to-energy plant carbon credits; and

WHEREAS, Environmental Capital, LLC marketing efforts have identified purchaser Origin Climate, Inc. of San Francisco, CA, said firm having proposed to enter a purchase agreement for County carbon credits related to the period January 1, 2015 through December 31, 2016 with potential options for 2017 and 2018; now, therefore be it

RESOLVED, That upon the recommendation of the Interim Solid Waste Director and Committees on Economic Development & Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and Origin Climate, Inc. of San Francisco, CA, for the sale of projected Fulton County landfill gas-to-energy plant carbon credits, as follows:

<u>Voluntary Carbon Units (VCU)</u>		<u>Price Per VCU</u>
2015	Unlimited	\$2.40
2016	Unlimited	\$2.40

and, be it further

RESOLVED, That said contract is contingent upon approval by the County’s Special Legal Counsel for environmental issues; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Environmental Capital, Origin Climate, Inc., Miller, Mannix, Schachner and Hafner, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 51

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND THE LEADER HERALD FOR ANNUAL NEWSPAPER ADVERTISING (2017)

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and *The Leader Herald*, of Gloversville, NY for annual newspaper advertising, commencing January 1, 2017 through December 31, 2017, at a cost of \$12.65 per column inch; 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, Solid Waste Interim Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 52

Supervisor GREENE offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING MEAL EXPENSES FOR CERTAIN SCHEDULED EVENTS
IN THE OFFICE FOR AGING AND YOUTH BUREAU (2017)**

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

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

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

Aging Events:

- Monthly Caregiver Support Group Meetings
- Periodically at Office for Aging Advisory Council Meetings
- Connecting our Generations Community Event at FMCC – April
- NYConnects Community Event - June
- Hat’s Off to Caregivers Event - November
- Periodic Outreach events throughout the year
- Office for Aging 30th Senior Picnic – August 3, 2017

Youth Events:

- “Lead by Example” Youth Award Reception/Event
- Periodically at Youth Bureau Advisory Board Meetings

now, therefore be it

RESOLVED, That the OFA Director/Youth Bureau Director is hereby authorized to include light meals, light refreshments and room rental, if necessary, as part of planning for the aforementioned sessions during 2017, subject to said costs being in accordance with State and/or Federal agency guidelines; and, be it further

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

Seconded by Supervisor HANDY and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 53

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

RESOLUTION REVISING A CONTRACT WITH MONTGOMERY COUNTY TO INCREASE RATES FOR VETERANS TRANSPORTATION

WHEREAS, Resolution No. 433 of 2016 authorized an Agreement Between the Fulton County Veterans Service Agency and Montgomery County Veterans Service Agency for Transportation Services in 2017; and

WHEREAS, said Resolution specified a rate of \$25.00 each way with a total not-to-exceed cost of \$9,000.00 for transportation services for Fulton County Veterans to and from the Veterans' Medical Center, Albany, NY; and

WHEREAS, the Fulton County Veterans Director has requested that the rate for transportation service for Fulton County Veterans be raised to \$30.00 each way; now, therefore be it

RESOLVED, That upon the recommendation of the Director of Veterans Services Agency and Committees on Human Services and Finance, the Chairman of the Board be and hereby is authorized to sign a revised contract with the Montgomery County Veterans Service Agency January 1, 2017 through December 31, 2017, at a total not-to-exceed of \$9,000.00 (per trip rate of \$30.00 each way); all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That said revised contract is contingent upon approval by the County Attorney; and be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 54

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

RESOLUTION AWARDING BID TO BROWN TRANSPORTATION FOR
TRANSPORTATION TO WHISPERING PINES PRE-SCHOOL (ROUTE 9) FOR THE
CHILDREN WITH HANDICAPPING CONDITIONS TRANSPORTATION PROGRAM
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 18 of 2017 Advertised for Bids for an Additional Route for Children with Handicapping Conditions Transportation Program to Whispering Pines Pre-School (Route 9) and one (1) bid was received; now, therefore be it

RESOLVED, That the bid, hereinafter specified, for the transportation of children with handicapping conditions to Whispering Pines Pre-School (Route 9) be and hereby is accepted, as reviewed and recommended by the Public Health Director and Purchasing Agent; they being the lowest responsible bidder in accordance with Specifications No. 2017-40-01, dated January 6, 2017:

<u>Bidder</u>	<u>Program Site/Route</u>	<u>Est. Daily Site Rte. Cost</u>
Brown Transportation	Whispering Pines Pre-School	\$218.00

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 55

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

RESOLUTION AUTHORIZING ACCEPTANCE OF 2016-2017 CHILDHOOD LEAD
POISONING PREVENTION GRANT FROM THE NYS DEPARTMENT OF HEALTH
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, the Fulton County Public Health Director recommends an agreement for acceptance of 2016-17 Childhood Lead Poisoning Prevention Grant from the NYS Department of Health; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and NYS Department of Health to accept a Childhood Lead Poisoning Prevention Grant, in an amount of \$48,665.00, for the period beginning October 1, 2016 through September 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, Public Health Director, NYS Department of Health, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 56

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

RESOLUTION AUTHORIZING ACCEPTANCE OF 2016-2017 EARLY INTERVENTION ADMINISTRATION GRANT FROM THE NYS DEPARTMENT OF HEALTH (PUBLIC HEALTH DEPARTMENT)

WHEREAS, the Fulton County Public Health Director recommends an agreement for acceptance of 2016-17 Early Intervention Administration grant from the NYS Department of Health; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and NYS Department of Health to accept a Early Intervention Administration, in an amount of \$22,398.00, for the period beginning October 1, 2016 through September 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, Public Health Director, NYS Department of Health, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor CHRISTOPHER and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 57

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

RESOLUTION AUTHORIZING ACCEPTANCE OF 2017-2018 IMMUNIZATION GRANT FROM THE NYS DEPARTMENT OF HEALTH (PUBLIC HEALTH DEPARTMENT)

WHEREAS, the NYS Department of Health has offered grant funds for immunization services in the Public Health Department; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and the NYS Department of Health for Immunization Action Plan grant funds, in an amount not to exceed \$32,406.00, for the period April 1, 2017 through March 31, 2018; said agreement subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 58

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

RESOLUTION ACCEPTING YEAR 2 (PHASE 2) GRANT FUNDS FROM NORTH COUNTY DSRIP FOR THE TELEHEALTH PILOT INITIATIVE (PUBLIC HEALTH)

WHEREAS, Resolution 277 of 2016 Accepted Initial Engagement Grant Funds from North County DSRIP for Telehealth Planning and Implementation for the Public Health Department and Office for Aging in the total amount of \$20,000.00; and

WHEREAS, Fulton County is to receive \$16,900.00 in Year 2 (Phase 2) grant funds under an agreement with North County Delivery System Reform Incentive Payment (DSRIP) program for Telehealth Pilot Initiative; and

WHEREAS, said DSRIP funding is administered by the Adirondack Health Institute for distribution to the Public Health Department and the Office for Aging; and

WHEREAS, said funding will be used to implement the Fulton County Telehealth Pilot Initiative; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign agreements between the Public Health Department and Office for Aging and North County DSRIP to accept Year 2 (Phase 2) Engagement Funds in the amount of \$16,900.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the Public Health Director is directed to return to the Board for final approval before expending any funds for the Telehealth Pilot Initiative; and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 59

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

RESOLUTION AUTHORIZING A CONTRACT WITH BROADALBIN-PERTH CENTRAL SCHOOL DISTRICT TO PROVIDE PRE-SCHOOL ED (3-5) ITINERANT SPECIAL EDUCATIONAL SERVICES (2017)

WHEREAS, Resolution 440 of 2016 authorized Contracts Between the County of Fulton and Independent Contractors for Preschool Ed 3-5 Itinerant Related Services in 2017; and

WHEREAS, the Public Health Director is requesting to add Broadalbin-Perth Central School to said list of providers; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract with Broadalbin-Perth Central School for Pre-School Ed 3-5 Itinerant Related Services in 2017, in accordance with the adopted fee schedule in Resolution 440 of 2016; and, be it further

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

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

Seconded by Supervisor BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 60

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

RESOLUTION WAIVING RESIDENCY RULE FOR HIRE OF A PUBLIC HEALTH EDUCATOR (PUBLIC HEALTH DEPARTMENT)

WHEREAS, Public Health Director is experiencing difficulty filling a Public Health Educator position (Union Job group A-15A) in the Public Health Department; and

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

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

RESOLVED, That the County "Residency Rule" be and hereby is waived for the hire of a Public Health Educator in the Public Health Department; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 61

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

RESOLUTION DISCONTINUING THE CONTRACT WITH WHITEMAN, OSTERMAN & HANNA FOR LEGAL SERVICES TO CONTEST RECOUPMENT OF CERTAIN FMAP FUNDS BY THE STATE OF NEW YORK (SOCIAL SERVICES)

WHEREAS, Resolution 318 of 2014 authorized a contract with Whiteman, Osterman & Hanna for Legal Services to Contest Recoupment of Certain FMAP Funds by the State of New York for the Social Services Department; and

WHEREAS, the law firm of Whiteman, Osterman & Hanna pursued litigation against the State of New York for said FMAP funds on behalf of several counties; and

WHEREAS, the State of New York denied the demand for payment and contested the various counties' claims through appeals; and

WHEREAS, the Commissioner of Social Services has received a letter stating that that the Court of Appeals recently ruled in favor of the State and there will be no further appeals on the part of the law firm; now, therefore be it

RESOLVED, That the contract between the County of Fulton and Whiteman, Osterman & Hanna for legal services to contest recoupment of certain FMAP funds by the State of New York be and hereby is discontinued due to the fact that no further appeals will be pursued; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Whiteman, Osterman and Hanna, Social Services Commissioner, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 63

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

RESOLUTION AUTHORIZING A CONTRACT WITH EASTERN MEDICAL SUPPORT FOR DRUG AND ALCOHOL TESTING (SOCIAL SERVICES) (2017)

WHEREAS, During the last several years, the Department of Social Services has experienced an increase in the number of child protective reports received related to parents' drug/alcohol misuse as well as drug and alcohol use by children; and

WHEREAS, Such cases often result in the Commissioner filing an abuse/neglect Petition wherein the Family Court judge may order drug and/or alcohol testing; and

WHEREAS, The Commissioner of the Department of Social Services is requesting a contract between the Department of Social Services and Emergency Medical Services for Drug and Alcohol Testing; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Department of Social Services and Emergency Medical Services, Amsterdam, NY, for Drug and Alcohol Testing, effective immediately through December 31, 2017, at rates as follows and, be it further

2017 Forensic Finger/Toe Nail Testing:

5 Panel	\$279.00
7 Panel	\$287.00
9 Panel	\$299.00
10 Panel	\$309.00

2017 Forensic Hair Follicle Testing:

5 Panel	\$110.00 (90 days)
5 Panel with extended opiates	\$120.00 (90 days)

2017 Child Guard Hair Follicle Testing:

5 Panel	\$279.00
7 Panel	\$287.00
9 Panel	\$299.00
10 Panel	\$309.00

Resolution No. 63 (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, Commissioner of Social Services, Emergency Medical Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 64

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A PAID LEAVE OF ABSENCE FOR PROBATION
OFFICER RONALD BRIGGS TO ACCOMMODATE HIS SERVICE IN A CSEA
REGIONAL OFFICER POSITION**

WHEREAS, in 2016 the Personnel Director has received a request from CSEA, Inc. that Fulton County approve Paid Leaves of Absence for Probation Officer Ronald Briggs to accommodate him to serve as Region 4 President for the Civil Service Employee's Association, Inc., effective March 1, 2016 for a four (4) year term; and

WHEREAS, in a letter from CSEA Director of Internal Operations, Peter G. Diana (dated February 29, 2016), CSEA, Inc. committed to reimburse Fulton County for Mr. Brigg's full salary and total cost of fringe benefits, including, but not limited to, Social Security, Medicare, health and dental insurance costs and NYS retirement system costs, after invoice from the County on a quarterly basis; and

WHEREAS, Resolution 106 of 2016 authorized a paid Leave of Absence for Mr. Briggs for the period March 1, 2016 through February 28, 2017, subject to renewal on an annual basis; and

WHEREAS, in a letter from CSEA Director of Internal Operations, Peter G. Diana (dated December 12, 2016), CSEA, Inc. has asked for a renewal of said agreement to reimburse Fulton County for Mr. Brigg's full salary and total of fringe benefits, including, but not limited to, Social Security, Medicare, health and dental insurance costs and NYS retirement system costs, after invoice from the County on a quarterly basis; and

WHEREAS, Section 207 of NYS County Law governs Leaves of Absences and specifies that "Leaves of absences shall not be in excess of one year."; now, therefore be it

RESOLVED, That the Personnel Director is hereby authorized to issue a Paid Leave of Absence to Probation Officer Ronald Briggs to accommodate him to serve as Region 4 President for the Civil Service Employee's Association, Inc., effective March 1, 2017 through February 28, 2018; and, be it further

RESOLVED, That this Resolution and said approval for Paid Leave of Absence is contingent upon the following requirements:

1. CSEA, Inc. shall furnish a Certificate of Liability Insurance naming the County as additional insured in form and amount satisfactory to the Fulton County Attorney to protect the County for any damages arising from act or omission by Mr. Briggs during the period of such leave.
2. Mr. Brigg's accrued benefit time, on record as of February 29, 2016, shall be frozen and not accrue until his paid leave of absence terminates.

Resolution No. 64 (Continued)

3. CSEA, Inc. shall provide a written letter certifying that Mr. Briggs will be covered by statutorily-required Workers Compensation Insurance coverage provided by CSEA during said Leave of Absence period.
4. CSEA, Inc. shall reimburse Fulton County for Mr. Brigg's full salary and total cost of fringe benefits, including, but not limited to, Social Security, Medicare, health and dental insurance costs and NYS retirement system costs after invoice from the County on a quarterly basis.
5. Mr. Briggs shall provide at least 45 days written notice to the County of any intention to return to duty with County government.

and, be it further

RESOLVED, That said paid leave of absence is authorized for a period not to exceed one year, effective March 1, 2017 through February 28, 2018; and, be it further

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

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

Seconded by Supervisor HANDY and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 65

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

RESOLUTION AUTHORIZING A CONTRACT WITH SPECTRUM COMMUNICATIONS FOR DEDICATED DATA SHARING SERVICE WITH THE GLOVERSVILLE AND JOHNSTOWN POLICE DEPARTMENTS (SHERIFF’S DEPARTMENT)

WHEREAS, two (2) dedicated telephone lines in the Sheriff’s Department Dispatch Center connect directly to the Gloversville and Johnstown Police Departments; and

WHEREAS, the contract with Spectrum Communications (formally Time Warner) in place since 2011, has now expired; and

WHEREAS, the Sheriff and Information Services Director recommend purchasing a new connection that is now available that would double the bandwidth between the Sheriff’s Office and the Gloversville and Johnstown Police Departments; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement with Spectrum Communications, of Amsterdam, NY, for two (2) dedicated data sharing circuits between the Sheriff’s Department Dispatch Center and Gloversville and Johnstown Police Departments, at a cost as set forth below:

<u>Installation Fee</u>	<u>Monthly Fee</u>	<u>Timeframe</u>
\$750.00	\$402.66	60 months
	(2) 2Mbps point circuits	

and, be it further

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

From: A.3110.3113-4130 – EXP - Contractual
To: A.3110.3113-4080 – EXP - Telephone
Sum: \$1,694.00

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 66

Supervisors FAGAN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING POLICE SERVICES MUTUAL AID AGREEMENT
BETWEEN THE FULTON COUNTY SHERIFF, GLOVERSVILLE POLICE
AND JOHNSTOWN POLICE

WHEREAS, the Sheriff requests execution of a Police Services Mutual Aid Agreement between the Sheriff's Department and the Gloversville Police Department and Johnstown Police Department, which, among other things, will:

1. Formalize the relationship between the local governments and their police departments and enhance and define the scope of the inter-agency cooperation;
2. Eliminate the need to follow the formal procedure set forth in GML §209-m to request assistance from the other party in the form of personnel and or equipment;
3. Provide for more efficient utilization of law enforcement resources and services, including public safety dispatch services and animal control services;
4. Provide for enhanced effectiveness of response to requests to handle and resolve law enforcement intervention situations;
5. To ensure an adequate number of trained and equipped law enforcement officers to handle and resolve emergency, disaster, and violent situations; as well as routine law enforcement services which cannot be met with the resources of one of the parties to this Agreement;
6. Provide for the development of joint policies, procedures and use of training exercises or programs where skills, knowledge, procedures and expertise are shared with each department and personnel; and
7. Provide for the possibility of obtaining and maintaining shared equipment.

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Police Services Mutual Aid Agreement between the Sheriff's Department and the Gloversville Police Department and Johnstown Police Department, as attached hereto and made a part hereof, effective upon execution through December 31, 2021; said agreement subject to the approval of the County Attorney; and, be it further

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

Resolution No. 66 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Gloversville Police Department, Johnstown Police Department, Fulton County Code, 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 GROFF and adopted by the following vote:

Ayes: 20 Nays: 0

**FULTON COUNTY POLICE SERVICES PROPOSED MUTUAL AID AGREEMENT
(OUTSIDE SERVICE BY LOCAL LAW ENFORCEMENT)**

THIS AGREEMENT made this the _____ day of _____ 2017 by and between

The Fulton County Sheriff's Office, a municipal corporation with its principal place of business located at 2712 State Highway 29, in the City of Johnstown, County of Fulton, State of New York, 12095, and

The City of Johnstown Police Department, a municipal corporation with its principal place of business located at 33-41 East Main Street, in the City of Johnstown, County of Fulton, State of New York, 12095; and

The City of Gloversville Police Department, a municipal corporation with its principal place of business located at 3 Frontage Road, in the City of Gloversville, County of Fulton, State of New York, 12078

The parties are sometimes referred to as a "local government" or collectively as "local governments".

RECITALS

WHEREAS, Section 119-o of the General Municipal Law (GML) permits municipal corporations to enter into agreements for the performance amongst themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service; and

WHEREAS, §119-n(c) and § 119-o GML further provide that municipal corporations that enter into such agreements for a joint service may extend the appropriate territorial jurisdiction of the participants necessary to fulfill said service, and personnel assigned to a joint service shall possess the same powers, duties, immunities and privileges they would ordinarily possess if they performed them in the area where they are employed; and

WHEREAS, the Fulton County Sheriff's Office, the City of Johnstown, and the City of Gloversville, are all located entirely within the County of Fulton with all of the jurisdictions employing their own full time police departments which currently provide police service exclusively to their own respective jurisdictions; and

WHEREAS, the parties have determined that it is in the best interests of the respective communities and of mutual advantage to enter into this Agreement for the provision of inter-agency law enforcement services on a day-to-day basis;

NOW THEREFORE, pursuant to the above considerations and the covenants and mutual benefits herein expressed, the parties agree as follows:

ARTICLE ONE
Purpose of the Agreement

The purpose of this Agreement is to:

8. Formalize the relationship between the local governments and their police departments and enhance and define the scope of the inter-agency cooperation;
9. Eliminate the need to follow the formal procedure set forth in GML §209-m to request assistance from the other party in the form of personnel and or equipment;
10. Provide for more efficient utilization of law enforcement resources and services, including public safety dispatch services and animal control services;
11. Provide for enhanced effectiveness of response to requests to handle and resolve law enforcement intervention situations;
12. To ensure an adequate number of trained and equipped law enforcement officers to handle and resolve emergency, disaster, and violent situations; as well as routine law enforcement services which cannot be met with the resources of one of the parties to this Agreement;
13. Provide for the development of joint policies, procedures and use of training exercises or programs where skills, knowledge, procedures and expertise are shared with each others department and personnel; and
14. Provide for the possibility of obtaining and maintaining shared equipment.

ARTICLE TWO
Scope of Agreement

Inter-jurisdictional law enforcement service and assistance (mutual aid) may be provided among the local governments during those times of both:

1. Emergency, and
2. Routine law enforcement work of a non-emergency nature to fulfill a mutual aid request. Examples of this type of situation would include but not be limited to:
 - Temporary assignment of law enforcement officers and/or equipment of one party to the other for patrol purposes and response to calls for service where the officers and/or equipment of the party requesting assistance may be unavailable due to prior calls for service;
 - Response of officer(s) of one party into the other parties jurisdiction to provide backup for officers on or responding to calls which would require a two officer response, and only one officer of the requesting party is available;
 - Response of officer(s) of one party into the other parties jurisdiction to provide a specialized function or service in which officers of the responding police department are uniquely trained and/or equipped for (i.e. conductive energy device deployment, tactical team deployment, forensic response)
 - Temporary assignment of public safety dispatchers of one local government to another for purposes of assisting in receiving and dispatching of calls for service;

- Temporary assignment of dog control and/or animal control officers of one local government to another should their officer be unavailable due to prior calls for service or inability to respond;
- Conducting joint investigations and executions of warrants;
- Conducting joint fatal and serious physical injury motor vehicle accidents and maintaining a multi jurisdictional investigative team and on call list;
- Developing and maintaining a multi jurisdictional forensic crime scene response team and on call list;
- Conducting joint responses to high risk tactical incidents and maintaining a multiple agency tactical team;
- Conducting joint investigations into the operation of motor vehicles while under the influence of drugs utilizing trained Drug Recognition Experts from the various local governments and maintaining a rotating on-call list;
- Conducting joint training.
- Development of policies and procedures for multiple agency teams. In the case of a joint tactical team, rules and regulations shall be established providing for a single team commander and team leaders, a single set of standard operational procedures, training records maintenance, and the fiscal responsibilities of each agency.
- With the goal to pursue consistency in response and possible joint accreditation; and
- Sharing of all categories and types of equipment and facilities.

It is not the intent of this Agreement to circumvent any collective bargaining agreements in place within either jurisdiction in regards to staffing and payment of overtime to cover shift shortages. Rather it is the intent of this Agreement to maximize the effectiveness, efficiency and safety of the officers and personnel of all of the local governments while working their pre-scheduled shift with the exception of pre-established on-call specialized investigative teams.

ARTICLE THREE Power and Authorization

Each party authorizes the officers working at the time mutual aid is needed to request temporary assistance from the other party. This request should come from the supervisor or officer in charge of the shift of the requesting agency at the time, whenever possible. Any request for assistance that is pre-planned and/or will be of longer duration (i.e. training, large scale pre-planned events) should come through the respective Police Chief, Sheriff, or their designee. The judgment of the officer authorized under this Agreement of each municipality rendering aid as to the amount of personnel, supplies and equipment available shall be final.

1. The obligation to render mutual aid is strictly voluntary in nature. It does not place any of the local governments under any obligation to respond to a request for mutual aid or assistance of the other party that it is unable or unwilling to honor. Such law enforcement aid may be provided on an actual or standby basis.
2. Each party agrees that the responding party may hold back sufficient personnel and equipment to provide adequate protection within the territory of the responding party. Should a need for the loaned personnel and equipment arise within the territory of the responding party, then the responding party may recall such personnel and equipment or

any part thereof. The responding party shall inform the requesting party of its intent to withdraw from the situation.

3. Pursuant to sections § 119-n(c) and § 119-o GML, officers assisting another local government outside their normal geographical area of employment shall have all powers and authority of law enforcement officers in such other jurisdiction as provided by law, including the power of arrest.

ARTICLE FOUR Control of Personnel and Equipment

The officer in charge of the requesting party shall be in command of the operation(s) under which the equipment and personnel sent by the responding party shall serve; provided, that the responding personnel and equipment shall be under the immediate supervision of the officer in charge of the responding party, if more than one officer responds. Command, however, may be relinquished to a ranking or senior officer of the party rendering assistance under the terms of this Agreement.

Further, each party authorizes the respective Police Chiefs, Sheriff, or their designee, to pre-arrange training exercises and programs, as well as temporary assignment of officers and/or equipment to another law enforcement agency for training or investigatory purposes.

ARTICLE FIVE Compensation and Expenses

All individuals shall retain all of their pension, disability, contractual and compensation rights (including workers' compensation and GML 207-C benefits) while performing duties in accordance with this Agreement. All salaries, legal and contractual benefits, and other personnel costs together with equipment and supply costs will be the responsibility of the respective local government employing the officer.

Neither participant, as a requesting party, shall be obligated to compensate the responding party for services rendered by or injuries to the responding party's personnel, or for the use or damage to the responding party's equipment. Specifically, and without limiting the foregoing, the requesting party shall have no obligation for payment of wages or withholding for unemployment, workers compensation, GML 207-C benefits, or for the payment of any other benefits to the personnel of the responding party. Each participant hereto hereby expressly waives all claims of whatever type or nature, except for gross negligence, against the other and its personnel, which may arise out of the performance of this Agreement. The terms of this provision may be altered if agreed to separately by the parties Police Chief's, Sheriff, and respective municipal board.

ARTICLE SIX
Liability and Indemnification

Neither party shall incur any liability or responsibility for the failure to respond to any request for assistance made pursuant to this Agreement. This Agreement shall not be construed as or deemed to be an Agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action whatsoever hereunder for any cause whatsoever.

Neither party shall be required to indemnify the other for any claim arising out of participating under this Agreement. Each party shall be responsible for defending its own respective entity in any action or dispute that arises in connection with or as a result of this Agreement and that each party will be responsible for bearing their own costs, damages, losses, expenses and attorney fees. Each party shall be obligated to notify the other of any claims or lawsuits received arising out of any mutual aid operations.

All immunities from liability enjoyed by the local government within its boundaries shall extend to its participation in rendering aid under this Agreement outside of its boundaries unless otherwise provided by law. All the immunities from liability and exemptions from laws, ordinances and regulations which law enforcement officers employed by local governments which are parties to this Agreement have in their own jurisdictions shall be effective in the jurisdiction in which they are giving aid unless otherwise provided by law or this Agreement.

ARTICLE SEVEN
Rules and Regulations

The Sheriff and the Police Chiefs of the local governments shall establish uniform rules and regulations for requesting and rendering mutual aid as necessary and appropriate to implement this Agreement. Vehicles, firearms, equipment and apparatus furnished in or for mutual aid shall be operated by personnel trained in the proper use of same.

It is understood that under no circumstance will privately owned vehicles or equipment be utilized in providing mutual aid unless commandeered or authorized by the commanding officer of the local government receiving aid, with the exception of individual officer equipment that is authorized by the employing agency.

ARTICLE EIGHT
Cooperation and Line of Duty Death or Injury

In the event a mutual aid or assistance situation results in an officer-involved shooting, accidental injury or other event or results requiring investigation or review, both parties will cooperate and consult with each other in the conduct of such investigation or review. Each local government and each law enforcement agency will make available to the other any information or resources necessary to conduct such investigation or review.

The Police Chiefs and Sheriff will fully communicate, consult and cooperate with each other to insure that a thorough, efficient and effective investigation or review is conducted and that

unnecessary duplication is avoided. The results of such investigation shall be shared with each local government.

The effect of the death, injury or disability of any officer who is killed, injured or disabled outside the territorial limits of either participating entity while in the performance of this Agreement, shall be the same as if they were killed, injured or were to become disabled while that officer was functioning within its own territorial limits, and such injury or death shall be considered to be in the line of duty.

ARTICLE NINE
Approval, Modification and Termination.

This Agreement shall not be effective until approved by a majority vote, as required by section 119-o of the General Municipal Law, of the governing body of each party.

This Agreement may be changed, modified or amended by written Agreement of the participants, subject to the requirements of the first paragraph of this Article.

This Agreement may be terminated at any time by passage of a resolution terminating same by the governing board of a party to the Agreement. A copy of the resolution shall be promptly filed with the Clerk of each local government following its passage. However, obligations previously incurred are not extinguished by the termination of the Agreement.

This agreement shall terminate on December 31, 2021. The terms herein shall continue, however, until both legislative bodies have held their annual organizational meetings. At such meetings, this agreement shall be considered for renewal, and if approved by each legislative body, such renewal shall be made effective January 1, 2xxx. [*Intermunicipal agreements may be in effect for up to five years §119-n (2) (j)*]

ARTICLE TEN
Miscellaneous

This Agreement constitutes the entire Agreement between the parties and cannot be modified or amended except by written Agreement of the parties pursuant to Article Nine, above.

The laws of the State of New York shall govern this Agreement.

Each participant agrees that each will comply with all applicable, federal, state and local laws, rules and regulations applicable to the respective entities and employees in connection with the performance of this Agreement.

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original.

For the purposes of this Agreement, when involved in routine law enforcement work of a non-emergency nature, temporary assignments and training exercises, the law enforcement agency from which the equipment is assigned, or which is providing the training, or which is sponsoring the training exercise shall be deemed the assisting local government.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date and year written above.

By: _____

Richard C. Giardino, Sheriff
Fulton County Sheriff's Office

By: _____

G. Michael Kinowski
Chairman of the Board of Supervisors, County of Fulton

By: _____

Mark Gifford, Chief of Police
Johnstown Police Department

By: _____

Vern Jackson, Mayor
City of Johnstown

By: _____

Marc Porter, Chief of Police
Gloversville Police Department

By: _____

Dayton King, Mayor
City of Gloversville

Resolution No. 67

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

RESOLUTION ACCEPTING NYS DIVISION OF CRIMINAL JUSTICE SERVICES GRANT
FOR POLICE PROTECTIVE EQUIPMENT FOR 2017
(SHERIFF’S DEPARTMENT)

WHEREAS, the Sheriff has received notification from the NYS Division of Criminal Justice Services that the Sheriff’s Office has been awarded grant funds for the 2017 “Police Protective Equipment” Program; now; and

WHEREAS, the application for said grant proposed that the Sheriff administer said grant on behalf of the Gloversville Police Department and the Johnstown Police Department to obtain funds for “Police Protective Equipment”; now, therefore be it

RESOLVED, That grant funds provided by the NYS Division of Criminal Justice Services for the 2017 “Police Protective Equipment” Program for the grant period January 1, 2017 through December 31, 2017 be and hereby are accepted, in the amount of \$34,959.00, to be disbursed as follows:

Sheriff’s Department	\$12,437.00
Gloversville Police Department	11,261.00
Johnstown Police Department	<u>11,261.00</u>
Total	\$34,959.00

and, be it further

RESOLVED, That the 2017 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A.3110.3110-3318 – REV - State Aid-Sheriff Grants \$12,437.00

Appropriation:

Increase A.3110.3110-4010 – EXP – Equipment – Non-Asset \$12,437.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, NYS Division of Criminal Justice Services, Gloversville Police Department, Johnstown Police Department, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 68

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

RESOLUTION AUTHORIZING TRANSFER OF TWO MOBILE PRINTERS TO
BROADALBIN VILLAGE POLICE DEPARTMENT

WHEREAS, the Sheriff has declared that the Sheriff's Department has two (2) Mobile Printers that are obsolete; and

WHEREAS, the Village of Broadalbin Police Department has a use for said Mobile Printers; now, therefore be it

RESOLVED, That the Board of Supervisors hereby declares said Mobile Printers as surplus for County purposes; and, be it further

RESOLVED, That the Sheriff, be and hereby is, authorized to sell two (2) Mobile Printers (Item Code #8247 and Item Code #8249) to the Village of Broadalbin Police Department for the sum of \$1.00 each; and, be it further

RESOLVED, That the Treasurer is hereby directed to remove said items from the Sheriff's inventory list; and, be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 69

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

RESOLUTION AUTHORIZING GRANT APPLICATION TO THE NYS OFFICE OF INDIGENT LEGAL SERVICES TO CONTINUE PART-TIME SIXTH ASSISTANT PUBLIC DEFENDER POSITION

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

WHEREAS, the grant will be a three-year distribution from the Indigent Legal Services Fund in the amount of \$110,124.00 (annual amount of \$36,708.00); and

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

WHEREAS, the Public Defender proposes to use the grant proceeds toward salary and benefits for an additional Assistant Public Defender at a salary of \$25,000.00 per year and approximate benefit costs of \$11,250.00 per year; now, therefore be it

RESOLVED, That the Chairman of the Board, on behalf of the Fulton County Public Defender, be and hereby is authorized to apply for a the NYS Office of Indigent Legal Services grant for the purposes of funding the Sixth Assistant Public Defender (part-time, 20 hours per week) position, and be it further

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

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

Seconded by Supervisor HANDY and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 70

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

RESOLUTION AUTHORIZING GRANT APPLICATION TO NYS OFFICE OF INDIGENT
LEGAL SERVICES FOR COUNSEL AT FIRST APPEARANCE (CAFA) GRANT
(PUBLIC DEFENDER'S OFFICE)

WHEREAS, the Public Defender has requested permission to apply for a Counsel at First Appearance Grant from the NYS Office of Indigent Legal Services in an amount up to \$250,000.00 per year for three (3) years; and

WHEREAS, the goal will be to utilize the grant funds to implement a county wide plan to meet recent court-mandated protocols related to providing legal counsel to any defendant at any occasion of first arraignment; and

WHEREAS, the Public Defender is working to devise a comprehensive plan to ensure counsel at first arraignment by coordinating input from the District Attorney, law enforcement agencies, local judges and justices, attorneys and others for submission to the Office of Indigent Legal Services; and

WHEREAS, the Committees on Public Safety and Finance have reviewed and approved the request from the Public Defender to apply for such grant; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for a Counsel at First Appearance grant from the New York State Office of Indigent Legal Services, in an amount up to \$250,000.00; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 71

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

RESOLUTION AUTHORIZING PURCHASE OF MOBILE TV CART FOR USE IN THE DISTRICT ATTORNEY’S OFFICE WITH CRIME FORFEITURE PROCEEDS

WHEREAS, the District Attorney has requested to use crime forfeiture proceeds to purchase a TV Mobile Cart; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the District Attorney be and hereby is authorized to purchase equipment for the District Attorney’s Office utilizing Crime Forfeiture proceeds, as follows:

<u>Item</u>	<u>Cost</u>
(1) TV Mobile Cart	\$ 784.00

and, be it further

RESOLVED, That the 2017 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A.1165.3197-2626 REV-Forfeiture of Crime Proceeds-Restricted \$784.00

Appropriation Account:

Increase A.1165-1165.4010 EXP – Equipment-Non-Asset \$784.00

and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 72

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

RESOLUTION ACCEPTING THE 2017 “S.T.O.P VIOLENCE AGAINST WOMEN” GRANT FROM THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES (DISTRICT ATTORNEY)

WHEREAS, the District Attorney has received notification from the NYS Division of Criminal Justice Services that the District Attorney’s Office has been awarded grant funds for the 2017 “S.T.O.P. Violence Against Women” Program; now, therefore be it

RESOLVED, That grant funds provided by the NYS Division of Criminal Justice Services for the 2017 “S.T.O.P. Violence Against Women” Program for the grant period January 1, 2017 through December 31, 2017 be and hereby are accepted, in the amount of \$35,600.00, to be disbursed as reimbursement toward base salaries, as follows:

Fourth Assistant District Attorney	\$30,000.00
Fringe Benefits	<u>5,600.00</u>
Total	\$35,600.00

and, be it further

RESOLVED, That continuation or renewal of said position and/or program be contingent upon continued funding from the State of New York Division of Criminal Justice Services at no additional cost to the County of Fulton; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 73

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

RESOLUTION ACCEPTING THE 2017 STOP-DWI PLAN

RESOLVED, That the 2017 Annual STOP-DWI Plan be and hereby is approved for submission to the NYS Department of Motor Vehicles, Office of Transportation Safety, in accordance with the 2017 Adopted Budget for the County of Fulton; and, be it further

RESOLVED, That the Chairman of the Fulton County Board of Supervisors and the STOP-DWI Coordinator be and hereby are authorized and directed to do each and every other thing necessary to submit such Plan to the NYS Office of Transportation Safety for its review; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, STOP-DWI Coordinator, District Attorney, Traffic Safety Board, NYS Department of Motor Vehicles' Office of Transportation Safety and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 74

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

RESOLUTION CONFIRMING THE USE OF ADDITIONAL FUNDS FOR THE UNINTERRUPTED POWER SUPPLY PROJECT (SHERIFF’S DEPARTMENT)

WHEREAS, Resolution 153 of 2016 authorized the purchase of a UPS Battery Back-Up for the E-911 Communications Center at the Sheriff’s Department; and

WHEREAS, on an emergency approval basis, the Chairman of the Board gave written approval for additional wire and fittings for the Uninterrupted Power Supply project for emergency dispatch and Correctional Facility operations up to an amount of \$2,500.00; and

WHEREAS, the total cost for said additional wire and fittings was \$2,200.00; now, therefore be it

RESOLVED, That the Board of Supervisors hereby confirms the actions of the Chairman of the Board for the additional equipment and services during installation of the new Uninterrupted Power Supply (UPS) services at the County Office Complex; and, be it further

RESOLVED, That upon the recommendation of the Committee on Finance, the additional equipment and services funding be paid for with E911 Reserves; and, be if further

RESOLVED, That the 2017 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A.3110.3020-1760 – REV – Enhanced 911 Charges \$2,220.00

Appropriation Account:

Increase A.3110.3020-2000 – EXP – Equipment – Fixed Asset	\$1,995.00
A.3110.3020-4130 – EXP – Contractual	225.00

and, be it further

RESOLVED, that the Civil Defense/Fire Coordinator, Information Services Director and Sheriff do each and every other thing necessary to further the purport of this Resolution; and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 75

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

RESOLUTION RECLASSIFYING A SENIOR TYPIST POSITION TO EMERGENCY MANAGEMENT ASSISTANT IN THE CIVIL DEFENSE/FIRE COORDINATOR'S OFFICE

WHEREAS, the Senior Typist in the Civil Defense/Fire Coordinator's Office retired in December 2016; and

WHEREAS, the Director in the Civil Defense/Fire Coordinator's Office has reviewed positions in that Department, and in accordance with promoting efficient operation of the Department, the Director is recommending that the position of Senior Typist be reclassified to Emergency Management Assistant; and

WHEREAS, based upon the Job Duties Statement prepared by the Director in the Civil Defense/Fire Coordinator's Office, the Personnel Director recommends a reclassification to Emergency Management Assistant; now, therefore be it

RESOLVED, That upon the recommendation of the Civil Defense Director/Fire Coordinator, Personnel Director, Committees on Public Safety, Personnel and Finance, effective immediately, a Senior Typist position (Union Job Group A-5; start rate, \$26,354.00, permanent one-year rate, \$31,013.00) be and hereby is reclassified to Emergency Management Assistant (Union Job Group A-6; start rate, \$26,918.00, permanent one-year rate, \$31,668.00) in the Civil Defense/Fire Coordinator's Office; and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator and Personnel Director do each and everything necessary to further the purport of this Resolution; and, be it further

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

Seconded by Supervisor WILSON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 76

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

**RESOLUTION AUTHORIZING A CONTRACT WITH NADINE ABBOTT FOR SENIOR
TYPIST CONSULTING SERVICES IN THE CIVIL DEFENSE/FIRE COORDINATOR'S
OFFICE**

WHEREAS, Nadine Abbott retired from her position as Senior Typist, effective December 4, 2016; and

WHEREAS, the Civil Defense Director/Fire Coordinator has not yet hired a new employee; and

WHEREAS, the Civil Defense/Fire Coordinator and the Committees on Public Safety, Personnel and Finance recommend contracting with Ms. Abbott to train the newly created position of Emergency Management Assistant; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Nadine Abbott, of Johnstown, NY, to provide Senior Typist consulting services to the Civil Defense/Fire Coordinator Office, at a rate of \$25.00 per hour, not to exceed 14 hours per week effective immediately through December 31, 2017 at a total not-to-exceed amount of \$3,000.00; and, be it further

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

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

From: A.3640.3640-1000-EXP-Payroll
To: A.3640.3640-4130 EXP-Contractual
Sum: \$3,000.00

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

Seconded by Supervisor HANDY and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 77

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING LEASE AGREEMENTS BETWEEN THE COUNTY CLERK
AND CERTAIN ABSTRACT COMPANIES (2017)**

WHEREAS, the County Clerk recommends a lease agreement with the abstract companies for office space within the County Clerk's Office at a cost of \$100.00 per month, per company; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a lease agreement with the following abstract companies:

KCS Abstract
Stewart Title
Genesis Abstract

For office space in the County Clerk's Office at a monthly lease cost of \$100.00, effective retroactive to January 1, 2017 through December 31, 2017; and, be it further

RESOLVED, That said lease agreements are 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 Clerk, KCS Abstract, Stewart Title, Genesis Abstract, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 78

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING EXTENSION OF A CONTRACT WITH PHOENIX GRAPHICS FOR ELECTION SUPPLIES AND PRINTED MATERIALS FOR USE IN THE BOARD OF ELECTIONS (2017-2018)

WHEREAS, Resolution 155 of 2016 awarded a bid to Phoenix Graphics for Election Supplies and Printed Materials for Use in the Board of Elections with the option to extend said contract for two (2) additional one year extensions; and

WHEREAS, the first of the two (2) years of said contract extension is due; and

WHEREAS, the Commissioners of the Board of Elections recommend extending the contract for another year with Phoenix Graphics under the same terms and conditions as being in the best interest of the County; now, therefore be it

RESOLVED, That upon the recommendation of the Board of Elections Commissioners and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign an extension of a contract between Fulton County and Phoenix Graphics for Election Supplies and Printed Materials for use in the Board of Elections, effective April 1, 2017 through March 31, 2018, at a cost of \$31,875.24; and, be it further

RESOLVED, That said contract extension 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, Board of Election Commissioners, Phoenix Graphics, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 79

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION DENYING CORRECTION OF ERRORS IN THE TOWN OF CAROGA
(PUTMAN)

WHEREAS, the Fulton County Real Property Tax Services Agency Director received an application for a “Correction of Errors” related to a parcel (Putman) in the Town of Caroga; and

WHEREAS, the Real Property Tax Director determined that the application should be denied because the valuation or non-valuation of an incorrect description of an improvement does not fall within the authority of the Corrections of Errors Statute; now, therefore be it

RESOLVED, That the Application for Refund of Real Property Taxes for the year 2016 as submitted by Stephen Putman for tax parcel 115.-1-38.1 be and hereby is denied, inasmuch as subject matter of the Application does not constitute an error in essential fact and may not be corrected pursuant to the Correction of Error process in NYS Real Property Tax Law §550; and, be it further

RESOLVED, That the Director of Real Property Tax Services Agency be and hereby is directed to do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Real Property Tax Services Agency, Stephen Putman, Town of Caroga Assessor, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 80

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION REVISING CONTRACT WITH ESRI CORPORATION TO INCREASE ANNUAL CONTRACT AMOUNT (REAL PROPERTY)

WHEREAS, Resolution No. 463 of 2016 authorized Certain Contracts for the Real Property Tax Services Agency in 2017; and

WHEREAS, said Resolution specified an amount of \$5,773.00 for a maintenance contract for Tax Map Editing Software with Environmental System Research Institute (ESRI) for the Real Property Tax Services Agency in 2017; and

WHEREAS, due to an error, the Director of Real Property Tax Services Agency has requested to increase said contract cost to \$6,200.00 for 2017, which is the actual renewal cost from ESRI; now, therefore be it

RESOLVED, That upon the recommendation of the Director of Real Property Tax Services Agency and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a revised contract with ESRI until December 31, 2017; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

RESOLVED, That said revised contract is contingent upon approval by the County Attorney; and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 81

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PURCHASE OF A PRINTER FOR USE IN THE REAL
PROPERTY TAX SERVICES AGENCY**

WHEREAS, the Director of Real Property Tax Services Agency has requested to purchase a Printer to replace a broken printer; now, therefore be it

RESOLVED, That the Director of Real Property Tax Services Agency be and hereby is authorized to purchase a Printer for use in the Real Property Tax Services Agency as follows:

(1) Printer \$225.00

and, be it further

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

From: A.1355.1355-2000 – EXP – Equipment – Fixed Asset

To: A.1355.1355-4010 – EXP – Equipment – Non-Asset

Sum: \$225.00

and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 82

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING 2017 CAPITAL PROJECTS FOR THE INFORMATION SERVICES DEPARTMENT

WHEREAS, the 2017 Capital Plan identifies the following projects for the Information Services Department:

Disaster Recover/Business Continuity Plan	\$ 49,280.00
PC Upgrade Program	34,866.00
Network Security and Server Project	<u>43,500.00</u>
Total	\$127,646.00

and,

WHEREAS, it is necessary to transfer funds into the appropriate Information Services account; now, therefore be it

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

From: A.1000.9950-9000.1200 – EXP – Capital Improvement Reserve
To: H.1680.1680-2100.0850 – EXP – Disaster Recovery Plan (New)
Sum: \$49,280.00

From: A.1000.9950-9000-1100 – EXP – Capital Equipment Reserve
To: H.1680.1680-2100-0845 – EXP – IT Upgrade Plan 2017 (New)
Sum: \$78,366.00

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 HOWARD and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 83

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS INTERNATIONAL CORPORATION TO SELL CERTAIN SURPLUS COMPUTER EQUIPMENT (INFORMATION SERVICES)

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

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

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

<u>Asset #</u>	<u>Description</u>	<u>Acquisition Date</u>
B000424100000	HP DESKJET 1600C PRINTER	10/03/1997
B000456900000	SONY MAVICA DIGITAL CAMERA	04/28/1998
B000516000000	HP LASERJET 8100N	01/10/2000
B000549100000	IBM AS-400	07/19/2001
B000549300000	3489 TWINAX TERMINAL	07/19/2001
B000593200000	HP LASERJET 8150DN PRINTER	12/06/2001
B000599400000	CISCO 1720 ROUTER	02/26/2002
B000599500000	CISCO 1720 ROUTER	02/26/2002
B000599600000	CISCO 1720 ROUTER	02/26/2002
B000599700000	CISCO 1720 ROUTER	02/26/2002
B000599800000	CISCO 1720 ROUTER	02/26/2002
B000599900000	CISCO 1720 ROUTER	02/26/2002
B000600000000	CISCO 1720 ROUTER	02/26/2002
B000620500000	DUPLEX UNIT FOR HP 8150N	10/23/2002
B000644700000	CISCO 1 PORT TI/FRACTIONAL TI	12/12/2003
B000664700000	HP LASER JET 8150 SERIES	12/30/2004
B000670600000	WIC 1DSUTI REFURBISHED	05/06/2005
B000670700000	WIC IDSU T1 REFURBISHED	05/23/2005
B000670800000	WIC 1DSUT1 REFURBISHED	05/06/2005
B000670900000	WIC 1DSU T1 REFURBISHED	05/06/2005
B000671300000	LAPTOP COMPUTER-DELL	01/31/2006
B000746800000	INSPIRON COMPUTER 1720NOTEBOOK	09/04/2007
B000746900000	INSPIRON COMPUTER 1720NOTEBOOK	09/04/2007
B000747000000	INSPIRON COMPUTER 1720NOTEBOOK	09/04/2007

B000747100000	INSPIRON COMPUTER 1720NOTEBOOK	09/04/2007
B000747200000	INSPIRON COMPUTER 1720NOTEBOOK	09/04/2007
B000794600000	HP OFFICEJET PRO K5400 PRINTER	01/14/2009
B000795300000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000795400000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000795600000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000795700000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000795800000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000796000000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000796400000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000796500000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000796600000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000796700000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000796800000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000797400000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000797700000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000798200000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000798300000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000798900000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000799500000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000800500000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000801000000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000801500000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000802200000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000802900000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000803400000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000803500000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000803900000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000804000000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000804200000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000804400000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000806200000	DELL OPTIPLEX 755 COMPUTER	01/02/2009
B000808000000	HP PROLIANT ML150G5 SERVER	02/17/2009
B000816200000	CISCO CATALYST 3560	03/17/2009
B000816600000	CISCO CATALYST 3560	03/17/2009
B000816800000	CISCO CATALYST 3560	03/17/2009
B000816900000	CISCO CATALYST 3560	03/17/2009
B000826100000	OPTIPLEX 760 COMPUTER WITH	10/01/2009
B000833600000	CISCO CATALYST 3560 24 PORT	11/17/2009
B000847400000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010
B000848500000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010
B000848600000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010
B000849100000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010

B000849700000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010
B000850400000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010
B000851700000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010
B000852300000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010
B000852400000	DELL OPTIPLEX 760 MINI TOWER	03/09/2010

and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 84

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE DISPOSAL OF CERTAIN SURPLUS EQUIPMENT IN THE SOLID WASTE DEPARTMENT (INFORMATION SERVICES)

WHEREAS, the Information Services Director has recommended disposing of certain non-working computer equipment in the Information Services Department at the Department of Solid Waste's eWaste facility; 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:

<u>Asset #</u>	<u>Description</u>	<u>Acquisition Date</u>
B000101300000	46x30 WKSTN DESK	01/01/1986
B000224200000	MAIN PWR BKUP LIEBERT #1125860	8/24/1994
B000388700000	TABLE	Unk
B000641200000	GATEWAY E4100 C DELUXE PC AND	10/21/2003
B000641300000	GATEWAY E4100 C DELUXE PC WITH	10/21/2003
B000643400000	DELL DIMENSION 2400 SERIES,	11/26/2003
B000643700000	DELL DIMENSION 2400 SERIES	11/26/2003
B000644800000	DELL POWEREDGE 600 SC SERVER	12/02/2003
B000674100000	FILE SERVER	10/15/2005
B000680200000	SURF CONTROL LICENSE UPGRADE	01/31/2006
B000685000000	IS MAIL PRO-MAIL SERVER SOFTWARE	03/13/2006
B000686900000	SERVER POWER EDGE 1600SC	11/16/2006
B000687000000	CRYSTAL REPORTS 8.5 SOFTWARE	04/20/2006
B000691500000	CLICKBACK BACKUP APPLIANCE	04/24/2006
B000705400000	POWEREDGE 1800 SERVER EQUIPPED	10/18/2006
B000712600000	DELL OPTIPLEX GX620 W/17" FLAT	01/31/2007
B000713600000	DELL OPTIPLEX GX620 W/17" FLAT	01/31/2007
B000715500000	GATEWAY COMPUTER W/19" MONITOR	02/07/2007
B000717200000	DELL POWER EDGE SC1430 SERVER	03/21/2007
B000717300000	DELL POWER EDGE SC1430 SERVER	03/21/2007
B000717400000	DELL POWER EDGE SC1430 SERVER	03/21/2007
B000717600000	DELL POWER EDGE 1900 SERVER	03/21/2007
B000743000000	PROJECTOR SHARP	10/04/2005
B000744700000	DELL OPTIPLEX 475 COMPUTER W/	05/30/2007
B000759100000	GATEWAY DESKTOP COMPUTER	12/31/2007
B000772700000	DELL OPTIPLEX 745 W/MONITOR	05/16/2008
B000772800000	DELL OPTIPLEX 745 W/MONITOR	05/16/2008
B000773100000	8E6 INTERNET FILTER	03/14/2008
B000775600000	DELL OPTIPLEX 745 W/17" FLAT	04/09/2008
B000879300000	OPTIPLEX 390 MINITOWER	08/02/2011

and, be it further

Resolution No. 84 (Continued)

RESOLVED, That the Superintendent of Highways and Facilities, Interim Solid Waste Director and Purchasing Agent be and hereby are directed to arrange for the disposal of the listed surplus as eWaste, 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, Information Services Director, Superintendent of Highways and Facilities, Interim Solid Waste Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 85

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH CME ASSOCIATES, INC. FOR ADDITIONAL WORK FOR THE FMCC STUDENT UNION IMPROVEMENT PROJECT (2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan identifies a FMCC Student Union Improvement Project; and

WHEREAS, Resolution 119 of 2016 authorized a Contract with CME Associates, Inc. for Special Independent Inspection Services for the FMCC Student Union Improvements Project, in the amount of \$11,000.00; and

WHEREAS, after a recent inspection by the Clerk of the Works, it was discovered that additional inspection services needed to be performed on said project; and

WHEREAS, the contract with William Brady for Clerk of the Works Services on said Student Union Improvements Project, authorized by Resolution 118 Of 2016 can be closed out, inasmuch as the Planning Director has confirmed the conclusion of those services; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign Amendment No. 1 to the contract with CME Associates, Inc. of Albany, NY for additional inspection services for the FMCC Student Union Addition/Renovation Project as follows:

Original Contract Amount:	\$11,000.00
Amendment No. 1	<u>1,126.00</u>
Revised Contract Amount	\$12,126.00

and, be it further

RESOLVED, That the contract with William Brady for Clerk of the Works Services for the FMCC Student Union Improvement Project can be and hereby is, closed and the Budget Director is directed to release the balance of approximately \$17,853.75; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 86

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH BRUCE ELLSWORTH FOR
ACCOUNTING SERVICES FOR THE TREASURER'S OFFICE**

WHEREAS, the County Treasurer has requested to contract with former Treasurer Bruce Ellsworth for Accounting Services in 2017; and

WHEREAS, The Treasurer reports that he has funds available in the Treasurer's Office Payroll Account to use for said contracting resulting from a vacancy in a Senior Typist position; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Bruce Ellsworth, of Northville, NY, to provide accounting services to the Treasurer's Office, at a rate of \$40.00 per hour not to exceed \$1,850.00 per year, on an as-needed basis, for the balance of the year; and, be it further

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

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

From: A.1325.1325-1000-EXP-Payroll
To: A.1325.1325-4130-EXP-Contractual
Sum: \$1,850.00

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 BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 87

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE COUNTY TREASURER TO ISSUE A COURT-ORDERED REFUND TO RH CROWN COMPANY, INC. FOR OVERPAYMENT OF PROPERTY TAXES IN 2016

WHEREAS, pursuant to Supreme Court Order, the assessment on RH Crown Co., Inc. property in the City of Johnstown, was reduced from \$843,000.00 to \$340,000.00; and

WHEREAS, the County is mandated to refund RH Crown Co., Inc. the sum of \$4,265.44 for property taxes collected in 2016; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to issue a refund, in the amount of \$4,265.44, to RH Crown Co., Inc. for overpayment of taxes on Parcel 162.20-16-1 (100 N. Market St.) and Parcel 174.8-1-5 (29 N. Market St.), in the City of Johnstown; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 88

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING FILING OF A “CERTIFICATE OF WITHDRAWAL”,
“CERTIFICATE OF CANCELLATION” AND “CERTIFICATE OF PROSPECTIVE
CANCELLATION” RELATIVE TO SBL# 104.13-7-2 (WEST MAIN STREET), MAYFIELD,
NY DUE TO POTENTIAL ENVIRONMENTAL HAZARDS
(COUNTY TREASURER)

WHEREAS, the County Treasurer has reviewed certain delinquent tax parcels in the Village of Mayfield and has provided an opinion that said parcels should not be foreclosed upon due to existing environmental concerns and should be withdrawn from any tax foreclosure proceedings; and

WHEREAS, in order to protect the County from environmental and/or financial liability related to said parcels, the County Treasurer recommends that the appropriate "Certificate of Withdrawal", "Certificate of Cancellation" and "Certificate of Prospective Cancellation" be filed in the Court of appropriate jurisdiction; now, therefore be it

RESOLVED, That upon the recommendation of the County Treasurer and Committee on Finance, the County Treasurer be and hereby is directed to file a "Certificate of Withdrawal", "Certificate of Cancellation" and "Certificate of Prospective Cancellation" with the Real Property Tax Services Agency Director, County Clerk and Village of Mayfield Assessor's Office for a parcel in the Village of Mayfield as follows:

<u>2017</u>		
County	\$	1,797.42
<u>2016</u>		
County/School		16,824.31
<u>2015</u>		
County		5,290.73
<u>2014</u>		
County/School		<u>14,463.18</u>
Total		\$48,375.64

and, be it further

Resolution No. 88 (Continued)

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Real Property Tax Services Agency, County Clerk, Village of Mayfield Assessor, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor HOWARD and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 89

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING DISTRIBUTION OF A REQUEST FOR PROPOSALS
FOR TITLE SEARCH SERVICES (COUNTY TREASURER)**

WHEREAS, Resolution 76 of 2015 authorized a contract between the County Treasurer and Stewart Title Insurance Company for title search services and said contract expires on March 31, 2017; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for proposals from vendors to provide title search services for the County of Fulton (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 proposals must be addressed to the Committee on Finance, c/o 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, March 22, 2017, 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 proposals; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer and Administrative Officer/Purchasing Agent.

Seconded by Supervisor BRADT and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 90

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION APPROPRIATING RESERVE FUNDS TO CERTAIN
2017 CAPITAL PROJECTS**

WHEREAS, Resolution No. 175 of 2001 established Capital Reserve accounts for receipt of National Tobacco Settlement proceeds and/or County monies from other sources that would facilitate capital improvements or the purchase of capital equipment; and

WHEREAS, the 2017 Adopted Budget allocated \$395,811.00 from said Capital Reserves to fund certain Capital Equipment and Improvement Projects; and

WHEREAS, said allocation needs to be transferred into the appropriate projects; now, therefore be it

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

From: A-0883.0700 – Capital Equipment Reserve	\$99,031.00
A-0883.0800 – Capital Improvements Reserve	\$296,780.00
 To: A-0909 – Unreserved Fund Balance	 \$395,811.00

and, be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 91

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:

Public Health:

- Gas Stove (3797)
- HP Printer (5330)
- HP Desk Jet printer (No bar code)
- Cannon Copier (7268)
- Wheelchair (3922)
- Fax Machine (No bar code)
- HP Desk Jet printer (6229)
- Color T.V. (No bar code)

Social Services:

- Blue Chair (No bar code)
- Black Stool (No bar code)
- Chair w/no wheels (No bar code)
- Fax Machine (0009466)
- 3 Orange Chairs (No bar codes)
- Brown Chair (0003441)
- Chair (No bar code)
- Black Chair (No bar code)

and, be it further

Resolution No. 91 (Continued)

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, Public Health Director, Commissioner of Social Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 92

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE OF PUBLIC HEARING ON PROPOSED LOCAL LAW “B” OF 2017 “A LOCAL LAW TO TRANSFER CERTAIN PROPERTY TO THE FULMONT COLLEGE ASSOCIATION FOR THE DEVELOPMENT OF STUDENT HOUSING”

WHEREAS, there has been duly presented and introduced at a meeting of the Fulton County Board of Supervisors, held on February 13, 2017, a proposed local law entitled “LOCAL LAW “B” OF 2017 TO TRANSFER CERTAIN PROPERTY TO THE FULMONT COLLEGE ASSOCIATION FOR THE DEVELOPMENT OF STUDENT HOUSING”, now therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law “B” of 2017 by the Fulton County Board of Supervisors, on March 13, 2017 at 2:00 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, Fulton County Attorney, FMCC, FMCC Board of Trustees, Montgomery County Legislature, Montgomery County Attorney, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor WILSON and adopted by the following vote:

Ayes: 20 Nays: 0

**LOCAL LAW “B” OF 2017 AUTHORIZING THE COUNTY OF FULTON TO SELL
LANDS OWNED BY THE COUNTY OF FULTON AND COUNTY OF
MONTGOMERY, AS JOINT TENANTS IN TRUST FOR THE USES AND PURPOSES
OF THE FULTON-MONTGOMERY COMMUNITY COLLEGE, TO CONSTRUCT A
HOUSING ACCOMMODATION FOR THE STUDENTS ATTENDING
FULTON-MONTGOMERY COMMUNITY COLLEGE**

Be it enacted by the Fulton County Board of Supervisors:

Section 1. That the purpose of this Local Law is to authorize the Fulton County Board of Supervisors (FULTON) to sell lands owned by the County of Fulton and the County of Montgomery, as “Joint-Tenants in Trust for the Uses and Purposes of the Fulton-Montgomery Community College to the Fulmont College Association (ASSOCIATION) for the sum of \$32,000.00, with the purpose of constructing housing accommodations for students attending Fulton-Montgomery Community College.

Section 2. The lands proposed to be sold are herein described as follows:

All of that tract or parcel of land situate in the Town of Amsterdam, County of Montgomery and State of New York being more particularly described as follows:

Beginning at the intersection of the northerly line of State Route 67 and the southwesterly line of County Road 24, running thence along the northerly line of State Route 67 N77°37'15"W 574.04' to a concrete highway monument, and N75°59'15"WW 148.41' to an iron rod set, thence through the lands of Fulton Montgomery County Community College and along the line between the Town of Amsterdam on the east and the Town of Mohawk on the west, N05°51'28"W 687.43' to an iron rod set in a stone wall and hedgerow, thence along the hedgerow N42°51'56"E 167.67' to an iron rod set in the southwesterly line of County Road 24, thence along the southwesterly line of County Road 24 S36°05'21"E 1084.50' and S13°48'21"E 92.00' to the point of beginning, containing 8.062 acres.

Section 3. The lands proposed to be sold herein shall be used as and for the construction of a housing accommodation for the students attending the Fulton-Montgomery Community College.

Section 4. It is hereby granted and affirmed by FULTON that the aforementioned lands owned by County of Fulton and County of Montgomery are not being used by the general public and are not required to be used for county purposes.

Section 5. The lands proposed by the counties to be sold are not needed for the educational purposes of the Fulton-Montgomery Community College.

Section 6. Notwithstanding the provisions of Section 215 of the County Law of the State of New York, the lands described in Section 2 herein may be sold to the ASSOCIATION without advertising or competitive bidding upon such terms and conditions as may be determined by resolution of FULTON in acting in conjunction with County of Montgomery.

Section 7. To the extent that this local law is inconsistent with Section 215 of the County Law of the State of New York, it shall supersede that section of that law.

Section 8. This local law is subject to and conditioned upon the adoption by the County of Montgomery of a similar local law or other legislative expression consenting to the sale of the lands described herein.

Section 9. If any clause, sentence, paragraph, section or article of this local law be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its clause, sentence, paragraph, section or article declared to be invalid.

Section 10. This local law is subject to a permissive referendum and shall become effective in the Office of the Secretary of State and as otherwise provided by Section 24 of the Municipal Home Rule Law.

Resolution No. 93

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AMENDING PROPOSED LOCAL LAW A OF 2017 “A LOCAL LAW TO ESTABLISH AN OCCUPANCY TAX IN FULTON COUNTY” TO EXPAND THE DEFINITION OF “HOTEL OR MOTEL”

WHEREAS, Resolution 30 of 2017, dated January 9, 2017, set the date of February 13, 2017 for a public hearing regarding “Local Law “A” of 2017 “A Local law to Establish an Occupancy Tax in Fulton County”; and

WHEREAS, working in conjunction with the County Treasurer and County Attorney, the Committee on Finance now recommends certain revisions be made to the language within proposed Local Law “A” prior to adoption by the full Board; and

WHEREAS, the County Attorney has determined that one of the revisions is substantive and, if approved, will necessitate a second public hearing on the Local Law, including the proposed revisions cited below:

Section 3. Definitions.

Amend Subparagraph (c) to read as follows:

(c) Hotel or Motel – Any facility providing lodging to the public on an overnight basis and shall include, but not limited to, those facilities designated and commonly known as bed and breakfast, inns, cottages, lodges, vacation rentals, home rentals, camp rentals, apartments, resorts, guest houses, town houses, condominiums, RV parks and tourist facilities.

Section 10. Records to be Kept.

Amend subparagraph (b) to add the following sentence after existing language:

The County Treasurer is not required to conduct annual audits on any establishment unless deemed necessary regarding this Occupancy Tax Law.

Section 25. Returns to be Kept Confidential.

Amend subparagraph (b) (1) to read as follows:

(1) The delivery to an owner/operator or such duly authorized owner’s/operator’s representative of a copy of any return filed in connection with this local law.

now, therefore be it

Resolution No. 93 (Continued)

RESOLVED, That revised language, as specified above, be and hereby is, incorporated as amendments to proposed “Local Law “A” of 2017 “A Local Law to Establish an Occupancy Tax in Fulton County; and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 94

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING A PUBLIC HEARING DATE FOR LOCAL LAW A-1
“A LOCAL LAW TO ESTABLISH AN OCCUPANCY TAX IN FULTON COUNTY”

WHEREAS, there has been duly presented and introduced at a meeting of the Fulton County Board of Supervisors, held on February 13, 2017, a proposed local law entitled, “LOCAL LAW “A-1” OF 2017 “A LOCAL LAW TO ESTABLISH AN OCCUPANCY TAX IN FULTON COUNTY””; now, therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law “A-1” of 2017 by the Fulton County Board of Supervisors, on March 13, 2017 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, County Attorney, Fulton Montgomery Regional Chamber of Commerce, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 95

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE ALLEN HOUSE
PROJECT AT FULTON-MONTGOMERY COMMUNITY COLLEGE
(2017 CAPITAL PLAN)

WHEREAS, the proposed 2017 Capital Plan identifies a FMCC Allen House Project; and

WHEREAS, the Committee on Finance recommends advertising for bids for the FMCC Allen House Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for the FMCC Allen House Project (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, April 19, 2017, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 96

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS

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

District Attorney

From: A.1165.1165-4090 – EXP – Professional Services
To: A.1165.1165-4150.1000 – EXP – Utilities-Electric
Sum: \$1,000.00

Facilities

From: A.1620.1622-4130 – EXP – Contractual	\$55.00	
A.1620.1624-4130 – EXP – Contractual	37.00	
To: A.1620.1620-4130 – EXP – Contractual		\$92.00

From: A.1620.1624-4130 – EXP – Contractual
To: A.1620.1621-4130 – EXP – Contractual
Sum: \$49.00

From: A.1620.1624-4130 – EXP – Contractual
To: A.1620.1623-4130 – EXP – Contractual
Sum: \$25.00

From: A.1620.1624-4130 – EXP – Contractual
To: A.1620.1630-4130 – EXP – Contractual
Sum: \$164.00

From: A.1620.1626-4130 – EXP – Contractual	\$88.00	
A.1620.1628-4130 – EXP – Contractual	\$55.00	
A.1620.5610-4130 – EXP – Contractual	\$55.00	
To: A.1620.1625-4130 – EXP – Contractual		\$198.00

and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

Ayes: 20 Nays: 0

Resolution No. 97

Supervisor LAURIA offered the following Resolution and moved its adoption:

RESOLUTION IN MEMORY OF FORMER FULTON COUNTY
DISTRICT ATTORNEY ROBERT MAIDER

WHEREAS, former Fulton County District Attorney Robert Maider passed away on Sunday, February 5, 2017; and

WHEREAS, the people of Fulton County were saddened by the loss of a good friend, mentor and dedicated public servant; and

WHEREAS, Mr. Maider served as District Attorney from 1973 to 1976 and as Gloversville City Court Judge from 1968 to 1973; having also served as the Chair of the New York State Committee on Professional Standards; and

WHEREAS, Bob served his country as a Navy Lieutenant on the destroyer USS Cogswell; and,

WHEREAS, Bob obtained his law degree from Cornell Law School in Ithaca, NY in 1958 and was a third generation partner in Maider and Smith, formerly known as Maider, Smith and Maider; and

WHEREAS, Bob served on the Board of Directors of City National Bank, as a Trustee of the Gloversville Public Library and a member of the Nathan Littauer Hospital Foundation as well as serving on the Board of the Getman Home, YMCA and Boy Scouts of America; now, therefore be it

RESOLVED, That that the Board of Supervisors joins with all the people of Fulton County to posthumously express its gratitude to Robert Maider as an a professional and accomplished colleague, dedicated public servant and community leader; and, be it further

RESOLVED, That the Board of Supervisors hereby conveys its expression of deepest sympathy to his entire family, including his wife Carol, son Richard, daughter, Laura as well as his granddaughters; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the family of Robert Maider and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by SILENT STANDING and adopted by the following vote:

Total: Ayes: 20 Nays: 0