

## **SEVENTH REGULAR SESSION**

Johnstown, NY

July 10, 2017

Roll Call – Quorum Present

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

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

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.

Chairman Kinowski then asked the Capital District OTB Scholarship winner, Raina Danylak, to come forward to receive the 2017 Capital District OTB Scholarship Award.

Mr. Stead explained that the Board only received one entry this year and it was from Johnstown High School student Miss Danylak. He further explained that Miss Danylak's essay on county government and positive life examples was very well done. He further explained because the Board of Supervisors only received one entry, Miss Danylak will be receiving the OTB Scholarship Award for 2017 in the amount of \$1,000.00. Miss Danylak also received a Fulton County NY Posi+ive Water bottle, a pen and key chains for her mother and father. Miss Danylak was asked where she would be attending college. She responded LeMoyne College.

Chairman Kinowski then asked for the reading of the Communications and Late Communications that were on the Agenda.

### **COMMUNICATIONS**

1. Letter from Senator Kathleen Marchione acknowledging receipt of Resolution 176 of 2017  
Subj: Resolution Supporting S.879C and A.6140 to Repeal Provisions of the "Safe Act" for Upstate New York. (Supervisor Greene requested a copy)

### **LATE COMMUNICATIONS:**

1. Communication from Columbia County Board of Supervisors  
Subj: Resolution in Support of the Property Tax Reduction Act, H.R. 1871 to Eliminate the Local Share of Medicaid. (Supervisors Blackmon, Born Greene, Lauria and Young requested a copy)

2. Communication from Allegany Board of Legislators  
Subj: Resolution Calling on Governor Cuomo to Immediately Convene a Special Session of the New York State Assembly, and, if Necessary, the New York State Senate, and to Keep Said Body in Session Until Such Time as it Takes Up and Passes Home Rule Messages for All 53 Counties Reliant Upon Sales Tax Extenders to Help Fund State-Imposed Mandates.  
(Supervisors Born, Lauria and Wilson requested a copy)
3. Letter received from NYS Department of Public Service on 30 June 2017 to Elected Official  
Subj: National Grid request that the NYS Public Service Commission approve a proposed increase in electric and gas delivery rates. (Supervisors Lauria and Young requested a copy)

### **UPDATES FROM STANDING COMMITTEES**

(No updates from Standing Committees.)

### **REPORTS OF SPECIAL COMMITTEES**

*Inter-County Legislative Committee of the Adirondacks:* Supervisor Young advised that the meeting was held on June 22 at The Factory Restaurant in downtown Ballston Spa. The group passed a Resolution Expressing Concerns Regarding Reductions in New York State Veterans Advisors and a Proclamation was read honoring longtime Newcomb Supervisor George Canon. Mr. Canon was a member of the Inter-County Legislative Committee for many years. Also, NYSAC was present and provided an update.

### **CHAIRMAN'S REPORT**

Chairman Kinowski advised that Mr. Stead and Planning Director, Jim Mraz, were very involved in setting up a program that was held at Tryon Technology Park for Commercial Industrial Real Estate Brokers (CIRESB) "Day Out" event. The event showcased the Park and other county development projects to the brokers. He further advised that four (4) television stations covered the event and it was a great presentation and a well-received program. He also advised that Ari Hoffnung, Chief Executive Officer from Vireo Health, was present and stated that he is very proud to have come to Fulton County and that the Tryon Technology Park is ideal for his business.

Chairman Kinowski announced that tonight at 6:30 is the third meeting of the Shared Services Panel and it will be held in the Board Chamber if anyone is interested in attending to observe.

## **RESOLUTIONS**

Resolutions on the Regular Agenda were then deliberated upon.

Upon the presentation of a Memorial Resolution, a “unanimous silent standing second” was held for former Supervisor David Edwards from the Town of Johnstown, who passed away last week.

Another moment of silence was held for Northville Police Officer Robert Johnson who was killed in a roadside accident recently when he was helping another motorist.

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 271.

## **PROCLAMATION**

### **IN MEMORY OF WILLIAM LOVEDAY, JR.**

WHEREAS, Former County Historian William Loveday, Jr. passed away on Wednesday, June 29, 2017; and

WHEREAS, Mr. Loveday served as Fulton County Historian from 2002 through 2005; and

WHEREAS, Mr. Loveday was very dedicated to the County Historian’s Office and the importance of chronicling historical data pertaining to Fulton County events, genealogy and future planning; and

WHEREAS, Bill had a distinguished Naval career, starting with enlistment in 1950, graduation from the United States Naval Academy in Annapolis, Maryland in 1956, followed by several tours of duty, which included the Philippines, Saigon and Da Nang, Vietnam, and retiring from his military career after 25 years in the Navy; and

WHEREAS, Bill also committed himself to volunteerism, serving in several Community Service organizations, such as the Board of Trustees of the Fulton County Historical Society and Museum and as longtime Treasurer of the Northville Rotary Club; and

WHEREAS, Bill always exhibited an adventurous soul and built a reputation of sincere character with all whomsoever he met; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby conveys its expression of deepest sympathy to William Loveday Jr.’s entire family, including his three children, two step-children, grandchildren, step-grandchild, five great-grandchildren and two sisters.

A moment of silence was then held for former Historian William Loveday Jr.

## **PUBLIC HEARING: PROPOSED 2017-2018 FMCC BUDGET**

Chairman Kinowski opened the Public Hearing at 1:30 p.m. for the purpose of receiving comments regarding the Public Hearing for the Tentative Budget for Fulton-Montgomery Community College as related to the financial share and obligation of Fulton County for the fiscal year beginning September 1, 2017, pursuant to Chapter 631 of the Laws of 1965.

Chairman Kinowski asked if anyone was present who wished to make comments regarding the 2017-2018 FMCC Budget.

***John Kane - 165 West Bush Road, Gloversville, NY.*** Mr. Kane explained that he was present to object to the policy and directive by Dustin Swanger, President of FMCC and also one of the members of the CEO Roundtable, promoting “his diversity and scheme” of filling jobs with immigrants in Fulton County. Mr. Kane continued that Dr. Swanger is promoting a change while ignoring our rights in the constitution. He is promoting Sharia law and Muslim teaching and is looking to import Bosnian immigrants from Utica, 50 percent of which are of Muslim faith.

Chairman Kinowski asked if anyone else wished to make comments regarding the 2017-2018 FMCC Budget. There being no one, Chairman Kinowski advised that he would keep the public hearing open for a period of time.

Chairman of the Board Kinowski then called for a recess at 1:32 p.m.

Chairman Kinowski called the meeting back to order at 1:44 p.m.

Chairman Kinowski called for any additional speakers for the 2017-2018 FMCC Budget. There being no one, Chairman Kinowski closed the Public Hearing regarding the 2017-2018 FMCC Budget at 1:45 p.m.

## **PUBLIC HEARING: AWARDED CDBG BLOCK GRANTS (432CRF-ME33-13, 432ME45-15, 432CRF-PF103-14)**

Chairman Kinowski then opened the Public Hearing at 1:46 p.m. to receive comments regarding previously awarded Fulton County Community Development Block Grants.

Chairman Kinowski asked if anyone was present who wished to make comments regarding the previously awarded Fulton County Community Development Block grants. There being no one, Chairman Kinowski advised that he would keep the public hearing open.

Chairman of the Board Kinowski then called for a recess at 1:50 p.m.

Chairman Kinowski called the meeting back to order at 2:00 p.m.

Chairman Kinowski called again for any speakers for the Public Hearing on the previously awarded Fulton County Community Development Block Grants. There being no one, Chairman Kinowski closed the Public Hearing regarding the previously awarded Fulton County Community Development Block Grants at 2:01 p.m.

Chairman Kinowski announced that there will be a Capital Projects Committee meeting on July 26 and a meeting notice will be going out shortly.

### **PUBLIC HEARING: WIRELESS COMMUNICATIONS SURCHARGE**

Chairman Kinowski opened the Public Hearing at 2:02 p.m. for the purpose of receiving comments regarding the Public Hearing on proposed Local Law “D” of 2017 “A Local Law Repealing the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; and Imposing the Wireless Communications Surcharges Pursuant to the Authority of Tax Law § 186-G”.

Chairman Kinowski asked if anyone was present who wished to make comments regarding proposed Local Law “D” of 2017. There being no one, Chairman Kinowski advised that he would keep the public hearing open.

Chairman of the Board Kinowski then called for a recess at 2:05 p.m.

Chairman Kinowski called the meeting back to order at 2:15 p.m.

Chairman Kinowski again called for any speakers regarding the Public Hearing on proposed Local Law “D” of 2017 “A Local Law Repealing the Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; and Imposing the Wireless Communications Surcharges Pursuant to the Authority of Tax Law § 186-G”. There being no one, Chairman Kinowski closed the Public Hearing regarding proposed Local Law “D” at 2:16 p.m.

### **PUBLIC HEARING: CDBG BLOCK GRANT APPLICATION - (Application - 74752)**

Chairman Kinowski opened the Public Hearing at 2:18 p.m. to receive comments regarding proposed 2017 Fulton County Community Development Block Grant (Micro Enterprise Grant Program).

Chairman Kinowski asked if anyone was present who wished to make comments regarding proposed 2017 Fulton County Community Development Block Grant (Micro Enterprise Grant Program). There being no one, Chairman Kinowski advised that he would keep the public hearing open.

Mr. Stead advised that the third Shared Services Panel Meeting will be held tonight at 6:30 p.m. He further advised that there is a wave of interest from other counties to postpone their Shared Services Plans until 2018 due to the short mandated timetable of the program.

Chairman Kinowski again called for any speakers for the Public Hearing on the 2017 Fulton County Community Development Block Micro Enterprise Program Grant Application. There being no one, Chairman Kinowski closed the Public Hearing regarding the 2017 Fulton County Community Development Block Grant (Microenterprise Grant Program) at 2:25 p.m.

Upon a motion by Supervisor Waldron, seconded by Supervisor Callery and unanimously carried, the Board adjourned at 2:26 p.m.

*Certified by:*

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

**Resolution No. 242**

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION IN MEMORY OF FORMER SUPERVISOR DAVID EDWARDS

WHEREAS, former Supervisor David Edwards passed away on Friday, June 30, 2017; and

WHEREAS, the people of Fulton County and the Town of Johnstown were saddened by the loss of a good friend, mentor and benefactor in public service; and

WHEREAS, Mr. Edwards served the people of Fulton County as a member of this Board of Supervisors from 2000 through 2008 and served as Chairman of the Board in 2003; and

WHEREAS, prior to his service as Supervisor, he served as a Town Councilman from 1986 to 2000; and

WHEREAS, Supervisor Edwards was devoted to his public service duties with a caring attitude, earning a reputation as a respected gentleman legislator; and

WHEREAS, Dave was a respected area businessman and thoroughly enjoyed several years of farming and dairying; and

WHEREAS, Mr. Edwards was very active in the community with many years of volunteer service with the Pleasant Square Volunteer Fire Department, Mayfield School Board, Town of Johnstown Zoning Board of Appeals, and an amazing 37 years on the H-F-M BOCES Board of Directors; now, therefore be it

RESOLVED, That the Board of Supervisors hereby joins with all the people of Fulton County to posthumously express its gratitude to The Honorable David Edwards for his dedicated public service; and, be it further

RESOLVED, That the Board of Supervisors hereby conveys its expression of deepest sympathy to his entire family, including his wife Lois, his daughters Linda and Leza, grandchildren and great-grandchildren; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the Edwards family 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: 19 Nays: 0 Absent: 1 (Supervisor Howard)

**Resolution No. 243**

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

RESOLUTION TERMINATING THE AIRPORT MASTER PLAN ENVIRONMENTAL ASSESSMENTS PROJECT (2017 CAPITAL PLAN)

WHEREAS, the adopted 2017 Capital Plan included a \$250,000.00 project to conduct Environmental Assessment for the Fulton County Airport Master Plan Update; and

WHEREAS, the Federal Aviation Administration (FAA) requires that an Environmental Assessment can be conducted on Master Plans that include a proposed runway extension; and

WHEREAS, the County’s Airport Consultants, Passero Associates, assessed the need for runway extension as part of the Master Plan Update and submitted their findings to the FAA; now, therefore be it

WHEREAS, based upon the Passero assessment, the FAA has advised that the Airport Master Plan Update should not include a Runway Extension Project for several years

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

Revenue:

Decrease A.1000.0511-0511-REV-Appropriated Reserve \$12,500.00

Appropriation:

Decrease A.1000.9950-9000.1200 - EXP-Capital Improvements Reserve \$12,500.00

and; be it further

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

From: A-0909-Unreserved Fund Balance  
To : A-0883.0800-Capital Improvements Reserve  
Sum: \$12,500.00

RESOLVED, That the 2017 Capital Plan, be, and hereby is, amended to delete the “Airport Master Plan Environmental Assessments” project; and, be it further

**Resolution No. 243 (Continued)**

RESOLVED; That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Airport FBO The 195 Factory, Passero Associates, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

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

**Resolution No. 244**

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING COUNTY ROADS FOR SNOW AND ICE CONTROL  
DURING WINTER OF 2017-2018

WHEREAS, Section 129 of the Highway Law provides that the Board of Supervisors of any county may annually appropriate and expend such sums as it deems proper and necessary for removal of snow, the control of ice and the erection and removal of snow fencing on county roads of the county; and

WHEREAS, Section 129 of the Highway Law further provides that said Board of Supervisors shall designate the county roads from which snow is to be removed, under the direction of the County Superintendent of Highways; now, therefore be it

RESOLVED, That the county roads, as described and attached hereto, be and they hereby are designated as County Roads from which snow shall be removed by the Fulton County Superintendent of Highways, upon which he shall cause to be created and removed the necessary snow fence or other structures to prevent the drifting of snow upon these roads and necessary sanding and ice control; and the entire cost of the work shall be a charge against Fulton County; and, be it further

RESOLVED, That the plowing of these roads is contingent upon the cooperation of the property owners abutting these roads, who must allow the free use of their land by the Fulton County Superintendent of Highways; should any property owner(s) refuse to allow the free use of their lands for the purpose of erection and removal of snow fencing, such action shall be just cause for the Fulton County Superintendent of Highways to refuse to remove snow from the county road upon which this permission is denied; and, be it further

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

COUNTY ROADS OF FULTON COUNTY DESGNATED FOR  
SNOW AND ICE CONTROL DURING WINTER OF 2017/2018

<u>Rd. No.</u>		<u>Length</u>
101	St. Rte. 29A westerly to Co. Rd. 131	1.76
102	Phelps St.-G'ville City Line northeasterly to St. Rte. 30A (2.12 Tn. Johnstown; 1.28 Tn. Mayfield)	3.40
103	St. Rte. 67 southeasterly to Montgomery Co. Line	0.57
104	St. Rte. 29A southerly to Co. Rd. 119	2.35
105	St. Rte. 920J westerly to Gloversville City Line	0.27
106	St. Rte. 29 southeasterly to St. Rte. 30	

## Resolution No. 244 (Continued)

	(2.83 Tn. Mayfield; 1.42 Tn. Perth)	4.25
107	Johnstown City Line easterly to Co. Rd. 132 (3.23 Tn. Johnstown; 6.46 Tn. Perth; 4.87 Tn. Broadalbin)	14.56
108	St. Rte. 331 westerly to Herkimer Co. Line	4.04
109	Co. Rd. 110 southerly to Saratoga Co. Line (0.24Tn. Northampton; 1.43 Tn. Broadalbin)	1.67
110	Broadalbin Village Line northerly to Saratoga Co. Line (6.59 Tn. Broadalbin; 0.95 Tn. Northampton)	7.54
111	St. Rte. 29A northerly to Kasson Drive	1.37
112	St. Rte. 29A easterly to St. Rte. 309 (2.15 Tn. Caroga; 6.62 Tn. Bleecker)	8.77
113	Northville Village limits to Saratoga Co. Line	1.46
114	St. Rte. 29 southerly to Montgomery Co. Line	2.81
116	St. Rte. southerly to Sammons ville	4.49
116A	Montgomery Co. Line northerly to Co. Rd. 116 intersection	0.56
117	Road into Tryon Technology Park	1.28
119	St. Rte. 29 northwesterly to Herkimer Co. Line (5.00 Tn. Ephratah; 6.56 Tn. Stratford)	11.56
120	Co. Rd. 108 to Dolgeville Village limits	2.55
121	Gloversville City Line to Co. Rd. 122	0.49
122	Johnstown City Line northeasterly to Co. Rd. 102	5.42
123	St. Rte. 30 northeasterly to Co. Rd. 152 (4.28 Tn. Mayfield, 1.91 Tn. Northampton)	6.19
125	Co. Rd. 112 to Hamilton Co. Line	7.38
126	Co. Rd. 155 to Montgomery Co. Line (3.19 Tn. Broadalbin; 2.41 Tn. Perth)	5.59
130	St. Rte. 30 to St. Rte. 30	0.52
131	St. Rte. 29 northerly to Co. Rd. 101	2.06
131A	Johnstown City Line westerly to Co. Rd. 131 intersection	1.58
132	Co. Rd. 107 southerly to Montgomery Co. Line	3.02
137	St. Rte. 29A to Cape Horn Rd.	3.76
138	Co. Rd. 110 southerly to St. Rte. 29	4.65
140	St. Rte. 10 to Montgomery Co. Line	2.52
142	Co. Rd. 107 southerly to Montgomery Co. Line	2.61
142A	St. Rte. 67 northeasterly to Co. Rd. 142 intersection	0.97
143	Northville Village Limits to Hamilton Co. Line	1.56
145	Co. Rd. 112 northerly to Barlow Rd.	1.31
146	Co. Rd. 102 northeasterly to St. Rte. 30 (1.67 Tn. Mayfield; 1.75 Tn. J'town)	3.42
148	Johnstown City Line southerly to Montgomery Co. Line	0.64
149	Co. Rd. 113 northerly to Northville Village limits	1.16

**Resolution No. 244 (Continued)**

150	Co. Rd. 108 easterly to St. Rte. 331	1.15
151	St. Rte. 29 south to Co. Rd. 108	2.20
152	St. Rte. 30 northerly to St. Rte. 920H	3.02
153	Airport Rd.-St. Rte. 67 northerly	0.32
154	G'ville City Line easterly to St. Rte. 30A & St. Rte. 349 northeasterly to St. Rte. 30A (0.67 Tn. J'town; 0.81 Tn. M'field)	1.48
155	St. Rte. 29 easterly to St. Rte. 30 easterly to St. Rte. 29 (0.02 Tn. Broadalbin; 1.29 Tn. Mayfield)	1.31
156	St. Rte. 67 northerly to St. Rte. 29	1.28
157	St. Rte. 349 northerly to Co. Rd. 154	0.87
158	St. Rte. 29 southerly to Co. Rd. 107 (0.32 Tn. Mayfield; 1.38 Tn. Perth)	<u>1.70</u>
	TOTAL	43.44

Seconded by Supervisor CALLERY and adopted by the following vote:

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

**Resolution No. 245**

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

RESOLUTION AUTHORIZING 2017-2018 AGREEMENTS FOR SNOW AND ICE CONTROL ON CERTAIN DESIGNATED ROADS

RESOLVED, That the Chairman of the Board of Supervisors and the County Highway Superintendent are hereby empowered and directed to enter a written agreement with the following towns in Fulton County for snow and ice control on certain designated County roads during the season of 2017-2018, at a cost of \$5,000.00 per mile:

<u>Town</u>	<u>Mileage</u>	<u>Cost</u>
Bleecker	2.11	\$10,550.00 (incl. contract for plowing Tower Rd.)
Caroga	5.11	\$25,550.00
Ephratah	7.52	\$37,600.00
Johnstown	6.80	\$34,000.00
Mayfield	5.95	\$29,750.00
Northampton	9.63	\$48,150.00
Perth	3.02	\$15,100.00
Stratford	<u>8.91</u>	<u>\$44,550.00</u>
TOTAL	49.05	\$245,250.00

and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

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

**Resolution No. 246**

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

**RESOLUTION AUTHORIZING CONTRACT WITH THE TOWN OF BLEECKER FOR  
2017-2018 WINTER MAINTENANCE OF THE COMMUNICATIONS TOWER ROAD**

WHEREAS, the County Highway Department is responsible for plowing and sanding the road leading to the Fulton County Communications Tower to provide access during winter months; said road being approximately 0.80 miles long; and

WHEREAS, the Town of Bleecker already plows the road connecting to the County's portion of said road; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with the Town of Bleecker to maintain the road leading to the Communications Tower during the winter months, at a cost not to exceed \$4,000.00 (pro-rated from \$5,000.00 per mile); said contract subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 247**

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING RECIPROCAL AGREEMENT BETWEEN THE  
DEPARTMENT OF HIGHWAYS AND FACILITIES AND THE CITY OF JOHNSTOWN  
FOR SNOW AND ICE CONTROL ON COUNTY ROAD 148 AND MAPLE AVE

WHEREAS, the County of Fulton owns and is responsible for the snow and ice control of County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line; and

WHEREAS, the City of Johnstown owns and is responsible for the snow and ice control of Maple Avenue from North Perry Street to the Johnstown City line; and

WHEREAS, the Superintendent of Highways and Facilities and the Johnstown City Engineer have discussed sharing services for plowing during future winter seasons; and

WHEREAS, the City of Johnstown has agreed to provide snow and ice control on County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line in exchange for the County providing snow and ice control of Maple Avenue from North Perry Street to the Johnstown City line; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign an Agreement with the City of Johnstown to provide snow and ice control during future winter seasons for County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line and for Maple Avenue from North Perry Street to the Johnstown City line as summarized herein; and, be it further

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

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

Seconded by Supervisor GROFF and adopted by the following vote:

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

**Resolution No. 248**

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

RESOLUTION AUTHORIZING CONTRACT WITH AUCTIONS INTERNATIONAL CORPORATION TO SELL CERTAIN SURPLUS VEHICLES (HIGHWAY AND FACILITIES DEPARTMENT)

WHEREAS, the Superintendent of Highways and Facilities has recommended a contract with Auctions International Corporation to sell surplus vehicles 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 vehicles, with compensation equaling a Buyer’s Premium of 10 percent as follows:

<u>Year</u>	<u>Vehicle</u>	<u>Mileage/Hours</u>	<u>VIN /Serial Number</u>	<u>Est. Value</u>
2006	Dodge Ram 2500	108,302	3D7KS26D56G206434	\$3,000.00
2003	Ford Van E250	134,783	1FTNE24213HA70739	\$1,500.00
2003	Ford F350 Crew Cab	194,077	1FDWW36S63EC57735	\$2,500.00
1987	Ford F350	80,611	2FDKF38L0HCA46337	\$3,000.00
1996	Mobark John Deere	96,395(hrs)	T04039D507945	\$1,000.00

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, Superintendent of Highways and Facilities, Auctions International Corporation, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

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

**Resolution No. 249**

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR UNLEADED  
GASOLINE FOR THE CENTRAL FUEL DEPOTS LOCATED AT THE COUNTY  
SERVICES COMPLEX AND SOLID WASTE DEPARTMENT**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of unleaded fuels for the fuel dispensing system located at the County Services Complex and 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., August 16, 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, Superintendent of Highways and Facilities, Solid Waste Deputy Director, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by Supervisor CHRISTOPHER and adopted by the following vote:

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



**Resolution No. 251**

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

**RESOLUTION AUTHORIZING A CONTRACT WITH CORRELL ROOFING FOR A ROOF REPLACEMENT PROJECT AT THE FORT JOHNSTOWN BUILDING**

WHEREAS, a low slope membrane roof has been leaking at the Fort Johnstown Building; and

WHEREAS, the Superintendent of Highways and Facilities recommends replacing said roof rather than continuing to patch problem areas; and

WHEREAS, the Superintendent solicited three (3) quotes for said roof replacement work as follows:

- Titan Roofing                      \$13,500.00
- Claus Construction              \$11,000.00
- Correll Roofing                    \$ 9,625.00

and;

WHEREAS, the Committee on Buildings and Grounds/Highway and Finance recommend a contract with Correll Roofing, Gloversville, NY to perform the required roof replacement project at the Fort Johnstown Building; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Correll Roofing, Gloversville, New York, in an amount not to exceed \$9,625.00, to complete the roof replacement project at the Fort Johnstown Building; and, be it further

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

From: A.1000.1990-4907-EXP-Contingent Fund Expense  
To : A.1620.1622-4180-EXP-Renovations  
Sum : \$9,625.00

and, be it further

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

**Resolution No. 251 (Continued)**

RESOLVED, That certified copies of this resolution be forwarded to the County Treasurer, Superintendent of Highway and Facilities, Correll Roofing, Planning Director, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

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

**Resolution No. 252**

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH CLAUS CONSTRUCTION FOR A  
ROOF REPLACEMENT PROJECT  
AT THE FULTON COUNTY AIRPORT ENTERPRISE BUILDING

WHEREAS, Fulton County received an Aviation Capital Grant to perform upgrades at the Fulton County Airport Enterprise Building (formerly known as “restaurant building”); and

WHEREAS, Resolution 34 of 2017 Re-Appropriated Funds in the 2017 Adopted Budget for the Airport Restaurant Upgrades Project at the Fulton County Airport; and

WHEREAS, Fulton County received three (3) quotes for the roof replacement project as follows:

- Titan Roofing                      \$18,000.00
- Correll Roofing                    \$15,700.00
- Claus Construction                \$10,800.00

and;

WHEREAS, the Committee on Buildings and Grounds/Highway recommends hiring Claus Construction, to perform the required roof replacement project at the Fulton County Airport Enterprise Building; now, therefore be it

RESOLVED, That in as much as said building is used to promote entrepreneurial enterprise at the Airport, it shall hereafter be referred to as the Airport “Enterprise Building”; and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Claus Construction, St. Johnsville, New York, in an amount not to exceed \$10,800.00, to complete the roof replacement project at the Fulton County Airport Enterprise Building; 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, Superintendent of Highway and Facilities, Claus Construction, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

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

**Resolution No. 253**

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION OPPOSING SENATE BILL S3327 AND ASSEMBLY BILL A6519 WHICH WOULD MAKE OPTIONAL THE REQUIREMENT THAT ALL MEMBERS OF THE CONSERVATION FUND ADVISORY BOARD POSSESS A VALID HUNTING, TRAPPING OR FISHING LICENSE

WHEREAS, the New York State Conservation Council contacted the County to urge opposition to the above-listed bills that have been introduced in the State Legislature; and

WHEREAS, the Conservation Fund plays an important role in providing the Department of Environmental Conservation with funds used to manage fish and wildlife programs and to create and maintain the habitat that is vital to the state's fish and wildlife populations; and

WHEREAS, the Conservation Fund relies heavily on the monies generated by the sale of hunting, fishing, trapping and sporting licenses, as well as the state's apportionment of excise taxes collected from the sale of sporting equipment and funds distributed by the U.S. Fish and Wildlife Service through the federal Pittman-Robertson and Wallop-Breaux Acts; and

WHEREAS, said bills would lift a long-standing requirement that appointees to the NYS Conservation Fund Advisory Board possess a valid hunting, trapping or fishing license to ensure a commitment to management of fish and wildlife programs; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors opposes Senate Bill S3327 and Assembly Bill A6519 which would make optional the requirement that all members of the Conservation Fund Advisory Board possess a valid hunting, trapping or fishing license; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, New York State Conservation Council, All Counties, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

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

**Resolution No. 254**

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR A  
LANDFILL COMPACTOR (2017 CAPITAL PLAN)

WHEREAS, the 2017 Capital Plan identifies a new Landfill Compactor for use in the Solid Waste Department; 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 a Landfill Compactor for use in the 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, August 16, 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, Solid Waste Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

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

**Resolution No. 255**

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

RESOLUTION AUTHORIZING HIRE OF A PER DIEM LPN AT THE  
CORRECTIONAL FACILITY

WHEREAS, the Fulton County Sheriff recommends the hire of a per diem LPN (Licensed Practical Nurse) position in the Correctional Facility; now, therefore be it

RESOLVED, That the Sheriff be, and hereby is, authorized to hire one (1) per diem LPN position (rate of \$16.65 per hour) effective immediately; and, be it further

RESOLVED, That scheduling and utilization of said per diem LPN shall be limited by existing appropriations with the Corrections Division supplemental payroll line item; and, be it further

RESOLVED, That the Fulton County Sheriff 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, Personnel Director, Sheriff, Captain (Correction Divisions), Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

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

**Resolution No. 256**

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

RESOLUTION REALLOCATING CERTAIN HOMELAND AND SECURITY GRANT FUNDS INTO THE 2017 BUDGET (CIVIL DEFENSE/FIRE COORDINATOR)

WHEREAS, Resolution 178 of 2015 authorized application and acceptance of 2015 Homeland Security Program Grant funds in the amount of \$63,750.00; and

WHEREAS, Resolution 347 of 2015 authorized purchase of various equipment for use in the Civil Defense/Fire Coordinator’s Office with said grant funds; and

WHEREAS, Resolution 182 of 2017 authorized reallocating certain Homeland Security Grant Funds into the 2017 budget to facilitate the purchase of equipment and instructional services in the amount of \$18,063.00; and

WHEREAS, there is an unspent balance of \$5,590.00 already appropriated in the 2017 Budget in 2015 grant proceeds; now, therefore be it

RESOLVED, That upon the recommendation of the Civil Defense Director and Committees on Public Safety and Finance, the Civil Defense Director be and hereby is authorized to expend 2015 State Homeland Security Grant Funds to purchase the items identified herein, in approximate amounts, as follows:

Equipment:

Projector	\$3,766.81
Motorola APX P-25 Conventional VHF Hi-Band Portable Radio	<u>\$2,261.98</u>
	\$6,028.79

and, be it further

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

Revenue:

Increase A.3640.3645-3306.0001-REV-Civil Defense-SHSP	\$438.00
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Appropriation:

Increase A.3640.3645-2840-EXP-Equipment	\$438.00
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and, be it further

**Resolution No. 256 (Continued)**

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

From: A.3640.3645-4840-EXP-SHSP Contractual  
To: A.3640.3645-2840-EXP-SHSP-Equipment  
Sum: \$1,500.00

and, be it further

RESOLVED, That the Civil Defense Director is hereby directed to carry out said purchases expeditiously and complete all grant requirements in 2017; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 257**

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

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF 2017  
HOMELAND SECURITY PROGRAM GRANT (CIVIL DEFENSE/FIRE COORDINATOR)

WHEREAS, Fulton County has been notified that it may be eligible to receive \$84,975.00 in grant funds from the 2017 NYS Homeland Security Program; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement with the NYS Division of Homeland Security and Emergency Services for 2017 State Homeland Security Program funds, in a total amount of \$84,975.00 for the following purposes:

State Homeland Security Program-Civil Defense Office	\$63,731.00
Law Enforcement Terrorism Prevention Program-Sheriff's Department	\$21,244.00

and, be it further

RESOLVED, That the Civil Defense/Fire Coordinator and Sheriff prepare a plan to describe the use of said grant funds for presentation and approval by resolution of the Board of Supervisors; and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator 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, Civil Defense Director, Sheriff, 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 GROFF and adopted by the following vote:

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

**Resolution No. 258**

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

RESOLUTION AUTHORIZING APPLICATION FOR 2017 NYS DIVISION OF  
HOMELAND SECURITY AND EMERGENCY SERVICES HAZARDOUS MATERIAL  
EMERGENCY PREPAREDNESS GRANT (CIVIL DEFENSE/FIRE COORDINATOR)

WHEREAS, Fulton County has been notified that it may be eligible for grant funds totaling \$15,516.00 in grant funds from the 2017 NYS Homeland Security and Emergency Services Hazardous Material Preparedness Grant Program; and

WHEREAS, the Civil Defense Director/Fire Coordinator is requesting permission to apply for said funds as part of a regional effort between Fulton, Montgomery and Schoharie Counties with Fulton County acting as the fiduciary; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement with the NYS Division of Homeland Security and Emergency Services for 2017 Hazardous Material Preparedness Grant program, in a total amount of \$15,516.00 (\$5,172.00 per county) including the requirement that the County provide a 20 percent local match that will be met by providing in-kind services; and, be it further

RESOLVED, That the Civil Defense/Fire Coordinator prepare a plan for the use of said grant funds to support Hazardous Material Emergency Preparedness Planning and Training activities through a regional approach for presentation and approval by resolution of the Board of Supervisors; and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator 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, Civil Defense Director, 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:

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

**Resolution No. 259**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A REQUEST FOR PROPOSALS FOR INMATE HEALTH CARE SERVICES AT THE FULTON COUNTY CORRECTIONAL FACILITY**

WHEREAS, medical care at the Fulton County Correctional Facility must meet stringent standards set by the National Commission on Correctional Health Care and State Commission of Correction; and

WHEREAS, the Sheriff has reviewed the medical needs at the Correctional Facility and recommends seeking proposals from qualified health care firms or professionals to provide physician and related physician consulting services for said Facility; and

WHEREAS, the committees on Public Safety and Finance have reviewed the Sheriff's recommendation and concur with pursuing contracted professional physician service options; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to solicit proposals for physician and related medical services at the Fulton County Correctional Facility (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such proposals must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Building, Johnstown, NY 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, August 16, 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 the Resolution be forwarded to the County Treasurer, Sheriff, Correctional Facility, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

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

**Resolution No. 260**

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

RESOLUTION AUTHORIZING PURCHASE OF PORTABLE RADIOS AND USB AIR CARDS FOR MOBILE DATA SYSTEM WITH 2016 SLETPP HOMELAND SECURITY PROGRAM GRANT FUNDS (SHERIFF'S DEPARTMENT)

WHEREAS, Resolution 147 of 2016 authorized application and acceptance of a 2016 Homeland Security Grant Fund in the amount of \$85,000.00 and an unspent balance of \$21,250.00 remains; and

RESOLVED, That upon the recommendation of the Sheriff and Committees on Public Safety and Finance, the Sheriff be and hereby is authorized to expend 2016 Homeland Security Grant Funds to purchase the items identified herein, in approximate amounts, as follows:

USB Air Cards for Mobile Data System	\$ 9,250.00
Portable Radios	12,000.00

and, be it further

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

Revenue:

Increase A.3110.3645-3306.0003-REV-Sheriff-SLETPP \$21,250.00

Appropriations:

Increase A.3110.3645-2820-EXP-SLETPP Equipment	\$12,000.00
Increase A.3110.3645-4820-EXP-SLETPP Contractual	\$ 9,250.00

and, be it further

RESOLVED, That the Sheriff is hereby directed to carry out said purchases expeditiously and complete all grant requirements in 2017; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

**Resolution No. 261**

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

**RESOLUTION AUTHORIZING APPLICATION FOR DEPARTMENT OF CRIMINAL JUSTICE SERVICES LIVE SCAN GRANT (SHERIFF'S DEPARTMENT)**

WHEREAS, the NYS Department of Criminal Justice Services (DCJS) has restructured its electronic fingerprint central database system which will require user agencies to purchase compatible "Live Scan" computer work stations; and

WHEREAS, the Sheriff reports that two (2) such "Live Scan" workstations will be needed; one (1) each for the Patrol Division and the Corrections Division at a total estimated cost of \$64,632.00; and

WHEREAS, the Sheriff desires to submit an application for a 2018 DCJS Live Scan grant that will pay 50 percent of the cost to purchase equipment to transmit fingerprints and photos to NYS DCJS as required by law; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Safety, the Chairman of the Board be and hereby is authorized to sign and submit an application for DCJS Live Scan grant funds, in an amount of \$32,316.00 to support Sheriff's and Corrections departments to purchase equipment to transmit fingerprints and photos to NYS DCJS as required by law; and, be it further

RESOLVED, That the Sheriff is hereby directed to return to the Board of Supervisors with details of how the DCJS Live Scan Grant will be allocated; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 262**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW 3 OF 2017 “A LOCAL LAW REPEALING THE WIRELESS COMMUNICATIONS SURCHARGE AUTHORIZED BY ARTICLE SIX OF THE COUNTY LAW OF THE STATE OF NEW YORK; AND IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-g”

WHEREAS, proposed Local Law “D” of 2017 entitled, Local Law “D” of 2017 Repealing The Wireless Communications Surcharge Authorized by Article Six of the County Law of the State of New York; and Imposing The Wireless Communications Surcharges Pursuant to the Authority of Tax Law § 186-G has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on July 10, 2017, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law 3, hereinabove referenced, be and hereby is approved; and, be it further

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

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Secretary of State, Sheriff, Civil Defense Director/Fire Coordinator, Fulton County Code Book, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor WALDRON and adopted by the following vote:

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

LOCAL LAW 3

of the

Board of Supervisors of the County of Fulton Repealing  
the Wireless Communications Surcharge authorized by  
Article Six of the County Law of the State of New York;  
and Imposing The Wireless Communications Surcharges  
Pursuant to the Authority of Tax Law § 186-g.

Be it enacted by the Board of Supervisors of County of Fulton as follows:

SECTION 1. LOCAL LAW NO. 1 OF 2012, A LOCAL LAW ENACTING A LOCAL  
WIRELESS SURCHARGE, as amended, is hereby REPEALED.

SECTION 2. Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of County Of Fulton on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County of Fulton at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County of Fulton, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3. Administration of surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. Applicability of State law to surcharges imposed by this Local Law, All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5. Net collections received by this County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Board of Supervisors of County of Fulton and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County of Fulton, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County of Fulton shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6. Effective date. This Local Law 3 shall take effect December 1, 2017.

**Resolution No. 263**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ADOPTING THE 2017-2018 FMCC BUDGET**

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented the sponsoring counties with a 2017-2018 budget request, proposing a total FMCC budget of \$20,085,409.00; and

WHEREAS, a public hearing related to the adoption of said FMCC Budget was held on July 10, 2017 and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That the several amounts reflecting the share to be appropriated by Fulton County be and the same hereby are appropriated for the objects and purposes specified below, to become effective September 1, 2017:

Fulton County Sponsor Share :	\$ 1,495,821.00
Revenues and Montgomery County Share:	<u>18,589,588.00</u>
Total FMCC Operating Budget	\$20,085,409.00

and, be it further

RESOLVED, That the share and obligation of the County of Fulton shall be included in the Fulton County Budget for 2017, as provided for in Section 6304 of the Education Law of the State of New York; and, be it further

RESOLVED, That the Board of Supervisors hereby directs the FMCC Board of Trustees to prepare a final 2017-2018 College budget in accordance with the sums appropriated herein; and, be it further

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

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

Seconded by Supervisor CALLERY and adopted by the following vote:

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

**Resolution No. 264**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION RENEWING PROPERTY AND LIABILITY INSURANCE FOR 2017-2018  
FOR COUNTY DEPARTMENTS**

WHEREAS, Fulton County holds certain property and liability insurance policies through the New York Municipal Insurance Reciprocal, a self-owned cooperative insurance pool; and

WHEREAS, the County holds other specialized liability and property insurance through private insurance carriers; now, therefore be it

RESOLVED, That the insurance policies be renewed and/or purchased for 2017-2018 through NBT/Mang Agency, broker-of-record for the County, as follows:

<b>POLICY/COVERAGE</b>	<b>RENEWAL PREMIUM</b>
NYMIR Property	\$ 54,397.20
NYMIR Boiler & Machinery	7,873.80
NYMIR General Liability	66,922.90
NYMIR OCP	550.00
NYMIR Auto	50,853.00
NYMIR Public Officials Liability	31,637.10
NYMIR Law Enforcement Liability	68,544.30
NYMIR Inland Marine	22,151.80
NYMIR Healthcare General Liability	914.85
NYMIR Healthcare Professional Liability – Occurrence	20,171.64
NYMIR Excess Catastrophe Liability	14,641.00
NYMIR Fire Fee	264.93
NYMIR Motor Vehicle Fee	950.00
F&D Crime	5,788.00
ACE: Airport Liability-Without TRIA	4,850.00
<b>Total Estimated Premium:</b>	<b>\$350,510.52</b>

**Resolution No. 264 (Continued)**

and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

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

**Resolution No. 265**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION EXTENDING TEMPORARY PER DIEM CLERK (DEMOCRAT) POSITION  
IN THE BOARD OF ELECTIONS**

WHEREAS, Resolution 153 of 2017 authorized Creation of a Temporary Per Diem Clerk (Democrat) Position in the Board of Elections; and

WHEREAS, the Deputy Commissioner is out on an extended leave and is not anticipated to return to work until the end of July; and

WHEREAS, said Per Diem Elections Clerk is needed to perform various election duties during a busy petition return week, and the Board of Elections Commissioners have requested an extension of said Per Diem Elections Clerk position until the end of July; now, therefore be it

RESOLVED, That the Board of Election Commissioners hereby are authorized to extend the temporary per diem Elections Clerk (Democrat) (\$13.40 per hour, no benefits) not to exceed 20 hours per week in the Board of Elections Office, effective immediately through July 31, 2017; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 266**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACTS BETWEEN THE COUNTY TREASURER  
AND CERTAIN TITLE INSURANCE COMPANIES FOR TITLE SEARCH SERVICES**

WHEREAS, Resolution 234 of 2017 authorized a Contract Between the County Treasurer and Chain of Deeds Abstract, LLC for Title Search Services; and

WHEREAS, the County Treasurer is asking to contract with additional title search companies under the same pricing terms and conditions to ensure completion of all tax foreclosure transactions in a timely manner; now, therefore be it

RESOLVED, That upon the recommendation of the County Treasurer and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign contracts between the County Treasurer and the following Title Search Companies for title search services; Stewart Title Company, KCS Land Research Corporation, Genesis Abstract Company, and Sacandaga Abstract, effective retroactively to June 12, 2017 through March 31, 2018, at the following rates:

Rates:

\$90.00 per parcel for base search  
15.00 per parcel for bankruptcy search  
20.00 per parcel for search update

and, be it further

RESOLVED, That said contract awards be and hereby are contingent upon each abstract company submitting a Certificate of Insurance for professional liability insurance naming the County as an additional insured for the entire period of the contract work; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Stewart Title Company, KCS Land Research Corporation, Genesis Abstract Company, and Sacandaga Abstract, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

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

**Resolution No. 267**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

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

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

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

Social Services:

File Cabinet (No I.D. Number)	File Cabinet (0003091)
File Cabinet (0003092)	File Cabinet (0002940)
File Cabinet (0003088)	File Cabinet (0003089)
File Cabinet (0003090)	File Cabinet (0003101)
File Cabinet (0003086)	File Cabinet (0003087)
Chair (0005886)	Transcribing Machine (0004173)

Sheriff:

HP Printer (5628)	HP Printer (5907)
HP Printer (5910)	HP Printer (6327)
HP Printer (6617)	HP Printer (6618)
MDE Video System (6960)	GPS Module (6961)
MDE Video System (7010)	GPS Module (7011)
MDE Video System (7025)	HP Printer (8377)
HP Printer (8737)	HP Printer (8738)
HP Printer (No I.D. Number)	SONY TV (No I.D. Number)
HP Printer (No I.D. Number)	HP Scanner (No I.D. Number)
Epson Printer (No I.D. Number)	

and, be it further

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

**Resolution No. 267 (Continued)**

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

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 268**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION SETTING DATE FOR PUBLIC HEARING REGARDING LOCAL LAW “E”  
OF 2017 “A LOCAL LAW TO AUTHORIZE OVERRIDING OF THE STATE-MANDATED  
TAX LEVY LIMIT FOR THE 2018 COUNTY BUDGET”**

WHEREAS, there has been duly presented and introduced at a meeting of the Fulton County Board of Supervisors, held on July 10, 2017, a proposed local law entitled, “LOCAL LAW TO AUTHORIZE OVERRIDING THE STATE-MANDATED TAX LEVY LIMIT FOR THE 2018 FULTON COUNTY BUDGET”; now, therefore be it

RESOLVED, That a public hearing shall be held for said proposed Local Law “E” of 2017 by the Fulton County Board of Supervisors on Monday, August 14, 2017, at 1:30 p.m., in the Supervisors Chambers, County Office Building, Johnstown, NY, and that 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, 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 BREH and adopted by the following vote:

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

**COUNTY OF FULTON**  
**LOCAL LAW “E” OF 2017 ENTITLED,**  
**“LOCAL LAW TO AUTHORIZE OVERRIDING THE STATE-MANDATED TAX**  
**LEVY LIMIT FOR THE 2018 FULTON COUNTY BUDGET”**

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

***Purpose:***

The intent of this local law is to comply with the requirements of General Municipal Law Section 3-c (5) prior to adopting the 2018 Fulton County Budget. The slow recovery of the national, state and local economies from the most recent recession and the continued financial obligations imposed on the County by the State of New York in the form of mandated government activities not fully funded by the State are conditions beyond the control of County government. Notwithstanding these circumstances the County will need to provide services in 2018, in addition to those mandated by the State, which are important to its citizens. After sustained effort to minimize the amount of the tax levy, and to project the tax levy limit for Fulton County for 2018, a responsible budget for 2018 may require a tax levy that will be greater than the tax levy limit calculated pursuant to applicable State Law.

1. **Budget Authorization:** The Board of Supervisors hereby overrides the tax levy limit for Fulton County for 2018 and authorizes Fulton County, after completing all required procedures for the adoption of a budget, to adopt a budget for 2018 that requires a tax levy that is greater than the tax levy limit calculated for 2018 pursuant to Section 3-c of the General Municipal Law.
2. **Severability:** If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.
3. **Effective Date:** This local law shall take effect immediately, pursuant to Section 27 of the Municipal Home Rule Law.

**Resolution No. 269**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING COUNTY TREASURER TO CLOSEOUT CERTAIN  
CAPITAL PROJECTS

WHEREAS, certain projects identified in prior Capital Plans that have been completed and accounts established for said projects are no longer utilized; now, therefore be it

RESOLVED, That the following capital project work has been completed and the Budget Director recommends that said project be closed out and the remaining balance returned to the A-0883.0800 - Capital Improvements Reserve:

H.8020.6430-XXXX.0640 – Tryon Tech Park – (Approx balance: \$49,200.00)

and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

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

**Resolution No. 270**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS**

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

Sheriff's Department

From: A.3110.3110-2000 – EXP – Equipment - Fixed Asset  
To: A.3110.3110-4010 – EXP – Equipment - Non-Asset  
Sum: \$5,415.00

Facilities

From: DM.5130.5130-2010 – EXP – Capital Expense  
To: DM.5130.5130-4540 – EXP – Auto Supplies  
Sum: \$700.00

and, be it further

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

Workers Compensation

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

From: MS.9040.1720-4090 – EXP – Professional Services (Medical)	\$100,000.00	
MS.9040.1710-4090 – EXP - Professional Services (Legal/Expense)	25,000.00	
To: MS.9040.1720-4921 – EXP – Benefits and Awards (Indemnity)		\$125,000.00

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

**Resolution No. 271**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE SALE OF THREE SURPLUS COMPUTERS  
TO THE TOWN OF CAROGA**

WHEREAS, Resolution 399 of 2015 designated certain computer equipment, namely PC CPU's, keyboards and mouses, as "surplus" and authorized their sale via on-line auction; and

WHEREAS, a letter was received from the Town Clerk in the Town of Caroga, requesting that the County consider selling three (3) of the aforementioned PC's (Dell Optiplex 760) computers (CPU, keyboard, mouse) in order to replace the Town's current computers; and

WHEREAS, the Information Services Director and Purchasing Agent recommend the sale of three (3) surplus Dell Optiplex 760 computers (I.D. Numbers: 8500, 8501, 8502) to the Town of Caroga, at nominal cost; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to sell three (3) surplus Dell Optiplex 760 computers to the Town of Caroga at a cost of \$25.00 per each computer; and remove said equipment from the County's Fixed Assets Inventory; and, be it further

RESOLVED, That the Purchasing Agent 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, Town of Caroga, Information Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

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

