

SECOND REGULAR SESSION

Johnstown, NY

February 11, 2013

Roll Call - Quorum Present

Supervisors: Argotsinger, Born, Bradt, Callery, Capek, DiGiacomo, Fagan, Gendron, Handy, Johnson, Kemper, Kinowski, Lauria, MacVean, Ottuso, Ponticello, Potter, Waldron

TOTAL: Present: 18 Absent: 2 (Supervisors Howard and Ottalagano)

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

Jack Kinzie, 6 Foster Road, Johnstown – Mr. Kinzie stated that it was getting monotonous for him to come to these meetings. He stated he was here today regarding a personal attack against him by the Clerk of the Board. He stated that four (4) Supervisors provided him with correspondence either via mail or e-mail that Clerk of the Board Jon Stead sent to all Supervisors regarding erroneous errors by Mr. Kinzie. Mr. Kinzie stated, “an elected official is needed at the top of county government, not a tool of this board”. He further stated that Mr. Stead received a \$17,000.00 raise a few years ago; however, this year the Supervisors are giving county employees less than a 2 percent raise. He stated that this shows the relationship between the Board and Jon Stead is not an arms length relationship. He stated that this relationship is too close and ought to be changed. Mr. Kinzie stated that he will be at every meeting from now until November “to do battle with Mr. Stead” because of Mr. Stead’s personal attack on him.

Mr. Kinzie stated that in the agenda for today’s meeting, there is a resolution to approve a contract with the CRG and appoint Board members to the CRG. A vast majority of officers on the CRG Board are from the old EDC/CIC Board who was there when \$3 million was stolen over an eleven year period. He stated that last month he stood before this Board and made strong statements attacking Fulton County. This Board, Mr Stead, the County Attorney, the District Attorney and law enforcement have failed to get back even \$1.00 of the money that was stolen.

Mr. Kinzie stated that the memo that was sent to all Supervisors from Mr. Stead regarding “erroneous statement clarification” had eleven errors that Mr. Kinzie intends to correct. Mr. Kinzie claimed that, based upon his review of pages 230 through 254, resolutions regarding the withholding of payment to EDC at that time do not match. He stated that the wording should be checked.

Mr. Kinzie then advised that he received an anonymous letter from a “young taxpayer”. This individual advised Mr. Kinzie that William Shafer, Chief of Integrity Bureau, is in charge of making the final decision on whether to pursue charges against Jeff Bray and Peter Sciocchetti. However, Mr. Sciocchetti’s sister was employed by an attorney in Mr. Shafer’s office and that is why no charges have been brought against either individual. Mr. Kinzie stated that he wonders why this Board, who voted to have the Attorney General investigate this case, never got an answer or never told the public what the Attorney General determined.

John Kane – 165 West Bush Road, Gloversville – Mr. Kane stated that he wanted to follow-up on Mr. Kinzie’s statements. With regards to the resolution on the agenda today about approving the CRG Marketing Plan, he stated that the Board of Directors for the CRG are the same Directors who were on the EDC/CIC. He stated, “in other words the only difference is the name of the agency”. Mr. Kane stated that he has talked several times with Mr. Stead regarding providing information on the county website about financial statements, budgets, etc. for the EDC/CIC and CRG but this has never been done.

COMMUNICATIONS

1. Letter from Francis E. Avery, Mayor, Village of Canajoharie to Chairman of the Board, dated December 5, 2012.
Subj: Village of Canajoharie unable to provide financial support for the Thruway Connector Project
2. Correspondence from SUNY Office of the Chancellor, to Members of the FMCC Board of Trustees, dated September 12, 2012.
Subj: Community College Chargeback Report
3. Correspondence from Fulton County Board of Elections, dated January 11, 2013.
Subj: Annual Organizational Meeting Minutes
4. Correspondence from Town of Perth Town Clerk, dated January 24, 2013.
Subj: Notice of Public Hearing for adding an Article III-B regarding a Business and Technology Zone for the purpose of facilitating the redevelopment of the former Tryon Campus along County Highway 107 in the Town of Perth

REPORTS

- A. Mohawk Valley Economic Development District Income Statement and Balance Sheet dated December 31, 2012
- B. Mohawk Valley Economic Development District 2012 Year-End Report
- C. Fulton County Board of Elections 2012 Annual Report
- D. Fulton County Soil and Water Conservation District 2012 Annual Report
- E. Citizens in Community Service 2012 Year-End Report
- F. Fulton-Montgomery Community College Financial Statements for Year ending August 31, 2012
- G. Fulton County Planning Board 2012 Annual Report
- H. Fulton County Department of Solid Waste 2012 Annual Report

LATE COMMUNICATIONS:

- L-1 Correspondence from Adirondack Park Local Government Review Board
Subj: Resolution #1 of 2013 In Support of Proposed General Permit for Silvicultural Treatments for Sustainable Forestry in the Adirondack Park (Supervisor Johnson requested a copy of Communication L-1)

L-2 Correspondence from Adirondack Park Local Government Review Board
Subj: Resolution #2 of 2013 Ratifying and Reaffirming Resolution #5 in 2011 in Support of Rehabilitation of the Adirondack Railroad (Supervisor Johnson requested a copy of Communication L-1)

LATE REPORTS:

L-A Fulton County Industrial Development Agency 2012 Annual Report

REPORTS OF SPECIAL COMMITTEES

Soil & Water Conservation District: Supervisor Ponticello stated that John Persch, Director, will be attending Legislative Days in Albany on behalf of the District to meet with Assemblymen affiliated with those committees. He also advised that a \$60,000.00 aid entitlement from the EPA was awarded to Fulton County. Once expenditures are approved, the money will be released.

Supervisor Johnson advised that he attended a meeting for the NY State Cleaner, Greener Communities Mohawk Valley Regional Sustainability Plan on January 30, 2013. He stated that he would be providing information to Mr. Stead regarding what was discussed at this meeting. He also advised that \$9 million has been allocated for our region that will be coming forth.

RESOLUTIONS

No. 35 (Resolution Authorizing Purchase of 2014 Western Star Truck with Dump Body and Plow for use in the Highways and Facilities Department (2013 Capital Plan): Supervisor Johnson asked what the total price is for this vehicle. Mr. Stead stated that the total of the two dollar amounts in the resolution was the total cost. After calculating the sum Mr. Stead announced it was a total cost of \$229,145.83.

No. 43 (Resolution Establishing Review Criteria for the Inclusion of Parcels into Fulton County Agricultural Districts): Supervisor Argotsinger asked for a clarification on Criteria 1 listed in the resolution regarding part of a farm operation. Supervisor Gendron stated that the language was out of State law. Mr. Stead clarified that NYS Dept. of Agriculture and Markets Law does not establish criteria for the Board to consider for review of Agricultural District applications. This terminology was from similar criteria that Putnam County uses. Mr. Stead noted that the Economic Development & Environment Committee added the language regarding properties being delinquent on taxes (Criteria 4).

(Note: Resolution 43 was Reconsidered and Amended on March 11, 2013.)

No. 44 (Resolution Approving Fulton County Center for Regional Growth 2013 Marketing Plan for Fulton County): Supervisor Handy asked if this plan includes revenue that the County put into it. Mr. Stead stated that this is the \$75,000.00 contribution that the County is providing and is itemized on the last page. Supervisor Handy asked if the CRG is going to be transparent with everything it will be doing. Mr. Stead stated that there will be Board of Supervisors members sitting on the CRG Board of Directors which will allow the Board to be fully informed as to what the CRG is doing.

No. 53 (Resolution Waiving the “60-Mile Radius Rule” for Conference Attendance (Coroner): Supervisor Callery asked if this should have come through the Finance Committee because money is being spent. Mr. Stead stated this only goes to the oversight committee for approval. It would only be referred to the Finance Committee if there was no money budgeted for the conference. Supervisor Callery stated he would oppose this request because there are no evening meetings.

Supervisor Johnson stated he believed there was a meeting from 7:00-9:00 p.m. Supervisor Callery stated he thought that was a presentation, not a meeting.

Supervisor Handy stated that Supervisors just attended a NYSAC conference in Albany and they didn't stay overnight. He stated he could not support this.

Supervisor Kemper stated that if you calculate the cost for lodging versus the cost for mileage, there is only a difference of approximately \$25.00. She stated this was the rationale used by the Public Safety Committee.

No. 62 (Resolution Endorsing the Position Statement of the New York State Sheriffs' Association expressing concern about the recently enacted State Gun Control Laws (NY Safe Act): Supervisor Kemper stated that a resolution was passed at the NYSAC Conference regarding this issue. She stated that a resolution was also discussed at the Inter-County Legislative Committee of the Adirondacks meeting.

Supervisor Handy stated that he supported this in the Public Safety Committee and supports the Sheriff's position on this issue; however, he is not a gun expert. He stated that he believes whoever owns the weapon should be responsible for that weapon. He believes the gun holder should pay the penalty if the weapon is used in a crime. He stated that he is not against anyone owning a weapon but feels that person needs to be responsible. He stated that he hopes that this language be considered and included if the law is amended in anyway.

Supervisor Born stated that Supervisor Handy's statement regarding ownership responsibility would be hard to enforce. She stated that you cannot hold the gun owner responsible if someone breaks into his/her home and steals weapons.

Supervisor Johnson stated that he recently read an article in a hunting magazine, and in his opinion, the State has superseded federal law. Governor Cuomo should be held responsible for violating constitutional rights. He stated that it is up to legislators to correct this situation. Everyone who voted for this legislation, their names should be publicized and they should not be

re-elected. He stated that prohibiting people with mental health problems from having access to firearms is very important. He stated, "Our legislators need to get behind this and fix it". He further stated that the government cannot supersede our rights and the people cannot "lay down" on this issue.

Supervisor Lauria stated that there are a lot of individuals out there who need mental help. It is unfortunate that young people are being killed; however, everyone has a constitutional right to own a weapon. Stronger, better background checks are also important.

Supervisor DiGiacomo stated that the Second Amendment is in place to stop tyranny from our government. Every citizen has the right to defend their home. He said that the whole law should be repealed, even though it probably won't be.

Supervisor Ottuso stated that the limit on the size of magazines you can own is not going to stop individuals from committing crimes. He stated that criminals will get what they want when they want it. He stated that he is in full agreement with Supervisor DiGiacomo and everyone should fight this to the end.

Supervisor Fagan stated that the wording in this resolution should probably be stronger than it is. He further stated that no legislation is going to stop crimes that involve guns. To begin with, criminals do not abide by the law. The way this legislation was passed is also a big issue. This State has to stop passing legislation and pushing it through in the middle of the night without any review. He stated, "everyone should support this because government has been out of control and it is on a freight train going downhill at about 300 mph".

Supervisor Kemper stated that one of the issues that was discussed at NYSAC was the way this legislation was pushed through during the night. It was just a "knee jerk reaction". She stated that it is in complete violation of our constitutional rights. She stated that this is a total discredit to our leaders.

Supervisor Born stated the mental health issue in this legislation is just as important as the amount of magazine clips a citizen can have.

Supervisor Lauria stated a lot of juvenile delinquent facilities have been closed over the years by the State and these kids could have been rehabilitated had the facilities remained open.

A motion was offered by Supervisor Fagan, seconded by Supervisor Gendron and unanimously carried, to waive the Rules of Order to take Action on Late Resolution 73.

No. 73 (Resolution Amending Resolution 499 of 2012 that authorized contract with Fulton County Center for Regional Growth to revise payment schedule (2013): Mr. Stead explained that this resolution is being offered to correct a wording error in the resolution that originally approved the contract. This resolution corrects the payment schedule for how CRG will be paid through a vouchering system.

Upon a motion by Supervisor Fagan, seconded by Supervisor Kemper and unanimously carried, the Committee entered into Executive Session at 2:14 p.m. to discuss employment history.

Upon a motion by Supervisor Callery, seconded by Supervisor Bradt and unanimously carried, the Board re-entered into Regular Session at 2:30 p.m.

NEW BUSINESS

Supervisor Fagan asked Chairman Waldron how his meeting with Governor Cuomo went on Tuesday evening at the Governor's mansion. Chairman Waldron stated that it was very interesting. Stephen Acquario of NYSAC had the opportunity to speak just before the Governor and expressed the need for true mandate relief to the counties or at least a change in programs where money can be saved. Governor Cuomo stated that he is faced with the same problems that everyone in the counties are faced with. He has a budget that he has to create and that budget demands that certain programs be paid for. Although he favors taking over more of the cost for programs, there is no way that he can do that and still stay under a 2 percent increase. Chairman Waldron stated he does not believe it is right for the Governor to try to tell counties how it can raise its taxes when there are already laws in place to limit this increase. He stated that there is not a Supervisor in this Chamber who wants to increase taxes.

Upon a motion by Supervisor Gendron, seconded by Supervisor Callery and unanimously carried, the meeting adjourned at 2:36 p.m.

Certified by:

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

Resolution No. 32

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION IN MEMORY OF FORMER FULTON-MONTGOMERY COMMUNITY
COLLEGE PRESIDENT HADLEY SHELDON DEPUY

WHEREAS, former Fulton-Montgomery Community College President Hadley Sheldon DePuy recently passed away; and

WHEREAS, Mr. DePuy served the people of Fulton County as the second President of Fulton-Montgomery Community College from 1972 through 1977; and

WHEREAS, Mr. DePuy worked diligently to increase enrollment at the College by working with faculty, staff and sponsors to create technical programs; and

WHEREAS, Mr. DePuy brought automotive technology, construction technology, electricity and electronics, food service, graphic arts, natural resources conservation, forest technology, transportation, environmental, science laboratory, floriculture, mortuary science, industrial technology and nursing programs to the college; and

RESOLVED, That the Fulton County Board of Supervisors joins with all the people of Fulton County to posthumously express its gratitude to Hadley Sheldon DePuy for his dedicated service to education; and, be it further

RESOLVED, That this Board of Supervisors hereby conveys its deepest sympathy to his entire family; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to Hadley DePuy'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 Howard and Ottalagano)

Resolution No. 33

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING ALTERNATE MEMBER TO THE FULTON COUNTY
PLANNING BOARD

WHEREAS, Resolution 136 of 2012 enacted Local Law 2 of 2012, “A Local Law Creating an Alternate Member Position on the Fulton County Planning Board”; and

WHEREAS, a vacancy exists on the Fulton County Planning Board for an alternate member position, now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Buildings and Grounds/Highway, Frank Lauria, of Gloversville, NY, be and hereby is appointed to the Fulton County Planning Board, for the balance of the term January 1, 2013 through December 31, 2015; and, be it further

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

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

Seconded by Supervisor HANDY and adopted by the following vote:

Total: Ayes: 496 (17) Nays: 0 Abstentions: 23 (1) (Supervisor Lauria) Absent: 32 (2)
(Supervisors Howard and Ottalagano)

Resolution No. 34

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR VARIOUS HIGHWAY
CONSTRUCTION MATERIALS FOR USE IN THE
DEPARTMENT OF HIGHWAYS AND FACILITIES (2013)

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

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

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

GROUP 1 - Wednesday, March 6, 2013 at 2:00 p.m.:

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

GROUP 2 - Thursday, March 7, 2013 at 2:00 p.m.:

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

GROUP 3 - Wednesday, March 13, 2013 at 2:00 p.m.:

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

Resolution No. 34 (continued)

and, be it further

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

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

Seconded by Supervisor KEMPER and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 35

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PURCHASE OF 2014 WESTERN STAR TRUCK WITH
DUMP BODY AND PLOW FOR USE IN THE HIGHWAYS AND FACILITIES
DEPARTMENT (2013 CAPITAL PLAN)

WHEREAS, the 2013 Capital Plan identifies a 2014 Heavy Truck with Dump Body and Plow Equipment for use in the Building & Grounds/Highway Department; and

WHEREAS, Heavy Dump Trucks are not currently available via New York State OGS contract; and

WHEREAS, the Superintendent of Highways and Facilities recommends purchase of a 2014 Western Star Truck, via Oneida County bid contract which was extended to all political subdivisions and districts in New York State; now, therefore be it

RESOLVED, That the Superintendent of Highways and Facilities be and hereby is authorized to purchase a 2014 Western Star Dump Truck, as identified in the bid award (Bid Reference# 1571) by Oneida County from Tracey Road Equipment, Albany, NY, at a bid price not to exceed \$149,179.73; and, be it further

RESOLVED, That the Superintendent of Highway and Facilities be and hereby is authorized to purchase a Viking Dump Body and Plow Equipment, at a bid price not to exceed \$79,966.10, as identified in the bid award (Bid Reference# 1606) by Oneida County; and, be it further

RESOLVED, That said cost be a charge against DM-825-5130.200 RD Machinery-Equip; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Tracey Road Equipment, 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 Howard and Ottalagano)

Resolution No. 36

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING NOTICE OF INTENT TO THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO OBTAIN A NEW SPEDES MULTI-SECTOR GENERAL STORMWATER DISCHARGE PERMIT FOR THE FULTON COUNTY AIRPORT

WHEREAS, the County of Fulton currently possesses a NYS Department of Environmental Conservation issued stormwater discharge permit at the Fulton County Airport; and

WHEREAS, in accordance with new federal stormwater regulations, it will be necessary to obtain a State Pollutant Discharge Elimination System (SPEDES) Multi-Sector General Permit for stormwater discharges; and

WHEREAS, said new permit will be effective October 1, 2012 through September 30, 2017 and will authorize both new and existing discharges of stormwater; and

WHEREAS, it is necessary to submit a "Notice of Intent" form to obtain coverage under the new Multi-Sector General Permit; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit a Notice of Intent to the NYS Department of Environmental Conservation to obtain a new SPEDES Multi-Sector General Permit for stormwater discharges at the Fulton County Airport; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Fixed Base Operator, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who may further the purport of this Resolution.

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 37

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING SUBMITTAL OF 2013-2014 FEDERAL SECTION 5311
CONSOLIDATED TRANSPORTATION GRANT APPLICATION FOR SPONSORS WITH
CONTINUING AGREEMENTS**

WHEREAS, Fulton County is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for Fulton County's Commuter Run through I. Persch Transit, Inc. for the project years 2013-2014; and

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

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

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

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

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

Seconded by Supervisor BRADT and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 38

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

RESOLUTION ACCEPTING STATE MATCHING FUNDS FOR 2013
“I LOVE NEW YORK” TOURISM PROGRAM

WHEREAS, Resolution 372 of 2012 authorized submittal of a grant application for “I Love New York” Tourism Matching Funds for 2013; and

WHEREAS, the County of Fulton has been advised that it has been awarded up to \$58,135.00 for its 2013 Tourism Matching Funds Program; and

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

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, hereby accepts 2013 Tourism Matching Funds, in an amount of \$58,135.00 (Fulton County to match its share of \$58,135.00) for 2013; and, be it further

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

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

Seconded by Supervisor FAGAN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 39

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACT WITH ONONDAGA COUNTY RESOURCE
RECOVERY AGENCY FOR ACCEPTANCE OF NON-HAZARDOUS
HOUSEHOLD BATTERIES (2013)**

WHEREAS, Resolution 363 of 2011 authorized an agreement with Onondaga County Resource Recovery Agency (OCRRA) for use of the Fulton County Landfill in 2012; and

WHEREAS, the Solid Waste Director received a request from Onondaga County Resource Recovery Agency (OCRRA) to continue to utilize the Fulton County Landfill for disposal of approximately 100 tons per year of non-hazardous household batteries during 2013; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, the Solid Waste Director be and hereby is authorized to accept up to a maximum of 100 tons per year of non-hazardous household batteries from Onondaga County Resource Recovery Agency for disposal in the Fulton County Landfill, at a cost of \$75.00 per ton, effective January 1, 2013 through December 31, 2013; 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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Onondaga County Resource Recovery Agency, 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 Howard and Ottalagano)

Resolution No. 40

Supervisor GENDRON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT BETWEEN THE SOLID WASTE
DEPARTMENT AND LEADER HERALD FOR ANNUAL NEWSPAPER ADVERTISING
(2013)

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and *The Leader Herald*, of Gloversville, NY for annual newspaper advertising, commencing January 1, 2013 through December 31, 2013, at a cost of \$12.50 per column inch; and, be it further

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

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

Seconded by Supervisor PONTICELLO and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 41

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF
A LANDFILL COMPACTOR FOR USE IN THE SOLID WASTE DEPARTMENT (2013
CAPITAL PLAN)**

WHEREAS, the 2013 Capital Plan identifies funding for the purchase of 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, March 13, 2013, 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 POTTER and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 42

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

RESOLUTION URGING CONGRESS TO AMEND THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 REGARDING PURCHASING OF PROFESSIONAL SERVICES

WHEREAS, in 1949, Congress enacted the Federal Property and Administrative Services Act, the primary purpose of which was to create the General Services Administration (GSA); and

WHEREAS, Title IX of this Act identified the process that the federal government was to use to hire architects, engineers and related professions which included individuals and firms that perform certain professional services; and

WHEREAS, provisions in said Act prohibit governments from seeking cost competitive proposals when hiring architects, engineers or other professions for public works projects utilizing federal funds; and

WHEREAS, said law requires Fulton County and other governments to select professional service firms based solely on qualifications and does not allow cost to be factored into hiring decisions; and

WHEREAS, amending this federal mandate will save taxpayers money and ensure that federal funds are expended efficiently; now, therefore be it

RESOLVED, That the Board of Supervisors hereby urges Congress to amend the Federal Property and Administrative Services Act of 1949 to allow municipalities to consider cost factors during the selection of professional services firms for federally-funded public works projects; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, U.S. Senator Schumer, U.S. Senator Gillibrand, Congressman Owens, Senator Farley, Assemblyman Butler, All Counties, Planning Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who may further the purport of this Resolution.

Seconded by Supervisor FAGAN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 43

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION ESTABLISHING REVIEW CRITERIA FOR THE INCLUSION OF PARCELS
INTO FULTON COUNTY AGRICULTURAL DISTRICTS**

WHEREAS, Resolution 159 of 2004 established the month of March as the period of time each year when a landowner may request inclusion of parcels into Fulton County Agricultural District No. 1; and

WHEREAS, in accordance with State law, when properties are considered for inclusion into Agricultural Districts, they are first referred to the Agricultural and Farmland Protection Board for review and comment; and

WHEREAS, the Board of Supervisors utilizes Agricultural and Farmland Protection Board recommendations in its deliberations regarding whether or not to include parcels into an Agricultural District; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, the Board of Supervisors hereby adopts the following criteria for consideration of applications to add land to a County Agricultural District:

1. The property must be used in agricultural production, or be part of a farm operation.
2. The property must be able to obtain one or more of the benefits afforded to properties in an Agricultural District per Section 305, 305a and 305-b of the NYS Agriculture and Markets Law, as amended.
3. The property must be in compliance with local, state and federal rules and regulations and be free from town, state and federal violations.
4. The property must not be delinquent for any county, school or local property taxes.
5. The property must not pose a potential nuisance to adjacent properties.

and, be it further

Resolution No. 43 (continued)

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 CALLERY and adopted by the following vote:

Total: Ayes: 454 (17) Nays: 65 (1) (Supervisor Argotsinger) Absent: 32 (2) (Supervisors Howard and Ottalagano)

Resolution No. 44

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING FULTON COUNTY CENTER FOR REGIONAL GROWTH
2013 MARKETING PLAN FOR FULTON COUNTY**

WHEREAS, Resolution 499 of 2012 authorized a contract with Fulton County Center for Regional Growth for Business Development Marketing in 2013; and

WHEREAS, in accordance with said contract, Fulton County Center for Regional Growth submitted an annual Marketing Plan and associated budget to the Board of Supervisors; and

WHEREAS, the Committee on Economic Development and Environment has reviewed the details of said Marketing Plan and recommend its approval as the official 2013 Business Development Marketing Plan for Fulton County; now, therefore be it

RESOLVED, That the 2013 Business Development Marketing Plan submitted by the Fulton County Center for Regional Growth as approved by the Committee on Economic Development and Environment and placed on file in the Board of Supervisors Office, be and hereby is approved; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton County Center for Regional Growth, Fulton County IDA, All County Municipalities, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who may further the purport of this Resolution.

Seconded by Supervisor KEMPER and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 45

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING REPRESENTATIVES TO THE FULTON
COUNTY CENTER FOR REGIONAL GROWTH BOARD OF DIRECTORS**

WHEREAS, by an Agreement with Fulton County Center for Regional Growth (CRG), the Board of Supervisors is authorized to appoint three (3) members to the CRG Board of Directors; and

WHEREAS, the nominating committee presented its recommendations for appointments to the CRG Board to the Economic Development and Environment Committee; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, the following persons be appointed to the Fulton County Center for Regional Growth Board of Directors, for terms hereinafter specified:

January 1, 2013 Through December 31, 2013

Michael Ponticello

January 1, 2013 Through December 31, 2014

David Jankowski

January 1, 2013 Through December 31, 2015

Gregory Fagan

and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Fulton County Board of Ethics, Fulton County Center for Regional Growth and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

Total: Ayes: 370 (14) Nays: 88 (2) (Supervisors Kinowski and MacVean) Abstentions: 61 (2) (Supervisors Fagan and Ponticello) Absent: 32 (2) (Supervisors Howard and Ottalagano)

Resolution No. 46

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

RESOLUTION AUTHORIZING APPLICATION FOR 2013 TRANSPORTATION
INITIATIVE FUNDS (SOCIAL SERVICES DEPARTMENT)

WHEREAS, the Commissioner of Social Services desires to submit an application to the NYS Office of Temporary and Disability Assistance for a 2013 Transportation Initiative Grant to support a Wheels to Work Program; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Human Services and Finance, the Chairman of the Board be and hereby is authorized to submit an application to the NYS Office of Temporary and Disability Assistance for a Transportation Initiative Grant, in an amount of \$45,000.00 for a Wheels to Work Program; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Commissioner of Social Services, NYS Office of Temporary and Disability Assistance, 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 Howard and Ottalagano)

Resolution No. 47

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING WILLIAM POLLAK TO THE OFFICE FOR
AGING ADVISORY COUNCIL**

WHEREAS, a vacancy exists on the Office for the Aging Advisory Board; now, therefore be it

RESOLVED, That William Pollak, of Johnstown, NY, be and hereby is appointed to the Office for the Aging Advisory Board, representing the City of Johnstown, for the balance of the term January 1, 2013 through December 31, 2015; and, be it further

RESOLVED, That William Pollak is not required to complete the Fulton County Board of Ethics' Financial Disclosure Statement, but is directed to sign the Fulton County Oath Book located in the Fulton County Clerk's Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Office for the Aging Director, Fulton County Clerk, William Pollak and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 48

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING MEAL EXPENSES FOR CERTAIN SCHEDULED
EVENTS IN THE OFFICE FOR AGING (2013)**

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

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

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

- Monthly Caregiver Support Groups
- Quarterly Office for Aging Advisory Council Meetings
- Quarterly Health Insurance Information Sessions
- May Older Americans Event
- April Volunteer Recognition Reception
- June Community Long Term Care Education Workshop
- August Annual Senior Picnic
- November Caregiver Awareness Workshop

now, therefore be it

RESOLVED, That the OFA Director is hereby authorized to include a light meal and room rental, if necessary, as part of planning for the aforementioned sessions during 2013, subject to said costs being in accordance with State and/or Federal agency guidelines; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, OFA Director, 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 Howard and Ottalagano)

Resolution No. 49

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING MEAL EXPENSES FOR CERTAIN SCHEDULED
EVENTS IN THE YOUTH BUREAU (2013)**

WHEREAS, the Youth Bureau sponsors certain meetings and community events throughout the year, which include plans for light refreshments; and

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

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

- Leading By Example Youth Award Reception/Event
- Periodically at Youth Bureau Advisory Council Meetings

now, therefore be it

RESOLVED, That the OFA/Youth Director is hereby authorized to include light refreshments, if necessary, as part of planning for the aforementioned sessions during 2013, subject to said costs being in accordance with State and/or Federal agency guidelines; and, be it further

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

Seconded by Supervisor PONTICELLO and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 50

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING RABIES GRANT FROM THE NYS
DEPARTMENT OF HEALTH (2012-2013)

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

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and the NYS Department of Health for Rabies grant funds, in an amount not to exceed \$6,488.41, for the period April 1, 2012 through March 31, 2013; said agreement subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 51

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING COST-OF-LIVING ADJUSTMENT FUNDS FOR
CERTAIN PUBLIC HEALTH GRANTS**

WHEREAS, Resolution 129 of 2011 accepted Immunization Grant funds from the NYS Department of Health (2011-2012), in an amount not to exceed \$30,000.00; and

WHEREAS, Resolution 324 of 2011 accepted Special Health Care Needs funds from the NYS Department of Health (2011-2014), in the amount of \$54,345.00; and

WHEREAS, Resolution 262 of 2011 accepted Lead Grant Funds from the NYS Department of Health (2011-2012), in the amount of \$47,403.00; and

WHEREAS, the NYS Department of Health has issued Cost-of-Living Adjustments funds for said public health grants; now, therefore be it

RESOLVED, That the County of Fulton hereby accepts Cost-of-Living Adjustment funds from the NYS Department of Health for the following public health grants:

Immunization Grant Fund 2012-2013	\$2,406.00
Children with Special Health Care Needs 2012-2013	1,453.00
Childhood Lead Poisoning Prevention (CLPPP) 2012-2013	3,802.00

and, be it further

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

Decrease A-081-0599.000 Appropriated Fund Balance	\$7,661.00
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Revenue Account:

Increase A-083-3402.000 Public Hlth – Grant Revenues	\$7,661.00
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and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 52

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

**RESOLUTION ESTABLISHING OFFICE HOURS OF THE
PUBLIC HEALTH DEPARTMENT**

WHEREAS, Resolution 280 of 2012 revised office hours of the Public Health Department to 8:00 a.m. to 4:00 p.m. on a trial basis through February 28, 2013; and

WHEREAS, the Committees on Human Services and Finance have reviewed the results of the trial period and the recommendation of the Public Health Director to establish the aforementioned office hours on a permanent basis; now, therefore be it

RESOLVED, That upon the recommendations of the Public Health Director and Committees on Human Services and Personnel, the public office hours for the Public Health Department will be 8:00 a.m. to 4:00 p.m., effective March 1, 2013; and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 53

Supervisor KEMPER offered the following Resolution and moved its adoption:

RESOLUTION WAIVING THE "60-MILE RADIUS RULE" FOR CONFERENCE
ATTENDANCE (CORONER)

WHEREAS, Resolution 188 of 1992 established a 60-mile radius minimum for overnight conferences for all employees of the County of Fulton; and

WHEREAS, Coroner Art Simmons has requested a waiver of said rule to attend the NYS Association of County Coroners and Medical Examiners 2013 Spring Conference in Cooperstown, NY, March 15-17, 2013, with overnight lodging; and

RESOLVED, That upon the recommendation of the Committee on Public Health, the "60-mile radius rule", as identified in Resolution 188 of 1992, be and hereby is waived to allow Coroner Art Simmons to attend the NYS Association of County Coroners and Medical Examiners 2013 Spring Conference in Cooperstown, NY, March 15-17, 2013, with overnight lodging; and, be it further

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

Seconded by Supervisor BRADT and **DEFEATED** by the following vote:

Total: Ayes: 215 (8) Nays: 304 (10) (Supervisors Argotsinger, Born, Callery, DiGiacomo, Gendron, Handy, Lauria, Ottuso, Ponticello and Potter) Absent: 32 (2) (Supervisors Howard and Ottalagano)

Resolution No. 54

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

RESOLUTION RE-ALLOCATING CERTAIN 2010 COMPANION ANIMAL SHELTERING GRANT FUNDS IN THE CIVIL DEFENSE DEPARTMENT

WHEREAS, Resolution 53 of 2011 accepted a 2010 Companion Animal Sheltering Equipment (CASE) Grant through the NYS Office of Homeland Security, in an amount of \$37,800.00; and

WHEREAS, due to time constraints, some grant monies remain unspent; 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 2010 Companion Animal Sheltering Grant funds to purchase the items identified herein, in approximate amounts, as follows:

Weather Radio	\$ 263.00
Miscellaneous Supplies	<u>3,025.00</u>
	\$ 3,288.00

and, be it further

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

Revenue Account:

Increase A-083-3306.002 Civil Def-CASE	\$3,288.00
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Appropriation Accounts:

Increase A-385-3645.202 Civil Def-CASE-Equip	\$ 263.00
Increase A-385-3645.402 Civil Def-CASE-Contractual	<u>3,025.00</u>
	\$3,288.00

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 2013; and, be it further

Resolution No. 54 (continued)

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, and to each and every other person, institution or agency who 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 Howard and Ottalagano)

Resolution No. 55

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

RESOLUTION RE-ALLOCATING CERTAIN 2011 HAZARDOUS MATERIAL GRANT FUNDS IN THE CIVIL DEFENSE DEPARTMENT

WHEREAS, Resolution 156 of 2012 accepted a 2011 Hazardous Materials Grant from the NYS Office of Homeland Security and Emergency Services, in an amount of \$125,500.00; and

WHEREAS, due to time constraints, some grant monies remain unspent; 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 2011 Hazardous Material Grant funds to purchase the items identified herein, in approximate amounts, as follows:

Encapsulated Haz-Mat Suits	\$13,399.00
Haz-Mat Weather Station	5,161.00
Haz-Mat Command Boards	343.00
Haz-Mat Command Radios	20,862.00
On-Site Training for First Detector	<u>11,400.00</u>
	\$51,165.00

and, be it further

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

Revenue Account:

Increase A-083-3306.001 Civil Def-SHSP \$51,165.00

Appropriation Accounts:

Increase A-385-3645.201 Civil Def-SHSP-Equip	\$ 39,765.00
Increase A-385-3645.401 Civil Def-SHSP-Contractual	<u>11,400.00</u>
	\$ 51,165.00

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 2013; and, be it further

Resolution No. 55 (continued)

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, and to each and every other person, institution or agency who 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 Howard and Ottalagano)

Resolution No. 56

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

RESOLUTION RE-ALLOCATING CERTAIN 2011 HOMELAND SECURITY GRANT FUNDS IN THE CIVIL DEFENSE DEPARTMENT

WHEREAS, Resolution 382 of 2011 accepted 2011 Homeland Security Program funds from the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the Civil Defense Department share of this grant was \$81,426.00, to supplement Emergency Preparedness activities; and

WHEREAS, due to time constraints, some grant monies remain unspent; 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 2011 Homeland Security Grant funds to purchase the items identified herein in approximate amounts, as follows:

SCBA Fit Test Masks	\$1,286.00
Confined Space Equipment	<u>929.00</u>
	\$2,215.00

and, be it further

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

Revenue Account:

Increase A-083-3306.001 Civil Defense SHSP \$2,215.00

Appropriation Account:

Increase A-385-3645.201 Civil Def SHSP Equipment \$2,215.00

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 2013; and, be it further

Resolution No. 56 (continued)

and, be it further

RESOLVED, That the Civil Defense Director 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 LAURIA and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 57

Supervisor KEMPER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING STOP-DWI PLAN FOR 2013

RESOLVED, That the 2013 Annual STOP-DWI Plan be and hereby is approved for submission to the NYS Department of Motor Vehicles, Office of Transportation Safety, in accordance with the 2013 Adopted Budget for the County of Fulton; and, be it further

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

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 58

Supervisor KEMPER offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING JUDITH GISONDI TO THE FULTON COUNTY LOCAL
EMERGENCY PLANNING COMMITTEE**

WHEREAS, a vacancy exists on the Local Emergency Planning Committee; now, therefore be it

RESOLVED, That Judith Gisondi, of Gloversville, NY, be and hereby is appointed to the Fulton County Local Emergency Planning Committee, for the balance of the term January 1, 2013 through December 31, 2013; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense/Fire Coordinator, Judith Gisondi 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 Howard and Ottalagano)

Resolution No. 59

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

RESOLUTION RE-ALLOCATING CERTAIN 2010 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FUNDS IN THE SHERIFF'S DEPARTMENT

WHEREAS, Resolution 468 of 2010 accepted 2010 Law Enforcement Terrorism Prevention Program (LETPP) Grant funds for the Sheriff's Department in an amount of \$41,865.00; and

WHEREAS, Resolution 60 of 2011 allocated 2010 LETPP grant funds for purchase of certain equipment in the Sheriff's Department; and

WHEREAS, grant funds in the amount of \$3,116.94 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 2010 LETPP grant funds to purchase the following items identified herein;

Monthly Recurring Charge for USB Cards for online data services until June 2013	\$3,117.00
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now, therefore be it

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

Revenue Account:

Increase A-083-3306.003 Sheriff-SLETPP	\$3,117.00
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Appropriation Account:

Increase A-305-3645.403 Sheriff SLETPP Contractual	\$3,117.00
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and, be it further

RESOLVED, That the Sheriff is hereby directed to carry out said purchases expeditiously and complete all grant requirements in 2013; and, be it further

Resolution No. 59 (continued)

RESOLVED, That the Sheriff 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, 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 DIGIACOMO and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 60

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

RESOLUTION RE-ALLOCATING CERTAIN 2011 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT FUNDS IN THE SHERIFF'S DEPARTMENT

WHEREAS, Resolution 382 of 2011 accepted a 2011 Homeland Security Program grant and a Law Enforcement Terrorism Prevention Program (LETPP) grant, in a total amount of \$123,000.00; and

WHEREAS, as a component of said grant award, \$41,574.00 in LETPP funds were allocated to the Sheriff's Department for law enforcement purposes; and

WHEREAS, Resolution 124 of 2012 authorized the purchase of a 2012 Chevrolet Tahoe and six (6) ballistic body armor vests with said 2011 LETPP grant funds; and

WHEREAS, grant funds in the amount of \$5,250.00 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 2011 LETPP grant funds to purchase the following items:

Six (6) Ballistic Body Armor Vests	\$5,250.00
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and, be it further

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

Revenue Account:

Increase A-083-3306.003 Sheriff-SLETPP	\$5,250.00
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Appropriation Account:

Increase A-305-3645.203 Sheriff-SLETPP-Equipment	\$5,250.00
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and, be it further

Resolution No. 60 (continued)

RESOLVED, That the Sheriff is hereby directed to carry out said purchases expeditiously and complete all grant requirements in 2013; 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 Howard and Ottalagano)

Resolution No. 61

Supervisor KEMPER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PURCHASE OF TWO PATROL VEHICLES FOR USE IN
THE SHERIFF'S DEPARTMENT (2013 CAPITAL PLAN)**

WHEREAS, the 2013 Capital Plan identifies two (2) patrol cars for use in the Sheriff's Department; and

WHEREAS, Ontario County sought bids for patrol cars and awarded contracts for several different vehicle models, with a clause extending prices to all political subdivisions and districts located in New York State; and

WHEREAS, the Sheriff recommends the purchase of two (2) Dodge Chargers, available through Main Motorcar, of Johnstown, NY, a successful bidder in the Ontario County bid award; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized to purchase two (2) patrol cars (Dodge Charger LDDE48-Unmarked Sedan) from Main Motorcar, Johnstown, NY, at a base bid price of \$21,880.00, as identified in the bid award (Specification B12000) by Ontario County; and, be it further

RESOLVED, That the final purchase price of said vehicles, including purchase and installation of light bars and security accessories, shall not exceed \$32,000.00 per unit; and, be it further

RESOLVED, That said cost be a charge against A-305-3110.201 Sheriff Dept-Capital; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Main Motorcar, 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 Howard and Ottalagano)

Resolution No. 62

Supervisor KEMPER offered the following Resolution and moved its adoption:

RESOLUTION ENDORSING THE POSITION STATEMENT OF THE NEW YORK STATE SHERIFFS' ASSOCIATION EXPRESSING CONCERN ABOUT THE RECENTLY ENACTED STATE GUN CONTROL LAWS (NY SAFE ACT)

WHEREAS, recent gun control legislation known as the "NY Safe Act", that was enacted into law by the State Legislature and signed by the Governor, created serious implications that restrict the Second Amendment rights of citizens in New York; and

WHEREAS, the law is very complex and creates unfair restrictions on firearm ownership and the rights of law-abiding citizens to self-defense; and

WHEREAS, the legislation was rushed through passage in both houses of the State Legislature without proper review and deliberation that laws of this magnitude deserve; and

WHEREAS, the manner in which Governor Cuomo and Legislators enacted the laws demonstrated their disdain for transparency and open government in New York State; and

WHEREAS, residents of New York State deserve better from their elected representatives; and

WHEREAS, the New York State Sheriffs' Association convened its members and formulated a formal Position Statement which identifies specific problems with the new overly-restrictive law; now, therefore be it

RESOLVED, That the Board of Supervisors hereby demands that State Legislators re-convene to repeal and/or amend the provisions of said "NY Safe Act" that violate the rights of citizens as guaranteed by the U.S. Constitution and the Second Amendment; and, be it further

RESOLVED, That the Board endorses the Position Statement of the New York State Sheriff's Association as a starting point for deliberations on how to rectify problems with the new overly restrictive law; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Governor Cuomo, All State Senators, All State Assembly members, President Obama, U.S. Senator Schumer, U.S. Senator Gillibrand, Congressman Bill Owens, Fulton Montgomery Regional Chamber of Commerce, NYSAC, State Sheriffs' Association, Sheriff Lorey, Budget Director/County Auditor and Administrative Officer/Clerk of the Board and to each and every other person, institution or agency who may further the purport of this Resolution.

Seconded by Supervisor POTTER and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 63

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR ELECTION SUPPLIES
AND PRINTED MATERIALS FOR USE IN THE BOARD OF ELECTIONS**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from vendors for election supplies and printed materials for use in the Board of Elections (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, February 27, 2013, 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, Board of Elections Commissioners and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PONTICELLO and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 64

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION APPROPRIATING FUNDS FOR CERTAIN 2013 CAPITAL PROJECTS
(INFORMATION SERVICES DEPARTMENT)

WHEREAS, the 2013 Capital Plan identifies the following projects for the Information Services Department:

- PC Replacement \$20,545.00
- Server Replacement 32,172.00

and

WHEREAS, funds for said projects are resident in A-795-9950.900 Transfer to Capital Plan; and

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

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

From: A-795-9950.900 Transfer to Capital Plan
To: A-275-1680.201 Information Services-Capital
Sum: \$52,717.00

and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 65

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING THE FULTON COUNTY INFORMATION SECURITY
POLICY TO PERMIT REMOTE ACCESS TO EMAIL ACCOUNTS**

WHEREAS, Resolution 602 of 2008 adopted a “Fulton County Information Security Policy”;
and

WHEREAS, the Information Services Director recommends an amendment to the existing
County Information Security Policy to permit remote access by employees to their county
government email accounts; and

WHEREAS, the Committee on Finance has reviewed said proposed amendment and
recommends said changes to promote efficiency and economy; now, therefore be it

RESOLVED, That the following amendment be and hereby is adopted:

DELETE: Section “17.4 Remote Access to the County’s Network by County IT Users” in
its entirety and replace with the following:

17.4 Remote Access to the County’s Network by County ITS Users

Remote access to the County network is available through an SSL
VPN connection. Remote access to the County email system is
available through a secure and encrypted web portal. Remote
access to either of these systems must be approved by the
department head of the user requesting access and the ISO.

and, be it further

RESOLVED, That the Information Services Director do each and every other thing necessary to
ensure County departments comply with said amendment; and, be it further

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 66

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR PAPER AND
PRINTING SUPPLIES FOR USE IN THE
INFORMATION SERVICES/PRINTING DEPARTMENT

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of paper and printing supplies for use in the Information Services/Printing Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to the Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, February 27, 2013, at which time and place they will be publicly opened and read; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Services/Printing Director, Printing Division and Clerk of the Board/Purchasing Agent.

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 67

Supervisor CALLERY offered the following Resolution and moved its adoption:

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

WHEREAS, Resolution 464 of 2010 authorized contracts between the County Treasurer and certain abstract companies for title search services and said contracts expire on March 31, 2013; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for proposals from vendors to provide title search services for the County of Fulton (and according to further specifications which may be obtained at the office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such proposals must be addressed to the Committee on Finance, c/o Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, February 27, 2013, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor KEMPER and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 68

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING COUNTY TREASURER TO ISSUE COURT-ORDERED
REFUND TO R & R AVIATION SUPPLY CO. INC. FOR OVERPAYMENT OF
PROPERTY TAXES IN 2012**

WHEREAS, pursuant to Supreme Court Order, the assessment on R&R Aviation Supply Co., Inc. property (SBL 175.-1-69), in the Town of Johnstown, was reduced from \$290,000.00 to \$115,000.00; and

WHEREAS, the County is mandated to refund R&R Aviation Supply Co., Inc. the sum of \$2,523.50 for property taxes collected in 2012; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized to issue a refund, in the amount of \$2,523.50, to R&R Aviation Supply Co., Inc. for overpayment of taxes on Parcel 175.-1-69, in the Town of Johnstown; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Real Property Tax Services Agency Director, Town of Johnstown Assessor 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 Howard and Ottalagano)

Resolution No. 69

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION APPROPRIATING CAPITAL EQUIPMENT AND IMPROVEMENT
RESERVES TO CERTAIN 2013 CAPITAL PROJECTS

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

WHEREAS, the 2013 Adopted Budget allocated \$332,717.00 from said Capital Reserves to fund certain Capital Equipment and Improvement Projects; and

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

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

From:

A-082-0883.700 Capital Equipment Reserve	\$212,717.00
A-082-0883.800 Capital Improvement Reserve	<u>120,000.00</u>
	\$332,717.00

To:

A-082-0909.000 General Fund Balance	\$332,717.00
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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 BRADT and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 70

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION APPROPRIATING COUNTY MATCHING FUNDS TO OBTAIN 2011-2012
PUBLIC NURSING HOME MEDICAID UPPER PAYMENT LIMIT FUNDS**

WHEREAS, Fulton County has been approved to receive Medicaid Upper Payment Limit (UPL) allocations totaling \$2,875,895.00 for State fiscal year 2011-2012 related to RHCF claims; and

WHEREAS, to qualify for said UPL payments, the County must pay a 42 percent local share match to the State in the amount of \$1,388,483.00; and

WHEREAS, the Committee on Finance recommends accepting the 2011-2012 UPL allocation in February 2013 and committing the required local matches therefor: now, therefore be it

RESOLVED, That upon the recommendation of the Budget Director and Committee on Finance, the Treasurer be and hereby is authorized to appropriate county matching funds to obtain 2011-2012 Public Nursing Home Medicaid Upper Payment Limit Funds; and, be it further

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

Decrease A-081-0599.000 Appropriated Fund Balance	\$1,487,413.00
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Revenue:

Increase A-083-3689.000 State Aid-RHCF Post Closing (new)	\$2,875,895.00
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Appropriation:

Increase A-505-6100.401 DSS Medicaid Upper Payment Limit	\$1,388,482.00
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and, be it further

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

Total: Ayes: 18 Nays: 0 Absent: 2 (Supervisors Howard and Ottalagano)

Resolution No. 71

Supervisor CALLERY 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; 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:

Sheriff:

Chair Highback (Gray) No BC (Purchased mid-1980's)

Chair Lowback (Gray) No BC (Purchased mid-1980's)

Chair Lowback (Black) No BC (Purchased mid-1980's)

and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Solid Waste Director, Sheriff, 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 Howard and Ottalagano)

Resolution No. 73

Supervisor GENDRON offered the following Resolution and moved its adoption:

RESOLUTION AMENDING RESOLUTION 499 OF 2012 THAT AUTHORIZED
CONTRACT WITH FULTON COUNTY CENTER FOR REGIONAL GROWTH TO REVISE
PAYMENT SCHEDULE (2013)

WHEREAS, Resolution 499 of 2012 authorized a contract with Fulton County Center for Regional Growth for Business Development Marketing in 2013; now, therefore be it

RESOLVED, That Resolution 499 of 2012 be and hereby is amended to include the following clause related to the payment schedule for services rendered:

- A. The submission of a monthly voucher identifying the amount the CRG is seeking in payment for services rendered during the preceding month.
- B. The submission of a written Summary Report identifying all of the work performed during the previous month for which reimbursement is sought.
- C. The submission of written documentation of all expenses incurred for which reimbursement is sought.

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton County Center for Regional Growth, 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 Howard and Ottalagano)