

## **FIFTH REGULAR SESSION**

Johnstown, NY

May 12, 2014

Roll Call – Quorum Present

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

TOTAL: Present: 18 Absent: 2 (Supervisors Callery and Capek)

Chairman Argotsinger called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, the Chairman asked if there was anyone from the public who wished to address the Board.

***Dustin Swanger, President, FMCC:*** Dr. Swanger stated that he was in attendance today as a member of the Fulton-Montgomery CEO Roundtable. He stated that the CEO Roundtable is a group of business leaders from Fulton and Montgomery Counties. He stated that the CEO Roundtable is invested and driven to move the region forward and encourage economic prosperity. He also advised that he was representing the CEO Roundtable today to endorse the SMART Waters initiative that the Board will be taking action on later in the meeting. He stated that they also endorse the idea that such an effort will benefit the county as well as the municipalities who own the water supplies. He stated that this initiative is critically important for our communities to move forward. He stated, “Change can be hard, but we have to change to grow”. He thanked the Board for the leadership on this very important issue.

***Mark Kilmer, President, Fulton Montgomery Chamber of Commerce:*** Mr. Kilmer stated that he is a lifelong resident of the City of Gloversville. The City and Fulton County have been burdened with high taxes and high unemployment for a long time. He stated that he strongly believes in the concept of regionalization as one of the best ways to move the county forward. SMART Waters is a great initiative to keep that going. He encouraged the Board to endorse the SMART Waters initiative. He stated, “Remember, water over the dam is dollars down the drain.”

***Patty Southworth, member of the Saratoga County Rural Presentation Board:*** Ms. Southworth stated that this organization provides supportive services for veterans and their families who are at risk of being homeless or are currently homeless.

### **INVITED SPEAKERS**

**Kenneth Tompkins, Regional Director, Mohawk Valley Regional Economic Development Council (MVREDC)** addressed the Board regarding the Councils operations and current programs. He thanked the Board for allowing him to be here today. He stated that MVREDC began in August 2011 when Andrew Cuomo was running for office. The Consolidated Funding Applications System was also created. Members of the MVREDC are the counties of Schoharie, Otsego, Montgomery, Fulton, Herkimer and Oneida. He also stated that the five core strategies for MVREDC are “Grow, Build, Create, Revive, and Forge”.

Chairman Argotsinger opened the Public Hearing at 1:32 p.m. for the purpose of receiving comments regarding proposed Local Law “A” of 2014 to reduce the number of Elected Coroner Positions from Two (2) to One (1). There being no public speakers who wished to address the Board, Chairman Argotsinger announced that he would keep the public hearing open for a portion of the Board Meeting.

Chairman Argotsinger then called for a five minute recess at 1:32 p.m.

Chairman Argotsinger called the meeting back to order at 1:40 p.m.

### **LATE COMMUNICATIONS:**

L-1 Letter from Stephen J. Acquario, Executive Director, NYSAC, to Jon R. Stead, Clerk of the Board, dated May 2, 2014

Subj: Acknowledging receipt of Resolution No. 127 (Resolution Urging New York State to Establish a Residency Waiting Period to Qualify for Welfare Benefits and Resolution No. 141 (Resolution Opposing Assembly Bill A689-A Mandating Early Voting in New York State) (Supervisor Born requested a copy of Late Communication 1)

L-2 Letter from Dustin Swanger, Fulton and Montgomery Region CEO Roundtable to Richard Argotsinger, Chairman, dated 8 May 2014

Subj: Endorsement of the efforts of the Board of Supervisors and its SMART Waters initiative as a means to pursue a regional water and wastewater system

### **REPORTS**

- A. National Grid Electric Emergency Procedures Manual – 2014 [Priority Reading]
- B. New York State Law Enforcement Council’s 2014 Legislative Priorities [Priority Reading]
- C. 2013 Annual Report – Fulton County Department of Social Services

Chairman Argotsinger again asked if there were any members of the public who wished to make comments regarding the Public Hearing to receive comments on proposed Local Law “A” of 2014 to reduce the number of Elected Coroner Positions from Two (2) to One (1). There being no interested speakers, Chairman Argotsinger moved forward with Updates from Standing Committees.

### **UPDATES FROM STANDING COMMITTEES**

**Finance:** Chairman Fagan advised that budget calendars are in all the Supervisors mailboxes. He also announced that there would be a brief Finance Committee meeting immediately following the Board meeting today. He also stated that there are a couple of important resolutions on the Board’s Agenda today that he hopes the Board approves - the Smart Waters initiative and changing the structure of the Coroner’s Office.

## **REPORTS OF SPECIAL COMMITTEES**

***Inter-County Legislative Committee of the Adirondacks:*** Supervisor MacVean advised that a very interesting meeting was held in Lewis County. There was a lot of talk about how much money Lewis County makes on snowmobilers and four wheeler riders on local trails. She stated this is something to be considered for Fulton County. She stated that there also was a speaker from Solar City who talked about solar power and how it can benefit a county. The next meeting will be hosted by Fulton County at the Johnstown Holiday Inn on May 22, 2014 at 10:30 a.m.

***Soil & Water Conservation District:*** Supervisor Lauria stated that the tree sale was held on April 15. He also stated that the used pickup truck is up for sale and anyone interested can place a bid for it.

## **CHAIRMAN'S REPORT**

Chairman Argotsinger stated that there is a very important resolution today regarding SMART Waters. Since he has been on the Board, there have been a number of important issues considered, but this has been the biggest issue that he has received comments on.

Chairman Argotsinger then asked if there were any members of the public who wished to make comments regarding the Public Hearing to receive comments on proposed Local Law "A" of 2014 to reduce the number of Elected Coroner Positions from Two (2) to One (1). There being no interested speakers, Chairman Argotsinger closed the Public Hearing at 1:45 p.m.

## **RESOLUTIONS**

***No. 151 (Resolution Authorizing an Energy Performance Contract with Smartwatt Energy, Inc. for Energy Conservation Projects at County Facilities):*** Supervisor Howard stated that he does not disagree that a number of these projects need to be done; however, the payback period is excessive. He doesn't believe in borrowing money for this work to be completed.

Supervisor Young stated that this is a "win-win" for the county taxpayers. He stated that it lessens the heat and electric costs. His question is, "can we afford not to do this?"

***No. 163 (Resolution Supporting the Creation of a Regional Water and Wastewater System in Fulton County):*** Supervisor Handy stated that tax rates are very high in this county. He stated that he will be voting in favor of this resolution and feels that this is a very, very good way of lowering taxes by implementing this system. He stated that the County needs to generate new revenues to lower taxes. He also stated that people are afraid that the county is going to take over the water supplies and the wastewater treatment facility, but this is not the County's desire. Fulton County needs to expand its tax base through sales tax and property tax and this is the way to go.

Supervisor Born stated that she has heard a lot of comments regarding SMART Waters. She stated that people are afraid that they are going to lose something. She stated that her question to them is, "What will happen to us if we don't support this".

Supervisor Lauria stated that he believes that the Board has to vote for this. “This is the future of the County and the two cities.” This county’s not moving forward fast enough and it needs to look at the future. It needs to be creative. It is time to think “out of the box” to bring economic development into this county. He stated that everyone needs to have an open mind and really look at this report.

Supervisor Greene stated that he is a native of Fulton County and the City of Gloversville. This could be a very logical answer to turn things around for Gloversville. He stated that there are still a lot of details to be “fleshed out” but if everyone keeps an open mind and enters discussions, he said that this can be a huge benefit for everyone.

Supervisor Fagan stated that the Board has made a multitude of difficult financial decisions over the past several years. The only way this community is going to improve on these decisions is to build on the initiatives that it is involved in right now. He referenced the Branding Project, Tryon Technology Park, and possibly a Thruway Connector Project. This is Fulton County’s next step to continue to move forward and grow. He stated that he supports this 100 percent and thinks the Board should unanimously adopt this.

***Resolution No. 164 (Resolution in Support of Ending Tobacco Marketing in Stores):*** Supervisor Howard stated that this may be good, but he doesn’t believe that government should be involved in telling retailers how to run their businesses.

***Resolution No. 171 (Resolution Authorizing a Contract between the Sheriff and the Tri-State Emergency Team for Underwater Search and Rescue Services):*** Supervisor Lauria asked if this is for the dive team only. He asked why this is needed when the NYS Police have a dive team the County can call in. Chairman Waldron stated that the Police dive time is not always available.

A motion was offered by Supervisor Fagan, seconded by Supervisor Gendron and unanimously carried, to waive the Rules of Order to take Action on Late Resolutions 186-187.

***Resolution No. 187 (Resolution Declaring “Mayday for Mandate Relief” and Urging the State to Adopt Laws that Prohibit Unfunded Mandates on Local Governments):*** Supervisor Fagan stated it is important to continue to reinforce the fact that the mandates imposed on us by the state are the reason for high property tax in this county.

Supervisor Young stated that as much as the State talks about the need for consolidation and local government reform, “it only puts forth gimmicks”. The State should pay their own bills. Supervisor Greene stated that he is 100 percent in favor of this resolution.

Supervisor Waldron stated that our Governor has talked about mandate relief, but that is all it has ever been, “just a lot of hot air”.

Supervisor Born stated that the residents of this county would be shocked if they realized this county cuts a check every week for \$266,000.00 for the local share of Medicaid.

Supervisor Fagan made a motion to remove tabled Resolution No. 22 (Resolution Authorizing a Contract Between the Sheriff and the Tri-State Emergency Team for Underwater and Land Search and Rescue Services) from the Table, seconded by Supervisor Gendron and unanimously carried

Supervisor Waldron then withdrew tabled "Resolution No. 22" because it was obsolete due to passage of a similar resolution earlier in the meeting.

Upon a motion by Supervisor Bradt, seconded by Supervisor Waldron and unanimously carried, the Board adjourned at 2:21 p.m.

*Certified by:*

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

**Resolution No. 148**

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION IN MEMORY OF FORMER SUPERVISOR JAMES A. SCHWED**

WHEREAS, former Supervisor James A. Schwed passed away on Friday, April 18, 2014; and

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

WHEREAS, Mr. Schwed served the people of Fulton County as a member of this Board of Supervisors from 1995 to 1999; and

WHEREAS, Jim also served as a Gloversville Ward 4 City Councilman from 1988 to 1992; and

WHEREAS, Jim served his country as a member of the U.S. Air Force; and

WHEREAS, Jim went on to a fine career with General Electric Corporation for 29 years; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors joins with all the people of Fulton County to posthumously express its gratitude to James A. Schwed for his dedicated public service; and, be it further

RESOLVED, That this Board of Supervisors hereby conveys its deepest sympathy to his entire family, including his three children, three step-children, and grandchildren; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to James Schwed's 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: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 149**

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

**RESOLUTION CONFIRMING EMERGENCY GENERATOR REPAIRS AT THE FULTON COUNTY CORRECTIONAL FACILITY**

WHEREAS, unanticipated radiator failure in the emergency generator at the Fulton County Correctional Facility required emergency repairs to ensure the continued safe operation of the facility; and

WHEREAS, said generator is needed in times of power outages to provide electricity to the Fulton County Correctional Facility, Sheriff's Department (which includes the E-911 System), and the Highway Department; and

WHEREAS, the Superintendent of Highways and Facilities and Purchasing Agent authorized emergency repairs to the generator at a total cost of \$11,012.75; and

WHEREAS, the Superintendent of Highways and Facilities is requesting that there be a transfer from the Contingent Fund to pay for necessary repairs to the generator; now, therefore be it

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

From: A-285-1990.400 Contingent Fund Expense  
To: A-245-1624.403 Jail Bldgs-Repairs  
Sum: \$11,000.00

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 WALDRON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 150**

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

RESOLUTION ACCEPTING ADDITIONAL CHIPS FUNDING AND AMENDING THE 2014  
CAPITAL PLAN TO REVISE CERTAIN ROAD CONSTRUCTION  
PROJECTS AND ADD A PROJECT ON COUNTY ROAD 103  
(HIGHWAYS AND FACILITIES DEPARTMENT)

WHEREAS, the Superintendent of Highways and Facilities estimated \$1,021,572.00 in Consolidated Local Street and Highway Improvement Program (CHIPS) revenue in 2014 and budgeted accordingly; and

WHEREAS, the NYS Department of Transportation has now notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$1,022,026.51 in CHIPS funding for 2014-15, which is an increase of \$454.51; and

WHEREAS, the New York State Department of Transportation has also awarded an additional \$85,199.30 as a special apportionment to help mitigate the effect of this past harsh winter on the road system; and

WHEREAS, the 2014 Capital Plan includes pavement-related projects on County Roads 122; and 108; and

WHEREAS, the Superintendent of Highways and Facilities requests to use some of the additional CHIPS revenue for additional work on County Road projects 122 and 108; and

WHEREAS, the Superintendent of Highways and Facilities also requests that funding for a project on County Road 103, originally projected for completion in 2015, be appropriated in the 2014 Capital Plan at a cost of \$62,500.00; now, therefore be it

RESOLVED, That the 2014 Capital Plan, be and hereby is amended to increase project amounts for County Road Project 122 and County Road Project 108 and to add a project titled Road Construction- Co Road #103 in the amount of \$62,500.00; and, be it further

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

Revenue Account:

Increase D-083-3501.000 State Aid-Consolidated Highway Aid-CHIPS \$455.00

Appropriation Account:

Increase D-825-5112-423 Road Construction-Co Road #122 \$ 455.00

and, be it further



**Resolution No. 150 (continued)**

Revenue Account:

Increase D-083-3591.000 State Aid-Highway Capital Project \$85,200.00

Appropriation Account:

Increase D-825-5112-419 Road Construction-Co Road #108 \$ 22,700.00

Increase D-825-5112.421 Road Construction-Co Road #103 62,500.00

and, be it further

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

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

Seconded by Supervisor BRADT and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 151**

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

RESOLUTION AUTHORIZING AN ENERGY PERFORMANCE CONTRACT WITH  
SMARTWATT ENERGY, INC. FOR ENERGY CONSERVATION PROJECTS  
AT COUNTY FACILITIES

WHEREAS, Resolution 239 of 2013 authorized a Request for Proposals from Energy Service Companies to Implement Energy Efficiency Projects for County Facilities; and

WHEREAS, three (3) proposals were received and the Committee on Building and Grounds/Highway interviewed two (2) proposers describing viable energy conservation projects for County-owned facilities; and

WHEREAS, Resolution 333 of 2013 authorized a contract with SmartWatt Energy to complete an Investment Grade Energy Audit for Energy Conservation Projects at County Facilities prior to making any final decisions to implement said projects; and

WHEREAS, SmartWatt completed its Investment Grade Energy Audit in accordance with Article 9 of NYS Energy Law, at no cost to Fulton County, and presented its findings to the Committees on Building and Grounds/Highway and Finance; 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 and in accordance with Article 9 of NYS Energy Law, the Chairman of the Board be and hereby is authorized to sign an Energy Performance Contract with SmartWatt Energy, of Clifton Park, NY, to complete certain Energy Conservation Projects at County facilities, at a cost not to exceed \$1,218,906.00;

<u>Energy Conservation Projects:</u>	<u>Total Cost</u>	<u>Utility Incentive</u>	<u>Net Cost</u>
Lighting System Upgrades	\$ 208,076.58	\$ 22,764.12	\$ 185,903.00
Bldg. Envelope Weatherization	42,174.99	0	42,174.99
Attic Insulation	73,230.79	10,263.00	62,967.79
Energy Management System	477,902.30	109,350.00	368,552.30
Variable Frequency Drives	3,424.80	2,495.00	929.80
Kitchen Hood Controls	40,241.40	9,057.00	31,184.40
PC Load Management	8,459.26	0	8,459.26
DHW Holding Tank Replacement	59,363.20	0	59,363.20
Boiler Replacements	200,992.95	12,000.00	188,992.95
Water Conservation	212,698.63	3,030.00	209,668.63
Steam Traps	31,374.02	7,908.00	23,466.02
Transformer Replacements	<u>43,133.93</u>	<u>5,300.00</u>	<u>37,833.93</u>
Total	\$1,401,072.84	\$182,167.12	\$1,218,905.71

**Resolution No. 151 (continued)**

and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to execute a related Municipal Lease Agreement for a 15 year term at an interest rate of no more than 3.17 percent, subject to the approval of the County Treasurer; lease payment to be budgeted annually in the Highways and Facilities Department operating budget; and, be it further

RESOLVED, That the aforementioned Energy Performance Contract with SmartWatt Energy and the Municipal Lease Agreement are subject to 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, SmartWatt Energy, Inc., Budget Director/County Auditor, County Attorney, All Department Heads, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

Total: Ayes: 485 (16) Nays: 26 (2) Absent: 40 (2) (Supervisors Callery and Capek)

**Resolution No. 152**

Supervisor JOHNSON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR ROOF  
REPLACEMENT PROJECT AT THE FORT JOHNSTOWN BUILDING  
(2014 CAPITAL PLAN)

WHEREAS, the 2014 Capital Plan identifies funding for a Roof Replacement Project at the Fort Johnstown Building; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for a Roof Replacement Project at the Fort Johnstown Building (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, May 21, 2014, 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, Superintendent of Highways and Facilities, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 153**

Supervisor JOHNSON offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING “BARBECUE FEST” EVENT SPONSORED BY GRANDMA MILLIE’S RESTAURANT AT THE FULTON COUNTY AIRPORT (2014)**

WHEREAS, a Facilities Use Application has been received from Grandma Millie’s Bakery & Café requesting permission to sponsor a “Barbecue Fest” at the Fulton County Airport; and

WHEREAS, Grandma Millie’s Bakery and Cafe will arrange for cleanup, as well as provide for sufficient insurance protection coverage as required by County policy; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Buildings and Grounds/Highway, Grandma Millie’s Bakery and Café be and hereby is authorized to utilize the Fulton County Airport for a “Barbecue Fest” on Sunday, June 1, 2014, contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Superintendent of Highways and Facilities, Grandma Millie’s Bakery & Cafe, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor YOUNG and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 154**

Supervisor JOHNSON offered the following Resolution and moved its adoption:

RESOLUTION APPROVING “FLEA MARKET” EVENT SPONSORED BY GRANDMA  
MILLIE’S RESTAURANT AT THE FULTON COUNTY AIRPORT (2014)

WHEREAS, a Facilities Use Application has been received from Grandma Millie’s Bakery & Café requesting permission to sponsor a “Flea Market” at the Fulton County Airport; and

WHEREAS, Grandma Millie’s Bakery and Cafe will arrange for cleanup, as well as provide for sufficient insurance protection coverage as required by County policy; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Buildings and Grounds/Highway, Grandma Millie’s Bakery and Café be and hereby is authorized to utilize the Fulton County Airport for a “Flea Market” on Sunday, August 24, 2014, contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Superintendent of Highways and Facilities, Grandma Millie’s Bakery & Cafe, 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 BRADT and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 155**

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

**RESOLUTION AUTHORIZING SUBMITTAL OF FIVE-YEAR AIRPORT CAPITAL IMPROVEMENT PLAN TO THE FEDERAL AVIATION ADMINISTRATION (2015-2019)**

WHEREAS, as a requirement for potential Federal and State reimbursement, the Committees on Buildings and Grounds/Highway and Finance hereby recommend the submission of an updated Five-Year Capital Plan for the Fulton County Airport that includes the following projects/schedule:

Year	Project	Est. Cost	County Share
2015	Update Master Plan Study/Airport Layout Plan	\$ 250,000.00	\$ 12,500.00
2016	Engineering for Extend Runway10 to 5,000' (15%)	\$ 900,000.00	\$ 45,000.00
2017	Acquire Land/ROW/Easements for Runway Extension	\$ 800,000.00	\$ 40,000.00
2018	Extend Runway 10 to 5,000'	\$6,000,000.00	\$ 300,000.00
2019	Expand Paved Apron	\$ 400,000.00	\$ 20,000.00
2019	Construct Access Road to Hangars/Repair Parking Lot	\$ 50,000.00	\$ 2,500.00

and;

WHEREAS, the submission of these projects as part of the Five-Year Capital Plan for the Fulton County Airport represents the County's possible listing of projects that may be considered for future State and Federal reimbursement but does not commit Fulton County to any expenditures; now, therefore be it

RESOLVED, That the Board of Supervisors, by this Resolution, hereby adopts the revised Five-Year Airport Capital Improvement Plan for the Fulton County Airport, as hereinabove referenced; and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to submit such revised Five-Year Airport Capital Improvement Plan for the Fulton County Airport to the Federal Aviation Administration, NYS Department of Transportation and to each and every other person, agency or institution that will further the purport of this Resolution; and, be it further

**Resolution No. 155 (continued)**

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

Seconded by Supervisor GENDRON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)



**Resolution No. 156**

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

RESOLUTION AWARDING BID TO SCALE SERVICE & SUPPLY CO., INC.  
FOR SCALE RE-DECKING PROJECT IN THE SOLID WASTE  
DEPARTMENT (2014 CAPITAL PLAN)

WHEREAS, the 2014 Capital Plan identifies a Weight Scale project to re-deck the main scale in the Solid Waste Department; and

WHEREAS, Resolution No. 91 of 2014 authorized advertisement for bids for purchase of scale re-decking for use in the Solid Waste Department; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and Committees on Economic Development and Environment and Finance recommend awarding bid to Scale Service and Supply Company, Inc., of Rensselaer, NY as the lowest responsible bidder; now, therefore be it

RESOLVED, That the net bid in the amount of \$63,481.00, as submitted by Scale Service & Supply Co., Inc., of Rensselaer, NY, for scale re-decking in the Solid Waste Department, be and hereby is awarded, they being the lowest possible bidder in accordance with Specification No. 2014 -86-02, dated 23 April 2014; and, be it further

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

From: EW 082-0878.000 CL Bldg/Equipment Depreciation  
To: EW 082-0909.000 Fund Balance  
Sum: \$63,481.00

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 157**

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

RESOLUTION AUTHORIZING WRITE-OFF OF UNIDENTIFIABLE ACCOUNTS  
RECEIVABLE IN THE SOLID WASTE DEPARTMENT

WHEREAS, the Department of Solid Waste was notified by electronics recyclers that the contracted price for cathode ray tube televisions could not be honored due to quotas being met under the new Product Stewardship Law; and

WHEREAS, the Department of Solid Waste was notified that the “cathode ray” tube type televisions would not generate revenue, and the weight of said items would be deducted from payments to the Department; and

WHEREAS, the Director of Solid Waste has requested that portions of certain accounts receivable related to cathode ray tube television recycling in the Solid Waste Department be written off as uncollectible; now, therefore be it

RESOLVED, That the Director of Solid Waste be and hereby is authorized to “write off” the amount of \$5,021.05 relating to said uncollectable accounts receivable; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 158**

Supervisor GENDRON offered the following Resolution and moved its adoption:

RESOLUTION CLASSIFYING REQUEST TO HAVE PROPERTIES ADDED TO FULTON COUNTY AGRICULTURAL DISTRICT NO. 1 AS AN UNLISTED ACTION AND PROPOSING THE BOARD OF SUPERVISORS AS THE LEAD AGENCY UNDER SEQRA

WHEREAS, Fulton County must conduct a State Environmental Quality Review Act (SEQRA) review regarding the proposed inclusion of additional properties into Fulton County Agricultural District #1; and

WHEREAS, inasmuch as the inclusion of predominantly viable agricultural land within an existing Agricultural District is a discretionary action of the Board of Supervisors, it is considered an Unlisted Action; and

WHEREAS, the Planning Department has prepared a Short Environmental Assessment Form (EAF) for this proposed action; and

WHEREAS, the lead agency must transmit a copy of the EAF and supporting materials to other Involved Agencies and notify them that Lead Agency must be established within thirty (30) calendar days; now, therefore be it

RESOLVED, That Fulton County Board of Supervisors hereby proposes that it serve as Lead Agency for the purpose of issuing a determination of significance under SEQRA; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 159**

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION SETTING THE DATE FOR A PUBLIC HEARING REGARDING ADDING  
PROPERTIES IN THE TOWNS OF JOHNSTOWN AND EPHRATAH TO FULTON  
COUNTY AGRICULTURAL DISTRICT NO. 1**

WHEREAS, New York State Agriculture and Markets Law, Section 303-b, allows landowners to request inclusion of their property in an existing Agricultural District during an annual 30-day time period each year; and

WHEREAS, Resolution 159 of 2004 established an annual 30-day time period during March for landowners to apply to the Fulton County Agricultural and Farmland Protection Board for inclusion in the Fulton County Agricultural District; and

WHEREAS, property owners have requested that certain parcels in the Towns of Johnstown and Ephratah be included in Agricultural District No. 1; now, therefore be it

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors' Chambers in the County Office Building, Johnstown, NY, on Monday, June 9, 2014 at 1:30 p.m. for the purpose of holding a public hearing on requests from the following property owners to include their properties in Fulton County Agricultural District No. 1:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Kevin & Janice Speer	NYS Route 29 (Tw. J'town)	63.-1-35.112	2+/-
Don Henry and Lynn	Saltsman Road (Tw. Ephratah)	158.-1-4	1+/-
Smolik (Helena		158.-1-24.2	3.8+/-
Smolik – Life Estate)		158.-1-33	63.9+/-
		158.-1-36	148.4+/-
		158.-1-39	51.8+/-
		170.-1-44	14.2+/-
		170.-1-24.1	21.5+/-

and, be it further

RESOLVED, That the Clerk of the Board of Supervisors give notice of said public hearing on the request to have additional property included in Agricultural District No. 1 in Fulton County and that said notice shall be published once in the official newspaper of this County, at least five (5) days prior to the date of said public hearing; and, be it further

**Resolution No. 159 (continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Town of Johnstown, Town of Ephratah, Fulton County Agricultural and Farmland Protection Board, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor FAGAN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 160**

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

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH  
C.T. MALE ASSOCIATES FOR ADDITIONAL DESIGN SERVICES FOR  
THE TRYON TECHNOLOGY PARK AND INCUBATOR  
CENTER PROJECT (2014 CAPITAL PLAN)

WHEREAS, Resolution 238 of 2012 authorized a contract between Fulton County and C.T. Male Associates for Engineering Services for the Tryon Technology Park and Incubator Center Project; and

WHEREAS, the Fulton County 2014 Capital Plan contained a \$96,000.00 allocation for the "Tryon Pump Station Project" to repair vandalism to the wastewater pump station and other vandalism damage, of which, \$48,000.00 (50 percent) was anticipated grant funds; and

WHEREAS, because the NYS Consolidated Funding application was not approved, but the pump station work still needed to be completed; and

WHEREAS, because the NYS Consolidated Funding grant for the Pump Station Project was not approved, the Pump Station Project was included in the Tryon Infrastructure Improvements Project; and

WHEREAS, C.T. Male was directed to proceed with the additional design work needed to repair the pump station; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign Amendment No. 1 to the contract with C.T. Male Associates of Latham, NY for additional design services for the pump station vandalism repairs as part of the Tryon Technology Park and Incubator Center Project, at a cost not to exceed \$10,641.48; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

**Resolution No. 160 (continued)**

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

Decrease A 081-0511.000 – Appropriated Reserves \$48,000.00

Appropriation Account

Decrease A-795-9950.900 – Transfer to Capital Plan Projects \$48,000.00

and, be it further

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

From: A-082-0909.000 Fund Balance  
To: A-082-0883.800 Capital Improvements Reserve  
Sum: \$48,000.00

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 161**

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

**RESOLUTION AWARDING BID TO JABLONSKI EXCAVATING, INC. FOR THE TRYON INFRASTRUCTURE IMPROVEMENTS PROJECT (2014 CAPITAL PLAN)**

WHEREAS, the 2014 Capital Plan identifies a Tryon Park and Incubator Center Project; and

WHEREAS, Fulton County received a \$2 million grant from NYS Empire State Development to fund said project; and

WHEREAS, Resolution 90 of 2014 authorized advertisement for bids for Phase 1 of said Tryon Technology Park and Incubator Center Project; and

WHEREAS, Thirteen (13) bids were received from contractors to complete said project, involving water, sewer, electrical and other systems as well as road improvements; and

WHEREAS, project engineer C.T. Male Associates, the Planning Director, Purchasing Agent, Committees on Economic Development and Environment and Finance recommend awarding the bid to Jablonski Excavating, Inc. of St. Johnsville, NY for the Infrastructure Improvements Project for the Tryon Technology Park and Incubator Center, they being the lowest responsible bidder in accordance with project specifications; now, therefore be it

RESOLVED, That the net bid, in an amount of \$1,119,249.00 as submitted by Jablonski Excavating, Inc. of St. Johnsville, NY for the Infrastructure Improvements Project for the Tryon Technology Park and Incubator Center hereby is awarded; they being the lowest responsible bidder in accordance with the project specifications; and, be it further

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

Revenue Account:

Increase H-083-3500.640 State Aid Tryon Tech Park (new) \$1,119,249.00

Appropriation Account:

Increase H-085-6430.200 Tryon Tech Park Construction (new) \$1,119,249.00

and, be it further



**Resolution No. 161 (continued)**

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

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 162**

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

RESOLUTION AUTHORIZING CONTRACT WITH C.T. MALE ASSOCIATES FOR CONSTRUCTION INSPECTION SERVICES FOR TRYON INFRASTRUCTURE IMPROVEMENTS PROJECT (2014 CAPITAL PLAN)

WHEREAS, the 2014 Capital Plan identifies a Tryon Technology Park and Incubator Center Project; and

WHEREAS, Resolution 238 of 2012 authorized a contract between Fulton County and C.T. Male Associates for Engineering Services for the Tryon Infrastructure Project for the Tryon Technology Park and Incubator Center; and

WHEREAS, bid award has been made for construction work on said project; and

WHEREAS, C.T. Male Associates has submitted a proposal to provide construction phase services to oversee construction of the Tryon Infrastructure Improvements project; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with C.T. Male Associates, of Latham, NY for construction phase services for the Tryon Infrastructure Improvements Project for the Tryon Technology Park and Incubator Center, at a cost not to exceed \$74,800.00; and, be it further

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

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

Revenue Account:

Increase H-083-3500.640 State Aid Tryon Tech Park \$74,800.00

Appropriation Account:

Increase H-085-6430.250 Tryon Tech Park Inspection (New) \$74,800.00

and, be it further

**Resolution No. 162 (continued)**

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

Seconded by Supervisor JOHNSON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 163**

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION SUPPORTING THE CREATION OF A REGIONAL WATER AND  
WASTEWATER SYSTEM IN FULTON COUNTY**

WHEREAS, for years, local government, economic development and business leaders in Fulton County have identified “abundant water and sewer capacity” as a “strength” of the Fulton County Region and alternatively, the same leaders have identified the lack of “availability of water and sewer services outside of cities” as a “weakness”; and

WHEREAS, the 2011 Fulton-Montgomery CEO Roundtable’s Regional Business Plan for Fulton and Montgomery Counties also cited the Region’s abundant water and wastewater capacities, but lamented that these capacities are not available where vacant, developable land is available; and

WHEREAS, Resolution 213 of 2014 authorized a contract with Environmental Design Partnership, LLP (EDP) to prepare a model for a Fulton County “SMART Waters” System; and

WHEREAS, on April 14, 2014, EDP presented its final Engineer’s Findings Report titled “SMART Waters: A Regional Model for Water and Wastewater Services in Fulton County”; said report having issued the following key conclusion:

*Based upon research conducted, EDP believes a regional water and wastewater system can be successfully implemented by Fulton County. EDP believes a regional system can provide economic benefits for the Region by promoting land development.*

and,

WHEREAS, the EDP Findings Report recommended developing a regional water and wastewater system under the existing structure of the Board of Supervisors (Fulton County Water and Sewer Agency), using county special districts to identify areas receiving water and wastewater services in a regional system; and

WHEREAS, the Board of Supervisors believes that a well-coordinated regional water and wastewater system will promote economic development, create jobs and improve the quality of life for all county residents; now, therefore be it

RESOLVED, That the Board of Supervisors hereby supports the creation of a regional water and wastewater system utilizing the existing Board of Supervisors structure (Fulton County Water and Sewer Agency); and, be it further

**Resolution No. 163 (continued)**

RESOLVED, That the Chairman of the Board be and hereby is authorized to commence discussions with the Cities of Gloversville and Johnstown, Villages of Broadalbin, Mayfield and Northville, Town of Northampton, Gloversville-Johnstown Joint Wastewater Treatment Facility, City of Amsterdam, Hudson River-Black River Regulating District and any other appropriate municipalities/organizations to further the purport of this resolution; and, be it further

RESOLVED, That That certified copies of this Resolution be forwarded to the County Treasurer, Governor Cuomo, Senator Farley, Assemblyman Butler, City of Gloversville, City of Johnstown, Village of Broadalbin, Village of Mayfield, Village of Northville, Town of Bleecker, Town of Broadalbin, Town of Caroga, Town of Ephratah, Town of Johnstown, Town of Mayfield, Town of Northampton, Town of Oppenheim, Town of Perth, Town of Stratford, Gloversville-Johnstown Joint Wastewater Treatment Facility, Gloversville Water Department, Johnstown Water Department, City of Gloversville Common Council, City of Johnstown Common Council, City of Amsterdam, Hudson River-Black River Regulating District, Fulton Montgomery Chamber of Commerce, Fulton County Industrial Development Agency, Fulton County Center for Regional Growth, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: Ayes: 486 (17) Nays: 25 (1) (Supervisor Young) Absent: 40 (2) (Supervisors Callery and Capek)

**Resolution No. 164**

Supervisor CHRISTOPHER offered the following Resolution and moved its adoption:

**RESOLUTION IN SUPPORT OF ENDING TOBACCO MARKETING IN STORES**

WHEREAS, tobacco companies have developed carefully calculated media campaigns to recruit new youth smokers; and

WHEREAS, tobacco companies perceive children as a key market and developed products and marketing campaigns aimed directly at them; and

WHEREAS, point-of-sale cigarette marketing increases the likelihood that youth will initiate smoking and exposes all store visitors to pro-smoking messages and imagery; now, therefore be it

RESOLVED, That Fulton County Board of Supervisors hereby supports keeping tobacco products out of consumer view inside all non-adult-only retail establishments; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Project Action, Reality Check and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

Total: Ayes: 360 (10) Nays: 151 (8) (Supervisors Born, Fagan, Howard, Johnson, Kinowski, Lauria, Ottuso and Waldron) Absent: 40 (2) (Supervisors Callery and Capek)

**Resolution No. 165**

Supervisor HOWARD offered the following Resolution and moved its adoption:

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

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

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

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

RESOLVED, that the County Treasurer be and hereby is directed to issue a payment to the Sunmount Forensic Unit in the amount of \$7,139.00; and, be it further

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

Revenue Account:

Increase A-083-4490.000 MH – Fed Salary Sharing \$7,139.00  
(A-082-0691.445 Deferred Revenues-Mental Health)

Appropriation Account:

Increase A-445-4310.409 Mental Health – Ct Ords, Consult, Com. \$7,139.00

and, be it further

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

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

Seconded by Supervisor BRADT and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 166**

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

RESOLUTION APPROVING THE 2014 YOUTH BUREAU  
RESOURCE ALLOCATION PLAN

RESOLVED, That the Annual Resource Allocation Plan for State Aid from the NYS Office of Children and Family Services for 2014 be and hereby is approved for various programs, at total costs not to exceed \$51,756.00; and, be it further

RESOLVED, That the Chairman of the Board be authorized to sign the necessary State Aid applications and Resource Allocation Agreement; and, be it further

RESOLVED, That the Youth Bureau Director and County Treasurer do each and every other thing necessary to obtain the appropriate State aid reimbursement from said programs; and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)



**Resolution No. 167**

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

**RESOLUTION AUTHORIZING WRITE-OFF OF BAD DEBT IN THE PUBLIC HEALTH DEPARTMENT FOR 2013**

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

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

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

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

RESOLVED, That upon the recommendation of the County Attorney, the Board of Supervisors hereby authorizes the write-off of seven (7) bad debts for the years 2011, 2012 and 2013 related to dental charges and immunization fees in an amount of \$297.27; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Public Health Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 168**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CHILDREN WITH HANDICAPPING CONDITIONS TRANSPORTATION PROGRAM (2014-2015)**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from contractors for the Children with Handicapping Conditions Transportation Program (and according to further specifications which may be obtained at the office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, June 4, 2014, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 169**

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

**RESOLUTION AUTHORIZING PURCHASE OF CERTAIN EQUIPMENT WITH CUSTODY FEES RESERVE FUND MONIES AND CLOSING OUT THE ACCOUNT (PROBATION DEPARTMENT)**

WHEREAS, Resolution 551 of 1992 established a Reserve Fund for deposit and withdrawal of custody fees by the Probation Department; and

WHEREAS, the Treasurer and Probation Director report that there has not been any activity utilizing said reserve fund in many years and it is now obsolete; and

WHEREAS, a balance of approximately \$2,307.51 plus interest remains in the aforementioned Reserve Fund account and the Probation Director is requesting the purchase of a new safe and desk for the use of her department; now, therefore be it

RESOLVED, That the Probation Director be and hereby is authorized to purchase the equipment listed herein for use in the Probation Department; and, be it further

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the County Treasurer be and hereby is directed to close-out the Reserve Fund in the Probation Department and transfer the remaining balance to A-325-3140.200 Probation Dept-Equipment; and, be it further

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

Revenue:

Increase A-083-2770.000 Other \$2,307.00 (approximate)  
(T-082-0101.000)

Appropriation:

Increase A-325-3140.200 Probation Dept-Equipment \$2,307.00 (approximate)

and, be it further

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

Seconded by Supervisor GENDRON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 170**

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

**RESOLUTION AUTHORIZING PURCHASE OF COLOR PRINTER 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 color copy printer to print color photos for use at grand jury and trials; 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) Color Copy Printer	\$ 525.00

and, be it further

RESOLVED, That the 2013 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A-083-2626.000 Forfeiture of Crime Proceeds \$525.00

Appropriation Account:

Increase A-355-3197.200 Law Enforcement-Equipment \$ 525.00

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 HANDY and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 171**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SHERIFF AND THE TRI-STATE EMERGENCY TEAM FOR UNDERWATER SEARCH AND RESCUE SERVICES  
(SHERIFF)**

WHEREAS, the Sheriff's Department no longer has a dive team; and

WHEREAS, representatives of the non-profit Tri-State Emergency Team have offered to provide underwater search and rescue services to Fulton County for the cost of \$1.00 per year; and

WHEREAS, the Sheriff recommends entering into a contract with Tri-State Emergency Team of Waterford, NY to provide underwater search and rescue services at a cost of \$1.00 per year; 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 a contract with the Tri-State Emergency Team to provide underwater search and rescue services, effective immediately through December 31, 2014, at a cost of \$1.00; and, be it further

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

RESOLVED, That said cost shall be charged to A-305-3110.465 Sheriff Dep-Rescur & Riot; 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, County Attorney, Sheriff, Tri-State Emergency Team, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 172**

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

RESOLUTION AUTHORIZING USB AIR CARD SUBSCRIPTIONS WITH 2012 SLETPP GRANT FUNDS IN THE SHERIFF'S DEPARTMENT

WHEREAS, Resolution 188 of 2012 accepted a 2012 Law Enforcement Terrorism Prevention Program (LETPP) Grant through the NYS Office of Homeland Security, in an amount of \$18,0000.00; and

WHEREAS, some grant monies remain unspent; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committees on Public Safety and Finance, the Sheriff be and hereby is authorized to expend 2012 LETPP Grant funds to purchase the items identified herein, in approximate amounts, as follows:

USB Air Card Subscriptions (2014)	\$4,812.00
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and, be it further

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

Revenue Account:

Increase A-083-3306.003 Sheriff-SLETPP (State Aid-Fire Grants) \$4,812.00

Appropriation Accounts:

Increase A-305-3645.403 Sheriff-SLETPP-Contractual	\$4,812.00
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and, be it further

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

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

Seconded by Supervisor JOHNSON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 173**

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

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF 2014 NYS  
EMERGENCY MANAGEMENT PERFORMANCE GRANT  
(CIVIL DEFENSE/FIRE COORDINATOR)

WHEREAS, Fulton County has been allocated \$25,957.00 in grant funds under the 2014 Emergency Management Performance Grant (EMPG); now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application to the NYS Division of Homeland Security and Emergency Services (DHSES) for 2014 Emergency Management Performance Grant funds, in the amount of \$25,957.00; and, be it further

RESOLVED, That the Chairman of the Board is also hereby authorized to execute appropriate documentation to accept said grant funds; and, be it further

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

Decrease A-081-0599.000 Appropriated Fund Balance	\$1,055.00
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Revenue Account:

Increase A-083-4305.000 Civil Def – Federal Aid	\$1,055.00
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and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 174**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF 2014  
HOMELAND SECURITY PROGRAM GRANT (CIVIL DEFENSE/FIRE COORDINATOR)**

WHEREAS, Fulton County has been notified that it has been allocated \$80,000.00 in grant funds from the 2014 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 2014 State Homeland Security Program funds, in a total amount of \$80,000.00 for the following purposes:

State Homeland Security Program-Civil Defense Office	\$60,000.00
Law Enforcement Terrorism Prevention Program-Sheriff's Department	\$20,000.00

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 LAURIA and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)



**Resolution No. 175**

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

RESOLUTION AMENDING THE 2014 CAPITAL PLAN TO ESTABLISH AN  
INTEROPERABLE COMMUNICATIONS PROJECT

WHEREAS, Resolution 285 of 2013 authorized an application for Statewide Interoperable Communications (Round 3) Grant; and

WHEREAS, the Civil Defense Director/Fire Coordinator has been notified that Fulton County was awarded \$2,327,780.00 from this grant to complete radio system upgrades and improvements at the Sheriff's dispatch center, microwave links to other counties and radio infrastructure protection at tower sites; and

WHEREAS, Resolution 103 of 2014 accepted said Statewide Interoperable Communications Grant in the amount of \$2,327,780.00; now, therefore be it

RESOLVED, That the 2014 Capital Plan be and hereby is amended to include an "Interoperable Radio Communications Project" in the Civil Defense Director/Fire Coordinator's Department in the amount of \$2,327,780.00; and, be it further

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

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

Seconded by Supervisor GROFF and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 176**

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW “1” OF 2014 ENTITLED, “A LOCAL LAW CHANGING THE NUMBER OF CORONERS TO BE ELECTED FROM TWO TO ONE”

WHEREAS, proposed Local Law “1” of 2014 entitled, “A LOCAL LAW CHANGING THE NUMBER OF CORONERS TO BE ELECTED FROM TWO TO ONE” has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on May 12, 2014, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

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

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

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Secretary of State, Fulton County Code Book, Board of Elections, 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 BORN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**COUNTY OF FULTON  
LOCAL LAW “1” OF 2014 ENTITLED,  
“A LOCAL LAW CHANGING THE NUMBER OF CORONERS TO BE ELECTED  
FROM TWO TO ONE”**

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

SECTION 1. TITLE: The title of the Local Law shall be “A Local Law to provide for Changing the Number of Coroners to be Elected from Two (2) to One (1)”.

SECTION II. PURPOSE: the purpose of this Local Law is to reduce the required number of coroners to be elected in Fulton County.

SECTION III. AUTHORITY: The authority for this Local Law is stated in and provided by Section 400, Sub-division 3, of the New York State County Law.

SECTION IV. EFFECTIVE DATE: 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. 177**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION CREATING POSITION OF DEPUTY CORONER (PART-TIME)**

WHEREAS, Local Law 1 of 2014 was reviewed and approved on May 12, 2014 changing the number of Coroners to be elected from two to one; and

WHEREAS, in conjunction with efforts to restructure the Coroner's Office, the creation of an appointed part-time Deputy Coroner position would ensure adequate coverage for investigation and reporting of unattended deaths in the county; and

WHEREAS, the Deputy Coroner would be paid at the same rate and upon the same "per case" basis as the Coroner; and

WHEREAS, the Committee on Public Safety has reviewed the current department structure and recommend creating a Deputy Coroner position (part-time) in the Coroner's Office; now, therefore be it

RESOLVED, That a part-time position of Deputy Coroner in the Coroner's Office be and hereby is created, effective immediately; and, be it further

RESOLVED, That said position of Deputy Coroner shall be compensated at a "per case" rate which shall be determined by the Board of Supervisors (current 2014 rate: \$160.00 per case); and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 178**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION CONFIRMING ACTIONS OF THE BOARD OF ELECTIONS  
COMMISSIONERS REGARDING CONTRACT WITH NTS DATA SYSTEMS FOR  
INSTALLATION OF NTS SIGNIT FULLDOC PROGRAM

WHEREAS, the 2014 Capital Plan includes a NTS Image-It Software Project for the Board of Elections at a cost not to exceed \$41,963.00; and

WHEREAS, the Board of Elections Commissioners proceeded with contract activities with NTS Data Systems to install said Image-It Software without resolution approval and without establishing funding for said project; now, therefore be it

RESOLVED, That the Board of Supervisors hereby confirms the actions of the Elections Commissioners regarding contract with NTS Data Systems for installation of NTS Image-It Software; and, be it further

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

Decrease A-081-0511.000 Appropriated Reserves	\$41,963.00
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Appropriation:

Decrease A-795-9950.900 Transfer to Capital Plan	\$41,963.00
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Revenue:

Increase A-083-3080.000 BOE-State Aid	\$41,963.00
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Appropriation:

Increase A-225-1450.200 Bd of Elections-Equipment	\$41,963.00
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and, be it further

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

From: A-082-0909.000 Fund Balance  
To: A-082-0883.700 Capital Equipment Reserve  
Sum: \$41,963.00

and, be it further

RESOLVED, That the Board of Elections Commissioners are authorized to submit an application for HAVA “Shoebox” grant funds to seek reimbursement for the “Image-It” System Project at a total cost of \$41,963.00; and, be it further

**Resolution No. 178 (continued)**

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

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 179**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PURCHASE OF COMPUTER CLASSROOM EQUIPMENT  
WITH NYS BOARD OF ELECTIONS VOTER EDUCATION AND POLL WORKER  
TRAINING GRANT**

WHEREAS, among other things, Resolution 133 of 2007 accepted HAVA grant funds from the NYS Board of Elections for voter education/poll worker training in 2008, in an amount of \$27,996.00; and

WHEREAS, Resolution 107 of 2012 authorized extension of said 2007-2008 Pollworker Voter Education Training Grant for Board of Elections related projects; and

WHEREAS, Resolution 407 of 2013 authorized the purchase of computer classroom equipment in the amount of \$11,064.00 with said grant funds; and

WHEREAS, there is now a balance of \$13,845.95 in unspent grant funds; and

WHEREAS, the County Board of Elections has received approval from the NYS Board of Elections to utilize \$12,664.11.00 of the remaining Voter Education and Poll Worker Training Grant funds to purchase additional equipment for the Computer Classroom project for computer training for the Board of Elections and other associated departments; and

WHEREAS, the total cost for said items is \$12,664.11, with a required local match of 5 percent (\$634.00); now, therefore be it

RESOLVED, That the Information Services Director be and hereby is authorized to purchase equipment for use in the Information Services Department classroom at the following approximate costs:

(10) HP LCD Monitor for Classroom	\$1,930.00
(1) HP 24 Port Switch for Classroom	736.11
(1) Tri-Caster 40 (Video Production System)	4,995.00
(1) Tri-Caster 40CS (Control Surface for Tri-Caster 40)	1,995.00
(1) Canon Video Camera	995.00
(1) Video Tripod with Fluid Head	259.00
(1) LG 60" LED Monitor	1,098.00
(2) Visio 39" LCD Monitors	656.00

**Resolution No. 179 (continued)**

and, be it further

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

Revenue:

Increase A-083-3080.000 BOE State Aid                      \$12,030.00

Appropriation:

Increase A-225-1450.200 Bd Of Elections-Equip                      \$12,030.00

and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer to cover the local county match of 5 percent:

From: A-275-1680.200 Information Services-Equipment

To: A-225-1450.200 Bd of Elections-Equip

Sum: \$635.00

and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)



**Resolution No. 180**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING WRITE-OFF OF 2014 DELINQUENT TAXES ON TOWN-OWNED PARCEL IN THE TOWN OF OPPENHEIM**

WHEREAS, the Town of Oppenheim purchased County foreclosed property on State Highway 29 (Parcel 126.2-1-48) in the Town of Oppenheim;

WHEREAS, the Town of Oppenheim paid all delinquent taxes on this property and the title was transferred on July 8, 2013; and

WHEREAS, the tax roll was not updated to reflect the new tax exempt status of said parcel resulting in the issuance of a 2013-14 School Tax bill and a 2014 Town and County tax bill; now, therefore be it

RESOLVED, That the County Treasurer is hereby authorized to waive all delinquent taxes in the amount of \$208.44 for Town of Oppenheim owned parcel 126.2-1-48 in the Town of Oppenheim; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 181**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION REFERRING CERTAIN PARCELS TO THE FULTON COUNTY  
DEMOLITION TEAM (OPERATION GREEN SCENE)**

WHEREAS, Resolution 49 of 2001 formally established a Municipal Demolition Team, with basic operating guidelines identified in the "Municipal Demolition Team Proposal", dated February 12, 2001; and

WHEREAS, Resolution 400 of 2004 authorized an inter-municipal agreement with the City of Gloversville for the County to assume property tax collection and enforcement responsibilities for the City of Gloversville; and

WHEREAS, the Board of Supervisors has established "Operation Green Scene" to demolish dilapidated residential properties and foster community rehabilitation in the community; and

WHEREAS, the County has established a list of demolition projects on certain County-owned tax foreclosure properties in the City of Gloversville; now, therefore be it

RESOLVED, That the Solid Waste Director is hereby authorized to mobilize the County Demolition Team to raze any structures and clean up the following County-owned parcels in the City of Gloversville:

<u>Tax Map #</u>	<u>Address</u>	<u>Former Owner</u>
SBL#134.18-13-7	161 Bleecker St.	Elliott Armstrong Jr.
SBL#134.18-24-7	109 N Arlington Ave.	Michael W P Steenbergh
SBL#134.17-9-21	42 Western Blvd	Kandie S Williams
SBL#149.6-8-12	65 E Fulton St.	Robert Tecler
SBL#149.5-20-6	23 Second St.	Addie Cole
SBL#149.6-24-1	7 Mill St.	Kenneth J Henderson & Burton Rulison
SBL#149.10-10-50	5 Maple Terr	Margaret Conine
SBL#149.10-15-33	29 Bloomingdale Ave.	Barry A. Fordyce

and, be it further

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

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

**Resolution No. 181 (continued)**

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

Seconded by Supervisor HOWARD and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 182**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING FILING OF A “CERTIFICATE OF CANCELLATION” AND  
“CERTIFICATE OF PROSPECTIVE CANCELLATION” FOR COUNTY-OWNED  
PROPERTY AT THE COUNTY AIRPORT**

WHEREAS, the County Treasurer has reviewed the delinquent tax on parcel 175.-1-71, a County-owned parcel at the County Airport, in the Town of Johnstown; and

WHEREAS, in accordance with Section 1138(6) of the Real Property Tax Law, there is no practical method to enforce the collection of taxes on said parcel; 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 Cancellation" and "Certificate of Prospective Cancellation" with the Real Property Tax Services Agency Director, County Clerk and Town of Johnstown Assessor's Office for a parcel in theTown of Johnstown, as follows:

	160 County Highway 153
	Johnstown
<u>2014</u>	<u>175.-1-71</u>
County	\$ 1,044.12
<u>2013</u>	
County	\$ 3,029.11
School	1,547.92

and, be it further

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, Town of Johnstown 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 BRADT and adopted by the following vote:

Total: Ayes: 444 (17) Nays: 67 (1) (Supervisor MacVean) Absent: 40 (2) (Supervisors Callery and Capek)

**Resolution No. 183**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING TRANSFER FROM THE CONTINGENT FUND FOR  
OVERTIME EXPENSES IN THE COUNTY TREASURER'S DEPARTMENT**

WHEREAS, certain employees in the County Treasurer's Department are involved in the review process for the new financial software replacement project and this has increased hours due to added time required to research and examine software systems in other counties; and

WHEREAS, the County Treasurer has requested a transfer of monies from the Contingent Fund to cover overtime costs associated with his staff's participation in on-site demonstrations; now, therefore be it

RESOLVED, That upon the recommendation of the County Treasurer and Committee on Finance, a transfer from the Contingent Fund be made in the amount of \$1,000.00 to cover the overtime expenses in the County Treasurer's Department; and, be it further

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

From: A-285-1990.400 Contingent Fund Expense  
To: A-085-1325.110 Co Treasurer-OT  
Sum: \$1,000.00

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 WALDRON and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 184**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING REPORT OF COMMITTEE ON MORTGAGE  
TAX DISTRIBUTION

RESOLVED, That the Report of the Committee on Mortgage Tax (Finance) dated May 1, 2014, be adopted as the act and determination of the Board and that the County Treasurer be and hereby is authorized and directed to issue checks payable to the proper village, town or city officers thereto; 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 LAURIA and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**MORTGAGE TAX DISTRIBUTION**

**10/1/13-3/31/14**

<u>Towns, Cities, Villages</u>			<u>Amount Credited to Town, City Or Village After Deducting Expenses</u>
Bleecker.....			\$ 8,382.74
Broadalbin.....			38,302.58
	Village	3,181.51	
	Town	35,121.07	
Caroga.....			9,254.12
Ephratah.....			6,494.10
Johnstown.....			34,720.80
Mayfield.....			36,439.76
	Village	1,628.01	
	Town	34,811.75	
Northampton.....			33,058.68
	Village	3,796.58	
	Town	29,262.10	
Oppenheim.....			4,497.73
	Village	113.53	
	Town	4,384.20	
Perth.....			25,973.26
Stratford.....			4,913.69
City of Johnstown.....			52,656.39
City of Gloversville.....			25,788.65
			<b>TOTAL.. .....\$ 280,482.50</b>
Dated this 1st day of May, 2014:			

**Resolution No. 185**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN BUDGET AMENDMENTS**

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

Revenue:

Increase A-083-2626.000 Forfeiture of Crime Proceeds-Restricted                      \$200.00

Appropriation:

Increase A-355-3197.409 Law Enforcement-Professional Svcs                                      \$200.00

and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)



**Resolution No. 186**

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF 2014-2015 STATE AID TO PROSECUTION GRANT FROM THE NYS DEPARTMENT OF CRIMINAL JUSTICE SERVICES AND ALLOCATING CERTAIN STIPENDS THEREFROM (DISTRICT ATTORNEY)**

WHEREAS, the District Attorney has requested permission to apply for and accept 2014-2015 "State Aid to Prosecution" Grant funds, in the amount of \$29,200.00; and

WHEREAS, the Committee on Public Safety has reviewed a request from the District Attorney to apply said grant funds toward salary increases for certain employees in the District Attorney's Office and fringe benefits related to the increases; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for, and authorize acceptance from, the NYS Department of Criminal Justice Services for State Aid to Prosecution funding, in an amount of \$29,200.00, effective April 1, 2014 through March 31, 2015; and, be it further

RESOLVED, That effective April 1, 2014, stipends be established in the 2014 Adopted Budget for the following positions in the District Attorney's Office at the identified annualized rates:

1st Assistant District Attorney	\$10,102.10
2nd Assistant District Attorney	8,377.72
3rd Assistant District Attorney	5,401.07
Confidential Secretary	1,556.96

and, be it further

RESOLVED, That the remainder of the grant funds, in an amount of \$3,762.15, be applied for fringe benefits; and, be it further

RESOLVED, That said stipends shall exist independent of the regular salaries of the identified positions and shall not, at any time, be considered a part of the base salary nor be utilized for computation of salary increases; and, be it further

RESOLVED, That said stipends for the specified positions in the District Attorney's Office be and hereby are contingent upon full funding in the form of the "Aid to Prosecution Grant" from New York State, with the understanding that these stipends will expire immediately, if and when these specific grant funds are discontinued; and, be it further

**Resolution No. 186 (continued)**

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

Seconded by Supervisor HANDY and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)

**Resolution No. 187**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION DECLARING “MAYDAY FOR MANDATE RELIEF” AND URGING  
THE STATE TO ADOPT LAWS THAT PROHIBIT UNFUNDED MANDATES  
ON LOCAL GOVERNMENTS

WHEREAS, Counties are mandated to administer and finance dozens of state and federal programs; and

WHEREAS, Fulton County’s fiscal challenges are a direct result of state-imposed mandates and reduced state reimbursement; and

WHEREAS, NYSAC has identified 9 state mandates that consume 90 percent of all county property taxes across the state (outside of New York City), representing over \$4 billion in county property taxes levied as follows:

1. Medicaid
2. Public Assistance/Safety Net
3. Child Welfare and Preventive Care
4. Special Education Pre-School
5. Early Intervention
6. Probation
7. Indigent Defense
8. Youth Detention
9. Pensions

and

WHEREAS, these State mandates are the root cause of high county property taxes in Fulton County; and

WHEREAS, the Governor and State Legislators have just recently passed a substantial new mandate upon local governments in the form of the so-called real property “tax freeze”; now, therefore be it

RESOLVED, That the Board of Supervisors hereby declares the month of May 2014 to be “Mayday for Mandate Relief” to raise awareness that decisions made in Albany have a direct impact on the property tax levy; and, be it further

RESOLVED, That the Board of Supervisors is calling upon State Lawmakers to enact legislation preventing future unfunded mandates without corresponding state aid to pay for them; and, be it further

**Resolution No. 187 (continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Cuomo, Senate Majority Co-Leader Skelos, Senate Majority Co-Leader Klein, Assembly Speaker Silver, Senator Farley, Assemblyman Butler, NYS Association of Counties, All New York State Counties, Fulton Montgomery Regional Chamber of Commerce, 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 GREENE and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Callery and Capek)