

## **FIRST DAY OF ANNUAL SESSION**

Johnstown, NY

November 12, 2013

Roll Call – Quorum Present

Supervisors: Argotsinger, Born, Bradt, Callery, Capek, DiGiacomo, Fagan, Gendron, Handy, Howard, Johnson, Kemper, Lauria, MacVean, Ottalagano, Ottuso, Ponticello, Potter, Waldron  
TOTAL: Present: 19 Absent: 1 (Supervisor Kinowski)

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.

There being no one, Chairman Waldron then introduced Mr. Kevin Crawford, Executive Director of the New York Municipal Insurance Reciprocal (NYMIR).

### **PUBLIC HEARINGS/SCHEDULED SPEAKERS**

Mr. Crawford introduced Brian Custer, President of the NYMIR Division of Wright Risk Management, William VanGorder, designated broker in Fulton County and Stephen Acquario, Executive Director of the New York State Association of Counties (NYSAC).

Mr. Acquario explained that NYSAC helped create NYMIR in the late 1980's and early 1990's. Mr. Acquario further explained that the Reciprocal has now grown to 750 subscribers that belong to NYMIR in New York State and that NYSAC was very actively involved with NYMIR.

Mr. Crawford thanked Fulton County for its continued loyalty to the program and had Mr. Custer present "Capital Return Checks" to local municipalities. He explained that it was NYMIR's 20<sup>th</sup> Anniversary and he was pleased to present each municipality with a flag that was created with the help of the Veterans Outreach Center in Rochester. Mr. Crawford remarked that NYMIR has been able to present the municipalities with capital return checks for the past four (4) years. The fiscal stability of the program is strong and NYMIR will be back next year with similar checks plus interest for the municipalities.

Mr. Stead, Administrative Officer, mentioned that Fulton County was the birthplace for NYMIR and that the City of Gloversville was also instrumental in bringing NYMIR into existence.

### **COMMUNICATIONS**

1. Letter from Mary Jo Tamburlin, Clerk of the Legislature from Niagara County Legislature  
Subj: Resolution Requesting the State of New York Establish a Residency Requirement in Order to Receive Welfare Benefits (Supervisors Born, DiGiacomo, Lauria and Ottalagano requested a copy of Communication 1)

2. Resolution from Essex County Board of Supervisors  
Subj: Board of Supervisors adopt a Resolution Supporting Statewide Ballot Proposal #5
3. Letter from Assemblyman Angelo Sanatabarbara (111<sup>th</sup> District), dated October 28, 2013 to Anthony Foxx, Secretary, United States Department of Transportation  
Subj: Supporting the Holiday Inn Billboard near the New York State Thruway

## **UPDATES FROM STANDING COMMITTEES**

***Economic Development and Environment:*** Supervisor Gendron stated that he wanted to thank the County Demolition Team for demolishing properties in the City of Gloversville on East Pine and Phair Streets. He has received calls from city residents who are pleased with the demolitions. He also stated that the Demolition Team has been an asset to the City of Gloversville.

***Finance:*** Supervisor Callery advised that Budget Director Alice Kuntzsch will be presenting the 2014 Tentative County Budget later today and he wanted to thank everyone for the good work done. He further advised that he has enjoyed being the Chairman of the Finance Committee this year.

***Human Services:*** Supervisor DiGiacomo thanked the members of the Human Services Committee for all their hard work in coming to meetings regarding the hiring of a new Public Health Director.

## **CHAIRMAN'S REPORT**

Chairman Waldron recognized the newly elected Supervisors from the City of Gloversville and thanked them for being in attendance in the gallery.

## **RESOLUTIONS**

***No. 329 (Resolution Awarding Bid for the Purchase of Heating Oil and Special Blend for County Buildings (2014):*** Supervisor DiGiacomo asked to abstain because he is a direct competitor of the bid award winner.

***No. 332 (Resolution Authorizing a Contract for Repair of Boiler at St. Mary's Annex Building):*** Mr. Stead explained that this Resolution was generic without a specific vendor because the Superintendent of Highways and Facilities was still attempting to obtain other quotes for the work on the boiler. Supervisor Born asked if it was possible to sell this building. Mr. Stead answered that the Finance Committee discussed this and Buildings and Grounds/Highway Committee Chairman Argotsinger agreed to discuss this with Mr. Yost, Superintendent of Highways and Facilities.

**No. 333 (*Resolution Authorizing a Contract with Smartwatt Energy to Complete an Investment Grade Energy Audit for Energy Conservation Projects at County Facilities*):** Supervisor Howard asked if this was at no cost and no obligation to the County. Mr. Stead answered, "yes".

**No. 334 (*Resolution Consenting to Fulton County Industrial Development Agency Serving as Lead Agency Under SEQR for the Tryon Technology Park and Incubator Center Project*):** Supervisor Callery asked if the anticipated date to turn the title over to the Fulton County Industrial Development Agency was still for the end of November. Mr. Stead explained that is still the anticipated date because the State is waiting for the title insurance process to be completed.

**No. 349 (*Resolution Authorizing a Contract Between the Solid Waste Department and Hamilton County for Acceptance of Tires*):** Supervisor Callery asked if this was a fair price because he thought it was too low. Supervisor Fagan answered the rate was on the tipping fee schedule.

Chairman Waldron opened the Public Hearing to receive comments on the proposed 2014-2016 Capital Plan for the County of Fulton at 1:32 p.m. There being no speakers, Chairman Waldron stated that he would keep the Public Hearing open.

**No. 357 (*Resolution Establishing Policies Governing Employee Eligibility in the Fulton County Health Insurance Plan (Affordable Care Act Mandate)*):** Supervisor DiGiacomo advised that the proposed County policy includes family coverage and the Affordable Care Act does not mandate family coverage, only individual coverage. Mr. Stead explained that he discussed this with the Director of Personnel, Mrs. Souza, who explained that the number of workers who would be affected would likely be very small. She suggested leaving it in the new policy.

**No. 366 (*Resolution Amending the 2013 Budget to Reflect Elimination of the Local Enhanced Wireless 911 Program Grant by the State of New York*):** Supervisor Johnson asked if local representatives were contacted about the elimination of the wireless grant money. Mr. Stead answered that they were contacted last year when the County wrote letters regarding the State Budget with County key priorities.

**No. 368 (*Resolution Authorizing Contract Between the Sheriff and Justice Benefits for Preparation of Grant Applications in 2014*):** Supervisor Howard asked how much this contract yielded for Fulton County. Mr. Stead answered that the amount is \$3,200.00, which is on the next Resolution.

**No. 372 (*Resolution Designating Banks (2014)*):** Supervisor Callery asked why the Bank of America was on the Resolution. He explained at the Finance Committee, County Treasurer, Terry Blodgett, explained the County would not be using them in 2014 because they will no longer have a local branch. Mr. Stead answered that the County may be using Bank of America for only a short time, maybe through the first quarter of 2014 until the bank's sale is completed.

Chairman Waldron asked if there was any members of the public who wished to make comments regarding the Public Hearing on the proposed 2014-2016 Capital Plan for County of Fulton. There being no speakers, Chairman Waldron closed the Public Hearing at 1:49 p.m.

Chairman Waldron called for a ten minute recess at 1:50 p.m.

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

Alice Kuntzsch, Budget Director, provided a MS Powerpoint presentation regarding the 2014 Tentative Fulton County Budget.

It was agreed that a budget review session for the full Board would be held on Monday, November 18, 2013 at 10:00 a.m. in the Board of Supervisors' Chambers.

**No. 379 (*Resolution Accepting Three-Year Capital Plan for Fulton County (2014-2016)*):** Supervisor Potter asked about the Countywide Energy Conservation Project. Mr. Stead explained that there were three (3) Requests for Proposals received regarding the project and the Buildings & Grounds/Highway Committee had two (2) companies attend a committee meeting and give presentations.

Upon a motion by Supervisor Callery, seconded by Supervisor Ottalagano and unanimously carried, the board entered into Executive Session at 2:28 p.m. to discuss employment history.

Upon a motion by Supervisory Callery, seconded by Supervisor Ottalagano and unanimously carried, the Board re-entered into Regular Session at 2:33 p.m.

### **NEW BUSINESS**

It was also agreed that there would be a full Board meeting held on Monday, November 25, 2013 at 1:00 p.m.

### **ADJOURNMENT**

Upon a motion by Supervisor Callery, seconded by Supervisor Gendron and unanimously carried, the Board recessed at 2:34 p.m. and will reconvene on Monday, November 18, 2013.

*Certified by:*

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

**Resolution No. 327**

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

RESOLUTION REVISING “SCHEDULE OF CHARGES” IN  
THE PLANNING DEPARTMENT

WHEREAS, Resolution 302 of 2005 established a “Schedule of Charges” in the Planning Department; and

WHEREAS, the Planning Director recommends that said Schedule be simplified and amended to update prices and sizes of maps and other available products; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Buildings & Grounds/Highway and Finance, a new “Schedule of Charges” be approved for the Planning Department in its entirety, as follows:

<b>Map Size</b>	<b>Flat Fee</b>
Printer: Any Size	\$ 5.00/each
Plotter: Up to 24” x 36”	\$10.00/each
Plotter: Greater than 24” x 36”	\$15.00/each
<b>Digital Media</b>	
Email/Other Electronic Media	Actual Production Cost

and, be it further

RESOLVED, That customers shall be charged fees as specified in the schedule identified herein, plus a labor rate based upon the actual amount of time spent to produce the maps/data at the hourly rate of Planning Department staff in force at the time of request; and, be it further

RESOLVED, That proceeds from map sales shall be deposited into A-083-2189.000 Chgs for Planning Svcs; and, be it further

**Resolution No 327 (continued)**

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

Seconded by Supervisor POTTER and adopted by the following vote:

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

**Resolution No. 328**

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

RESOLUTION ESTABLISHING 2014 WATER RATES FOR  
FULTON COUNTY WATER DISTRICT NO. 1

WHEREAS, Resolution 341 of 2005 established Fulton County Water District No. 1; and

WHEREAS, pursuant to Article 5-A of the NYS County Law, Resolution 320 of 2002 designated the Board of Supervisors to act as the “Fulton County Water and Sewer Agency” exercising governance authority over Fulton County Water District No. 1; and

WHEREAS, a Water Supply Agreement executed between the City of Johnstown and the County of Fulton authorizes the sale of City of Johnstown water to Fulton County Water District No.1 at a rate of two times the in-City rate charged to its residential customers; and

WHEREAS, the Board of Supervisors reviews said water rates on an annual basis; now, therefore be it

RESOLVED, That inasmuch as it has been determined that a water district must be operated and maintained with funds received from its users, the Board of Supervisors, as the Fulton County Water and Sewer Agency, hereby establishes the 2014 water rate for Fulton County Water District No. 1 as follows:

	Cost per 100 Cubic <u>Feet of Water</u>
Purchased Water	\$ 5.06
Surcharge for Administrative, Operation and Maintenance	<u>4.76</u>
2014 Water Rate Chargeable to Customers	\$ 9.82

and, be it further

RESOLVED, That the Board of Supervisors shall review said water rates on an annual basis; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, FMCC, H-F-M BOCES, Superintendent of Highways and Facilities, Planning Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KEMPER and adopted by the following vote:

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

**Resolution No. 329**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID FOR THE PURCHASE OF HEATING OIL AND SPECIAL BLEND FOR COUNTY BUILDINGS (2014)**

WHEREAS, Resolution 267 of 2013 authorized advertisement for bids for No. 2 heating oil and special blend for certain County Buildings and one (1) bid was received; and

WHEREAS, said bid specifications identified an award based on the lowest margin bid for each product; now, therefore be it

RESOLVED, That the net bid, as submitted by Superior Plus Energy Services, of Marcy, NY, for the purchase and delivery of approximately 5,000 gallons of No. 2 heating oil, including 50/50 blend of fuel oil and kerosene, to be delivered to various County building locations, be and hereby is accepted, as reviewed and recommended by the Superintendent of Highways and Facilities and Purchasing Agent; they being the lowest responsible bid in accordance with Specification No. 2013-24-02, dated September 12, 2013:

No. 2 Heating Oil (Rack Price)	\$3.0135
Margin (Vendor Margin)	<u>.2200</u>
	\$3.2335/gallon
50/50 Blend of No. 2 Heating Oil & Kerosene (Rack Price)	\$3.0135
Margin (Vendor Margin)	<u>.3900</u>
	\$3.4035/gallon

(with the stipulation that any increase or decrease in prices will be passed on at the time of delivery, based on current rack prices); and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Sheriff, Civil Defense Director/Fire Coordinator, Solid Waste Director, Superior Plus Energy Services, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 477 (18) Nays: 0 Abstentions: 53 (1) (Supervisor DiGiacomo)  
Absent: 21 (1) (Supervisor Kinowski)

**Resolution No. 330**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID FOR WASTE REMOVAL SERVICES AT THE  
CORRECTIONAL FACILITY (2014)**

WHEREAS, Resolution 268 of 2013 authorized advertisement for bids for waste removal services at the Correctional Facility and two (2) bids was received; now, therefore be it

RESOLVED, That the net bid, in the following amount, as submitted by County Waste & Recycling Service, Inc., of Clifton Park, NY, for removal of waste material for 2014 be and hereby is awarded, as reviewed and recommended by the Superintendent of Highways and Facilities and Fulton County Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2013-24-01, dated September 11, 2013:

\$15.06 per pick-up (Correctional Facility location)

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Sheriff, Correctional Facility, County Waste & Recycling Service, Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

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

**Resolution No. 331**

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

RESOLUTION AWARDING BID FOR CLEANING SERVICES AT THE  
FULTON COUNTY OFFICE BUILDING (2014)

WHEREAS, Resolution 269 of 2013 authorized advertisement for bids for custodial services in the County Office Building at 223 West Main Street, Johnstown, and three (3) bids were received; now, therefore be it

RESOLVED, That the net bid, as submitted by Brezzy's Cleaning Service, of Gloversville, NY, at annual costs identified below, for custodial services at the Fulton County Office Building be and hereby is awarded; they being the lowest responsible bidder in accordance with Specification No. 2012-24-04:

<u>2014</u>	<u>2015*</u>	<u>2016*</u>
\$75,408.00	\$76,404.00	\$77,412.00
*at County option		

and, be it further

RESOLVED, That said cost be a charge against A-245-1620.414 Co Offices&Bldgs-Maint Contr; and, be it further

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

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

**Resolution No. 332**

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

RESOLUTION AUTHORIZING A CONTRACT FOR REPAIR OF BOILER AT  
ST. MARY’S ANNEX BUILDING

WHEREAS, the boiler at the St. Mary’s Annex Building has developed a crack in one of the ten heating sections; and

WHEREAS, repairs were made to two sections of the boiler in 2008; and

WHEREAS, the Superintendent of Highways and Facilities is recommending replacement of ten boiler sections to avoid cracked sections in the future; now, therefore be it

RESOLVED, That the Chairman of the board be and hereby is authorized to sign a contract for repair of boiler at the St. Mary’s Annex Building, at a cost not to exceed \$15,000.00; and, be it further

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

From: A-245-1620.403 Co Office & Bldgs–Reg Repairs	\$ 3,000.00	
A-245-1621.403 Co Complex–Repairs	1,000.00	
A-245-1624.403 Jail Bldgs-Repairs	7,000.00	
A-245-1625.420 St. Marys Annex-Misc	100.00	
A-245-1625.460 St. Marys Annex-Paper Supplies	800.00	
A-245-1630.403 Service Complex II-Repairs	1,200.00	
A-245-1631.403 Visitors Ctr-Repairs	400.00	
	<u>400.00</u>	
	\$13,500.00	
To: A-245-1625.403 St. Marys Annex-Repairs		\$13,500.00

and, be it further

**Resolution No. 332 (continued)**

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

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

Seconded by Supervisor OTTUSO and adopted by the following vote:

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

**Resolution No. 333**

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

**RESOLUTION AUTHORIZING A CONTRACT WITH SMARTWATT ENERGY TO  
COMPLETE AN INVESTMENT GRADE ENERGY AUDIT FOR ENERGY  
CONSERVATION PROJECTS AT COUNTY FACILITIES**

WHEREAS, Resolution 239 of 2013 authorized Requests for Proposals for an Energy Conservation Project at various Fulton County Office buildings, as part of the 2014 Capital Plan; and

WHEREAS, three (3) proposals were received and two (2) proposing companies were invited to make presentations describing viable energy conservation projects for County-owned facilities to the Buildings and Grounds/Highway Committee; and

WHEREAS, the Committees on Buildings and Grounds/Highway and Finance recommend completion of an Investment Grade Energy Audit to determine more precise savings prior to recommending any actual construction projects; and

WHEREAS, SmartWatt Energy has offered to perform and certify an Investment Grade Energy Audit in accordance with Article 9 of the NYS Energy Law; at no cost to Fulton County; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committees on Buildings and Grounds/Highway and Finance, the Chairman of the Board be and hereby is authorized to sign a contract with SmartWatt Energy, of Clifton Park, NY, to complete an Investment Grade Energy Audit for Energy Conservation Projects at County facilities; said contract subject to the approval of the County Attorney; and, be it further

RESOLVED, That this resolution and said contract are contingent upon there being no cost nor commitment to the County for said Investment Grade Audit; 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 and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PONTICELLO and adopted by the following vote:

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

**Resolution No. 334**

Supervisor GENDRON offered the following Resolution and moved its adoption:

RESOLUTION CONSENTING TO FULTON COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY SERVING AS LEAD AGENCY UNDER SEQRA FOR THE TRYON  
TECHNOLOGY PARK AND INCUBATOR CENTER PROJECT

WHEREAS, Fulton County has received a Part I Environmental Assessment Form from the Fulton County Industrial Development Agency (IDA) regarding a State Environmental Quality Review Act (SEQRA) on the proposed Tryon Technology Park and Incubator Center Project; and

WHEREAS, the IDA has commenced a coordinated SEQRA review by classifying the proposed project as a Type 1 Action and proposing that the IDA serve as the Lead Agency; and

WHEREAS, the IDA is asking involved agencies including the County of Fulton, to consent to the IDA serving as Lead Agency for SEQRA; now, therefore be it

RESOLVED, That Fulton County Board of Supervisors hereby consents to the Fulton County Industrial Development Agency serving as Lead Agency under SEQRA for the Tryon Technology Park and Incubator Center Project; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

**Resolution No. 335**

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

RESOLUTION AUTHORIZING APPLICATION FOR "I LOVE NEW YORK" TOURISM PROMOTION MATCHING GRANT FUNDS (2014)

RESOLVED, That by this Resolution, the Board of Supervisors for the County of Fulton hereby authorizes the Fulton Montgomery Regional Chamber of Commerce and Industry (the County's tourism promotion agency) to submit an "I Love New York" Tourism Matching Funds Application, in an amount of \$381,500.00 (projected local County match of \$190,750.00) for the County's 2013-2014 tourism and promotion programs; and, be it further

RESOLVED, That as the County's appointed Tourism Promotion Agency, the Fulton Montgomery Regional Chamber of Commerce and Industry be and hereby is directed to notify this Board of Supervisors of the grant award for final approval of the local match; and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

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

**Resolution No. 336**

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

RESOLUTION AUTHORIZING SALE OF A SURPLUS GARBAGE TRUCK TO THE  
TOWN OF PERTH (SOLID WASTE DEPARTMENT)

WHEREAS, the Solid Waste Director has determined that one (1) used 1995 Volvo Garbage Packer truck is no longer necessary for Solid Waste Department purposes and the Committee on Economic Development and Environmental concurs; and

WHEREAS, the Solid Waste Director solicited sealed offers from local county municipalities interested in purchasing said vehicle; and

WHEREAS, the Town of Perth was the only offer received with a bid amount of \$6,750.00 for said garbage truck; now, therefore be it

RESOLVED, That the aforementioned 1995 Volvo Garbage Packer Truck (Vin No. 4V52AEHD5SR474275) is hereby declared surplus for County purposes; and, be it further

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the offer in the amount of \$6,750.00, as submitted by the Town of Perth for the purchase of one (1) 1995 Volvo Garbage Packer Truck in the Solid Waste Department be and hereby is accepted; and, be it further

RESOLVED, That the proceeds from said sale shall be deposited into Revenue Account EW-083-2665.000 Sales of Equipment; and, be it further

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

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

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

**Resolution No. 337**

Supervisor GENDRON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT BETWEEN THE SOLID WASTE  
DEPARTMENT AND BARTON & LOGUIDICE, PC FOR SERVICES RELATED TO  
TITLE V PERMIT REQUIREMENTS (2014)

WHEREAS, the County of Fulton was issued a Title V Air Permit for the Phase IV Landfill Expansion Project; and

WHEREAS, to ensure compliance with said Permit, data must be analyzed and reports must be filed; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and Barton and Loguidice Engineers to complete reports required in 2014 for the Title V Air Permit issued for the Phase IV Landfill Expansion Project, at a cost not to exceed \$7,000.00; said contract subject to the approval of the County Attorney; and, be it further

RESOLVED, That said cost be a charge against EW-865-8162.430 Cent Landfill Oprns-Air Permit; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 338**

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 (2014)**

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, due to an alternate disposal pilot project OCRRA is involved with, the Fulton County Landfill has not received any household batteries in 2013; and

WHEREAS, the Solid Waste Director received a request from Onondaga County Resource Recovery Agency (OCRRA) to utilize the Fulton County Landfill for disposal of approximately 100 tons per year of non-hazardous household batteries during 2014; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Environmental Resources and Finance, 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, 2014 through December 31, 2014; 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: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 339**

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING TRANSFER STATION UTILIZATION AGREEMENTS  
BETWEEN THE DEPARTMENT OF SOLID WASTE AND LOCAL MUNICIPALITIES  
(2014-2018)**

WHEREAS, transfer station agreements between the County of Fulton and certain municipalities within Fulton County will expire December 31, 2013; and

WHEREAS, the Department of Solid Waste has operated all transfer stations for several years, and the cost of said operations is charged back to the municipalities per the Utilization Agreements; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign five-year Transfer Station Utilization Agreements with the following municipalities for use of the County-owned and operated transfer stations, effective January 1, 2014 through December 31, 2018:

Town of Broadalbin	Broadalbin Transfer Station
Town of Caroga	Caroga Transfer Station
Town of Ephratah	Ephratah Transfer Station
Town of Northampton	Northampton Transfer Station
Town of Oppenheim	Oppenheim Transfer Station
Town of Stratford	Stratford Transfer Station
City of Johnstown, City of Gloversville, Town of Johnstown	Landfill Transfer Station
Towns of Mayfield, Bleecker, Johnstown	E. Fulton St, Ext. Transfer Station

and, be it further

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

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

Seconded by Supervisor KEMPER and adopted by the following vote:

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

**Resolution No. 340**

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING OPERATING PERMIT FOR A COMPOSTING SOLID  
WASTE MANAGEMENT FACILITY IN THE CITY OF GLOVERSVILLE**

WHEREAS, Resolution 491 of 2008 authorized the issuance of a permit to the City of Gloversville to operate a composting facility for yard waste on East Fulton Street Extension, in the City of Gloversville, for a five-year period; and

WHEREAS, the City of Gloversville has requested said permit be renewed under the same conditions; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, the Chairman of the Board and Solid Waste Director be and hereby are authorized to sign an Operating Permit for the City of Gloversville to continue operating a composting facility at its East Fulton Street Extension location, effective January 1, 2014 through December 31, 2018, with conditions outlined therein, and to do each and every other thing necessary as required by Local Law 3 of 1990 and the Code of Fulton County; and, be it further

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

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

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

**Resolution No. 341**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND VILLAGE OF CANAJOHARIE FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2014)

WHEREAS, Resolution 379 of 2012 authorized an agreement with the Village of Canajoharie for use of the Fulton County Landfill in 2013; and

WHEREAS, the Village of Canajoharie desires to continue to utilize the Fulton County Landfill during 2014 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Village of Canajoharie for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2014 through December 31, 2014; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 342**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND VILLAGE OF MIDDLEBURGH FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2014)

WHEREAS, Resolution 380 of 2012 authorized an agreement with the Village of Middleburgh for use of the Fulton County Landfill in 2013; and

WHEREAS, the Village of Middleburgh desires to continue to utilize the Fulton County Landfill during 2014 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Village of Middleburgh for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2014 through December 31, 2014; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 343**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND VILLAGE OF RICHMONDVILLE FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2014)

WHEREAS, Resolution 381 of 2012 authorized an agreement with the Village of Richmondville for use of the Fulton County Landfill in 2013; and

WHEREAS, the Village of Richmondville desires to continue to utilize the Fulton County Landfill during 2014 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Village of Richmondville for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2014 through December 31, 2014; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 344**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND VILLAGE OF SCHUYLerville FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2014)

WHEREAS, Resolution 382 of 2012 authorized an agreement with the Village of Schuylerville for use of the Fulton County Landfill in 2013; and

WHEREAS, the Village of Schuylerville desires to continue to utilize the Fulton County Landfill during 2014 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Village of Schuylerville for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2014 through December 31, 2014; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 345**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND VILLAGE OF SCHOHARIE FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2014)

WHEREAS, Resolution 383 of 2012 authorized an agreement with the Village of Schoharie for use of the Fulton County Landfill in 2013; and

WHEREAS, the Village of Schoharie desires to continue to utilize the Fulton County Landfill during 2014 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Village of Schoharie for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2014 through December 31, 2014; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 346**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE  
DEPARTMENT AND TOWN OF HADLEY FOR USE OF THE  
FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2014)

WHEREAS, Resolution 384 of 2012 authorized an agreement with the Town of Hadley for use of the Fulton County Landfill in 2013; and

WHEREAS, the Town of Hadley desires to continue to utilize the Fulton County Landfill during 2014 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Town of Hadley for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2014 through December 31, 2014; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 347**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND TOWN OF NISKAYUNA FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2014)

WHEREAS, Resolution 385 of 2012 authorized an agreement with the Town of Niskayuna for use of the Fulton County Landfill in 2013; and

WHEREAS, the Town of Niskayuna desires to continue to utilize the Fulton County Landfill during 2014 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Town of Niskayuna for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2014 through December 31, 2014; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 348**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND THE TOWN OF EDINBURG FOR USE OF THE FULTON COUNTY LANDFILL FOR SOLID WASTE DISPOSAL (2014)

WHEREAS, Resolution 388 of 2012 authorized an agreement with the Town of Edinburg for use of the Fulton County Landfill in 2013; and

WHEREAS, the Town of Edinburg desires to continue to utilize the Fulton County Landfill during 2014; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Town of Edinburg for use of the Fulton County Landfill, at a rate of \$56.00 per ton, effective January 1, 2014 through December 31, 2014; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; and, be it further

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

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

**Resolution No. 349**

Supervisor GENDRON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE  
DEPARTMENT AND HAMILTON COUNTY FOR ACCEPTANCE OF TIRES  
(SOLID WASTE)

WHEREAS, a request has been received from Hamilton County for assistance with its tire recycling; and

WHEREAS, Fulton County has found an alternative outlet for tires due to the closing of BCD Tires in Hagaman, NY, which was also Hamilton County's outlet for disposal of tires; and

WHEREAS, the Solid Waste Director recommends entering into a contract with Hamilton County for acceptance of tires for a fee of \$250.00 per ton, commercial rate for a 6-month trial period, at which time the cost/benefit of said agreement will be reviewed; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, the Chairman of the Board be and hereby is authorized to sign an intermunicipal agreement with Hamilton County for the effective recycling of its waste tires, effective immediately through April, 30, 2013, at a cost of \$250.00 per ton; and, be it further

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

RESOLVED, That said proceeds shall be deposited into Revenue Account EW-083-2130.000 Landfill-Tipping Fees; 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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

**Resolution No. 350**

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

RESOLUTION SETTING 2014 TIPPING FEE SCHEDULE FOR THE  
DEPARTMENT OF SOLID WASTE

WHEREAS, Chapter 260 of the Code of Fulton County outlines the Board of Supervisors' authority to set tipping fees and other related fees of the Fulton County Department of Solid Waste; and

WHEREAS, said fees are utilized to offset annual operating costs of the Department of Solid Waste to provide needed public services to the residents of Fulton County; now, therefore be it

WHEREAS, the Committees on Economic Development and Environment and Finance have reviewed the Tipping Fee Schedule and recommends the setting of said fees at certain levels; now, therefore be it

RESOLVED, That effective January 1, 2014, the rate schedule identified herein for various tipping and related fees for the Fulton County Solid Waste Department, be and hereby is adopted for all users of Fulton County Solid Waste Facilities; 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 FAGAN and adopted by the following vote:

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

**FULTON COUNTY DEPARTMENT OF SOLID WASTE**  
**RATE SCHEDULE (EFFECTIVE JANUARY 1, 2014)**

<b>Category</b>	<b>2013 Rate/Ton</b>		<b>2014 Rate/Ton</b>
Asbestos	\$150.00		\$150.00
Construction/demolition	\$56.00		\$56.00
Commercial	\$56.00		\$56.00
Contaminated soil	\$25.00		\$25.00
*County Transfer Haul	\$53.00		\$53.00
*Municipal/County Demolition	\$25.00		\$25.00
Industrial waste	\$56.00		\$56.00
*Municipal Direct Haul	\$33.00		\$33.00
*Sludge	\$44.00		\$44.00
* Sludge (GJWWTP) (per contract)	\$34.00		\$34.00
Uncovered Load	\$150.00		\$150.00
*Cleanup Program	\$50.00		\$50.00
Out of County Contracted Waste	\$56.00		\$56.00
Out of County MSW (25 <sup>+</sup> tons)	\$40.00		\$40.00
*Transfer Station Recycling	\$12.50		\$12.50
*Curbside Recycling	\$25.00		\$25.00
Commercial Recycling/Clean Wood	\$10.00		\$10.00
Tires - bulk (20 or more)	\$250.00		\$250.00
Tires - Up to & including 16"	\$2.50	each	\$2.50
Tires - 16.5" - 24"	\$5.00	each	\$5.00
Tires - 24.5" & larger	\$250.00		\$250.00
*County haul only (no disposal)	\$20.00		\$20.00
Miscellaneous:			
Compost	\$10.00	/ton	\$10.00
Minimum charge	\$5.00		\$5.00
Vehicle weighing charge	\$5.00		\$5.00
Commercial appliance surcharge	\$10.00	each	\$10.00
Residential Freon units	\$5.00	each	\$5.00
Returned Check Fee	\$20.00		\$20.00
<i>Freon units and tires accepted only at Dept. of Solid Waste</i>			
<i>* These items do not apply to private companies.</i>			

**Resolution No. 351**

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

RESOLUTION AUTHORIZING TRANSFERS FROM OPERATING ACCOUNTS INTO CERTAIN RESERVE ACCOUNTS (SOLID WASTE DEPARTMENT)

WHEREAS, upon review, the County Treasurer and Solid Waste Director recommend transferring money from Solid Waste Fund Balance into certain designated Solid Waste Department accounts to realize additional interest earnings and to promote stabilization of tipping fees in future years; now, therefore be it

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

From: EW-865-9901.910 CL-Post Closure Care Reserve Transf  
To: EW-082-0880.000 Closure Reserve  
Sum: \$119,000.00

From: EW-865-9901.915 CL-Capping Reserve Transf  
To: EW-082-0882.000 Capping Reserve  
Sum: \$175,000.00

From: EW-865-9710.920 CL-Remediation Escrow Fund  
To: EW-082-0881.000 Remediation Reserve  
Sum: \$18,750.00

From: EW-865-8162.202 Cent Landfill Oprns-Landfill Deprec.  
To: EW-082-0879.000 CL Landfill Depreciation  
Sum: \$554,000.00

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 OTTALAGANO and adopted by the following vote:

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

**Resolution No. 352**

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

RESOLUTION AUTHORIZING RECOUPMENT INSTALLMENT PAYMENT TO THE NYS DEPARTMENT OF HEALTH FOR RETROACTIVE MEDICAID RATE ADJUSTMENT (FORMER MENTAL HEALTH CLINIC)

WHEREAS, the New York State Department of Health has audited prior Medicaid claims for the former Fulton County Mental Health Clinic for the period January 7, 2011 through March 31, 2011; and has determined that a retroactive rate adjustment resulted in overpayments to the Clinic in the amount of approximately \$225,000.00; and

WHEREAS, in anticipation of the aforementioned audit by the Department of Health, the Director of Community Services arranged for reimbursement monies previously received to be reserved in a deferred revenue account for refund, if necessary; and

WHEREAS, the NYS DOH has agreed to recoup said overpayments via five (5) installment payments from the County; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is directed to issue installment payments as follows:

<u>Period</u>	<u>Due Date</u>	<u>Amount</u>
January 7 – March 31, 2011	November 30, 2013	\$38,311.80
April 11 – June 23, 2011	December 31, 2013	\$38,514.26

and, be it further

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

Revenue Account:

Increase A-083-1620.000 Mental Health Clinic Charges  
(A-082-0691.445 Deferred Revenues-Mental Health) \$76,826.06

Appropriation Account:

Increase A-445-4311.401 Mental Health-Overpayments \$76,826.06

and, be it further

**Resolution No. 352 (continued)**

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, 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: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 353**

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING CERTAIN MEMBERS TO THE FULTON COUNTY  
YOUTH BUREAU ADVISORY BOARD

WHEREAS, vacancies exists on the Fulton County Youth Advisory Board; now, therefore be it

RESOLVED, That the following individuals be and hereby are appointed to the Fulton County Youth Bureau Advisory Board to fill unexpired terms as follows:

January 1, 2013 – December 31, 2015

Greta Frasier	Town of Caroga
Pamela Baran	At-Large
Kim Westover	Town of Johnstown
Ellen Anadio	City of Gloversville

and, be it further

RESOLVED, That said Appointees are hereby 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, OFA & Youth Bureau Director, All Appointees and Administrative Officer/Clerk of the Board.

Seconded by Supervisor OTTUSO and adopted by the following vote:

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

**Resolution No. 354**

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING ELAINE MAXWELL 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 Elaine Maxwell, of Bleecker, NY, be and hereby is appointed to the Office for the Aging Advisory Board, as a general member, for the balance of the term January 1, 2013 through December 31, 2015; and, be it further

RESOLVED, That Elaine Maxwell 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, Elaine Maxwell and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PONTICELLO and adopted by the following vote:

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

**Resolution No. 355**

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR TWO (2) SEDANS  
AND TWO (2) MINIVANS FOR USE IN THE SOCIAL SERVICES DEPARTMENT**

WHEREAS, the leases of two (2) sedans and two (2) minivans for use in the Social Services Department will expire on January 25, 2014; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the lease of two (2) sedans and two (2) minivans for use in the Department of Social Services (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, December 11, 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, Social Services Commissioner, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by Supervisor LAURIA and adopted by the following vote:

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

**Resolution No. 356**

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING MEMBERS TO THE FULTON COUNTY EMERGENCY  
MEDICAL SERVICES ADVISORY COUNCIL**

RESOLVED, That the following persons be appointed as members to the Fulton County Emergency Medical Services Council for terms as hereinafter specified:

January 1, 2013 through December 31, 2015:

Yvonne Hart	Nathan Littauer Hospital	Appointed
(Bonnie Graves--Alternate)		Appointed

and, be it further

RESOLVED, That Board members are not required to complete the Fulton County Board of Ethics' Financial Disclosure Statement but are 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, EMS Council, County Clerk and Administrative Officer/Clerk of the Board.

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

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

**Resolution No. 357**

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

RESOLUTION ESTABLISHING POLICIES GOVERNING EMPLOYEE ELIGIBILITY IN  
THE FULTON COUNTY HEALTH INSURANCE PLAN  
(AFFORDABLE CARE ACT MANDATE)

WHEREAS, the federal Affordable Care Act (ACA) requires “large employers”, including Fulton County, to offer health insurance coverage to all employees who work an average of 30 hours or more per week; and

WHEREAS, the ACA also mandates compliance with new requirements related to “minimum essential coverage” and “affordability” of employer-provided health insurance plans; and

WHEREAS, respective collective bargaining agreements or “The Employment Policies for Non-bargaining Unit Employees” govern eligibility for participation in the Fulton County Health Insurance Plan for most employees of the County; now, therefore be it

RESOLVED, That to comply with the aforementioned provisions of the federal Affordable Care Act, eligibility to participate in the Fulton County Health Insurance Plan shall hereby be extended to certain additional employees governed as follows:

EMPLOYEES NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT OR BY THE “EMPLOYMENT POLICIES FOR NON-BARGAINING EMPLOYEES”:

When the Director of Personnel determines that a county employee is eligible for County-provided health insurance mandated by the Affordable Care Act, but whose eligibility is not governed by a collective bargaining agreement nor by “The Employment Policies for Non-bargaining Unit Employees”, the following policy shall apply:

1. The employee shall only be offered health insurance coverage via: Capital District Physicians Health Plan HMO HM2L14 with prescription drug rider HMRXL21A14 (hereby collectively, the “Basic Plan”).
2. The employee will be required to contribute 30 percent of the total cost for individual coverage or 50 percent of the total cost for family coverage.
3. Employee coverage shall be subject to a 60 day waiting period with coverage commencing the first day of the next month.

**Resolution No. 357 (Continued)**

EMPLOYEE INDIVIDUAL COVERAGE WITH LESS THAN ONE YEAR OF SERVICE:

When the Director of Personnel determines that a county employee governed by a collective bargaining agreement or by “The Employment Policies for Non-bargaining Unit Employees” has less than one year of service elects the County “Basic Plan” (HMO HM2L14 with prescription drug rider HMRXL21A14), the employee contribution for individual coverage shall be 30 percent of the total monthly premium;

and, be it further

RESOLVED, That this new eligibility policy be, and hereby is, effective immediately, with coverage commencing on or after January 1, 2014; and, be it further

RESOLVED, That the 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, County Code, Personnel Director, All Collective Bargaining Units, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

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

**Resolution No. 358**

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

RESOLUTION AUTHORIZING A CONTRACT WITH CAPITAL DISTRICT  
PHYSICIANS HEALTH PLAN TO PROVIDE HEALTH INSURANCE POLICY HMO  
HM2L14 WITH PRESCRIPTION DRUG RIDER HMRXL21A14 FOR COUNTY  
EMPLOYEES (AFFORDABLE CARE ACT MANDATE)

WHEREAS, the Director of Personnel recommends offering an additional basic health insurance plan for eligible employees and retirees to comply with “minimum essential coverage” and “affordability” provisions mandated by the federal Affordable Care Act; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the County of Fulton and Capital District Physicians Health Plan to provide health insurance plan HMO HM2L14 with prescription drug rider HMRXL21A14 (hereby collectively, the “Basic Plan”), to county employees, effective immediately; and, be it further

RESOLVED, That to better facilitate enrollment for employees desiring said Basic Plan, the 2013 open enrollment period be, and hereby is, extended until December 13, 2013; and, be it further

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

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

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

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

**Resolution No. 359**

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

**RESOLUTION ESTABLISHING WORKWEEK LIMITS FOR PER DIEM EMPLOYEES  
(AFFORDABLE CARE ACT MANDATE)**

WHEREAS, the federal Affordable Care Act requires “large employers”, including Fulton County, to offer health insurance coverage to all employees who work an average of 30 hours or more per week; and

WHEREAS, by this resolution, the Board of Supervisors hereby declares that it is the County’s intent not to cover casual labor arrangements or substitute workers referred to as “per diem” employees; now, therefore be it

RESOLVED, That the Board of Supervisors hereby declares a policy that employees hired on a “per diem” basis shall not be scheduled to work in excess of 24 hours per week; and, be it further

RESOLVED, That the only exception shall be a limited occurrence arising out of a serious emergency situation threatening public safety or public property; and, be it further

RESOLVED, That all department heads of the County of Fulton shall adhere to the limitations of this policy, effective immediately, and, be it further

RESOLVED, That the Director of Personnel and all department heads 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 Code, Personnel Director, All Collective Bargaining Units, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 360**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION ESTABLISHING A WORKWEEK FOR ASSISTANT COUNTY ATTORNEY  
AND COUNTY HISTORIAN POSITIONS**

WHEREAS, the Director of Personnel recommends that in the interest of accuracy and consistency, traditional work weeks for the Assistant County Attorney position and County Historian position should be formalized; and

WHEREAS, the hourly rates for said positions are currently calculated differently than other part-time positions; now, therefore be it

RESOLVED, That effective immediately, the official work week for said positions shall be as follows:

Assistant County Attorney (part-time)	17.5 hours per week
County Historian (part-time)	10 hours per week

now, therefore be it

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Respective Appointed County Officials, 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: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 361**

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

RESOLUTION AWARDING BID FOR THE PURCHASE OF UNIFORMS AND ACCESSORIES FOR USE IN THE SHERIFF’S DEPARTMENT AND CORRECTIONAL FACILITY

WHEREAS, Resolution 271 of 2013 authorized advertisement for bids for the purchase of uniforms for use in the Sheriff’s Department and three (3) bids were received; now, therefore be it

RESOLVED, That the net estimated bid, as submitted by United Uniform Company, of Buffalo, NY, for the purchase of uniforms and accessories for use in the Sheriff’s Department be and hereby is awarded, as recommended by the Sheriff and Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2013-30-01, dated September 12, 2013, at the following amounts:

<u>Category</u>	<u>Bid Amount</u>
Uniforms	\$65,979.00
Accessories	18,696.65

effective January 1, 2014 through December 31, 2015, with a one-year extension option; and, be it further

RESOLVED, That the said cost be a charge against applicable Sheriff’s Department accounts; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Correctional Facility, All Bidders, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by Supervisor BRADT and adopted by the following vote:

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

**Resolution No. 362**

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

RESOLUTION AUTHORIZING SALE OF SNOWMOBILES WITH TRAILER TO SIR  
WILLIAM JOHNSON VOLUNTEER FIRE DEPARTMENT  
(SHERIFF'S DEPARTMENT)

WHEREAS, Resolution No. 255 of 2013 authorized Advertisement for Municipal Bids for Surplus Personal Water Crafts and Snowmobiles for the Sheriff's Department, and;

WHEREAS, the Sir William Johnson Volunteer Fire Department was the only offer received with a bid amount of \$3,001.00 for two (2) 1998 Snowmobiles with a 1998 Karavan Trailer; now, therefore be it

RESOLVED, That the aforementioned two (2) 1998 Snowmobiles (Serial No. 3353555 and 3337549) and one 1998 Karavan Snowmobile Trailer (Serial No. 186L10108WF043839) are hereby declared surplus for County purposes; and, be it further

RESOLVED, That upon the recommendation of the Committees of Public Safety and Finance, the offer in the amount of \$3,001.00, as submitted by the Sir William Johnson Volunteer Fire Department for the purchase of two (2) Snowmobiles and one (1) Snowmobile Trailer in the Sheriff's Department be and hereby is accepted; and, be it further

RESOLVED, That the proceeds of said sale shall be deposited into Revenue Account A-083-2665.000 Sale of Equipment to Genl Fund; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff's Department, Sir William Johnson Volunteer Fire Department, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GENDRON and adopted by the following vote:

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

**Resolution No. 363**

Supervisor KEMPER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS  
INTERNATIONAL FOR PUBLIC SALE OF TWO BOMBARDIER PERSONAL  
WATER CRAFTS WITH TRAILER (SHERIFF'S DEPARTMENT)

WHEREAS, Resolution No. 255 of 2013 authorized Advertisement for Municipal Bids for Surplus Personal Water Crafts and Snowmobiles for the Sheriff's Department, and;

WHEREAS, no offers were received for the two (2) Bombardier Personal Water Crafts and trailer; now, therefore be it

RESOLVED, That based upon the recommendation of the Public Safety Committee, the Chairman of the Board is authorized to sign a contract with Auctions International, Inc. Professional Auctioneers, of East Aurora, NY, for on-line auctioning services for sale of said personal water crafts and trailer, said sale subject to a buyer's premium of 10 percent paid to the auctioneer; and, be it further

RESOLVED, That a minimum bid of \$1,500.00 is set for said Bombardier Personal Water Crafts; and, be it further

RESOLVED, That winning bids received over the minimum shall be accepted and such sales consummated; any winning bid under the minimum shall be submitted to the Board of Supervisors for final approval; and, be it further

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

RESOLVED, That auction proceeds be deposited into Revenue Account A-083-2665.000 Sale of Equipment to Genl Fund; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

**Resolution No. 364**

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

RESOLUTION AUTHORIZING A CONTRACT WITH VISUAL STATEMENT FOR  
CRIME SCENE AND ACCIDENT SOFTWARE UPGRADE IN THE  
SHERIFF'S DEPARTMENT

WHEREAS, the Sheriff has advised that the computerized software used at crime scenes and accidents for reconstruction purposes will no longer be supported by the vendor at the end of 2014; and

WHEREAS, the Sheriff and Committees on Public Safety and Finance recommend contracting with Visual Statement to provide updated software for use at crime scenes and accidents for reconstruction purposes; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Sheriff's Department and Visual Statement to provide the latest version software for crime scene investigation and accident reconstruction in the Sheriff's Department, at a cost not to exceed \$747.00; and, be it further

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

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

From: A-305-3110.422 Sheriff Dept - Training Programs  
To: A-305-3110.200 Sheriff Dept - Equipment  
Sum: \$747.00

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 JOHNSON and adopted by the following vote:

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

**Resolution No. 365**

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

RESOLUTION AUTHORIZING CONTRACT WITH PRIORITY DISPATCH TO  
CONDUCT AN EMERGENCY SERVICES DISPATCH TRAINING CLASS FOR THE  
SHERIFF'S DEPARTMENT

WHEREAS, the Sheriff has proposed to host a training class for emergency service dispatchers and patrol supervisors; and

WHEREAS, the Sheriff and Committees on Public Safety and Finance recommend contracting with Priority Dispatch to provide said training class for emergency service dispatches and patrol supervisors; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Sheriff's Department and Priority Dispatch to provide training for emergency service dispatchers and patrol supervisors, at a cost not to exceed \$2,000.00; and, be it further

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

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

From: A-305-3110.422 Sheriff Dept - Training Programs  
To: A-305-3113.421 Communications Ctr-School, Conf., Seminar  
Sum: \$1,000.00

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: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 366**

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

RESOLUTION AMENDING THE 2013 BUDGET TO REFLECT ELIMINATION  
OF THE LOCAL ENHANCED WIRELESS 911 PROGRAM GRANT  
BY THE STATE OF NEW YORK

WHEREAS, State legislation approved in conjunction with passage of the 2013-14 New York State Budget discontinued regular annual grant reimbursement to Counties for wireless E-911 costs under the Local Enhanced Wireless 911 Program; and

WHEREAS, the 2013 County Budget included \$23,000.00 in anticipated revenue from said grant program to support operation of the County's 911 Communication Center; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committees on Public Safety and Finance, the 2013 Adopted Budget be amended to reflect the reduction as follows:

Increase A-081-0599.000 Appropriated Fund Balance \$23,000.00

Revenue:

Decrease A-083-3319.000 State Aid-Communications/Wireless \$23,000.00

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 OTTALAGANO and adopted by the following vote:

TOTAL: Ayes: 524 (18) Nays: 6 (1) (Supervisor Johnson)  
Absent: 21 (1) (Supervisor Kinowski)

**Resolution No. 367**

Supervisor KEMPER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR FOODSTUFFS  
FOR USE IN THE CORRECTIONAL FACILITY FOR 2014**

RESOLVED, That the Fulton County Purchasing Agent be and hereby is authorized to advertise for sealed bids for foodstuffs for the Fulton County Correctional Facility on a periodic basis for the year 2014, in accordance with bidding requirements and at dates and times to be determined by said Purchasing Agent; and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

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

**Resolution No. 368**

Supervisor KEMPER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACT BETWEEN THE SHERIFF AND JUSTICE  
BENEFITS FOR PREPARATION OF GRANT APPLICATIONS IN 2014**

WHEREAS, Resolution 406 of 2012 authorized a contract between the Sheriff and Justice Benefits, Inc. for consultant assistance to the Sheriff's Department in an effort to maximize financial reimbursements in 2013; and

WHEREAS, the Sheriff desires to renew said contract in 2014; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committee on Public Safety, the Chairman of the Board be and hereby is authorized to sign a contract with Justice Benefits, Inc. of Dallas, TX, to provide consultant assistance in securing appropriate financial reimbursement for the Correctional Facility, at a rate of 22 percent of all revenue actually earned (prospectively or retroactively) by the County as a direct result of the consultant's work; and, be it further

RESOLVED, That said agreement is subject to the approval of the County Attorney and effective January 1, 2014 through December 31, 2014; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 369**

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

RESOLUTION AUTHORIZING ACCEPTANCE OF STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAPP) GRANT AND ALLOCATING PROCEEDS TO CORRECTIONAL FACILITY OVERTIME

WHEREAS, Resolution 406 of 2012 authorized a contract between the Sheriff and Justice Benefits for preparation of grant applications; and

WHEREAS, the Sheriff has been notified by Justice Benefits that Fulton County has been awarded NYS Criminal Alien Assistance Program (SCAAP) funds to offset operating costs in the Correctional Facility, in an amount of \$3,200.00; now, therefore be it

RESOLVED, That the 2013 Adopted Budget be and hereby is amended to accept additional SCAAP funds, as follows:

Revenue Account:

Increase A-083-4319.000 Jail Facility-Fed Reimb	\$3,200.00
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Appropriation Accounts:

Increase A-345-3150.414 Jail-Contracts	\$ 704.00
Increase A-345-3150.110 Jail-Overtime	2,496.00

and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

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

**Resolution No. 370**

Supervisor KEMPER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CONTRACT WITH DENTRUST  
DENTAL SERVICES FOR CORRECTIONAL FACILITY INMATES (2014)**

WHEREAS, Resolution 350 of 2012 authorized a contract with Dentrust Dental Services for Correctional Facility Inmates, effective January 1, 2013 through December 31, 2013; and

WHEREAS, the RFP specifications identified the option of two (2) additional one (1) year periods, if agreed to by both parties under the same pricing, terms and conditions; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committee on Public Safety, the Chairman of the Board be and hereby is authorized to sign an amendment to the contract with Dentrust Dental, of Pipersville, PA for dental services for inmates in the Correctional Facility, effective January 1, 2014 through December 31, 2014; 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 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, Sheriff, Correctional Facility, Dentrust Dental, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 371**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION INCLUDING PURCHASE OF LCD TRAINING TV IN 2013 SERVER  
UPGRADE CAPITAL PROJECT (INFORMATION SERVICES)**

WHEREAS, the 2013 Capital Plan identifies a Server Upgrade Project; and

WHEREAS, the Information Services Director recommends the purchase of a LCD TV to outfit a group training classroom at the Information Services Department; now, therefore be it

RESOLVED, That the Information Services Director be and hereby is authorized to purchase a wall mount LCD TV, at a cost not to exceed \$980.00; and, be it further

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

From: A-275-1680.201 Information Services - Capital  
To: A-275-1680.200 Information Services – Equipment  
Sum: \$980.00

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

Seconded by Supervisor GENDRON and adopted by the following vote:

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

**Resolution No. 372**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION DESIGNATING BANKS (2014)**

RESOLVED, That pursuant to Section 212 of County Law, the Board of Supervisors of Fulton County does hereby designate the following banks as depositories of County funds, the maximum amount to be deposited in the following banks not to exceed the sum set opposite their respective names, for the year 2014:

Key Bank, Gloversville	\$50,000,000.00
Bank of America, Johnstown	50,000,000.00
NBT, Johnstown	50,000,000.00
First Niagara	50,000,000.00
J.P. Morgan-Chase	50,000,000.00

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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

**Resolution No. 373**

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION DELEGATING APPROVAL AUTHORITY TO THE COUNTY  
TREASURER FOR CORRECTION OF ERRORS AND/OR TAX REFUNDS LESS  
THAN \$2,500.00 IN 2014

WHEREAS, NYS Real Property Tax Law, Section 554, Subdivision 9, provides that the Board of Supervisors may, by resolution, delegate its authority to authorize Corrections of Errors to a county officer when such recommended Correction of Errors is “twenty-five hundred dollars or less”; and

WHEREAS, NYS Real Property Tax Law, Section 556, Subdivision 8, provides that the Board of Supervisors may, by resolution, delegate its authority to authorize the payment of bills related to refunding of taxes without prior audit by the Board of Supervisors as the tax levying body; and

WHEREAS, Resolution 105 of 2005 delegated approval authority to the County Treasurer for certain corrections of errors related to tax exemptions; and

WHEREAS, Resolution 210 of 2002 authorized the County Auditor to make refunds of taxes and authorize payment of bills prior to audit; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the Board of Supervisors hereby authorizes the County Treasurer to approve Corrections of Errors and/or Refunds of Taxes less than \$2,500.00 in 2014, pursuant to the aforementioned laws; and, be it further

RESOLVED, said delegation of authority shall be effective during the calendar year in which it was adopted and shall be applicable only where the recommended correction is less than \$2,500.00; and, be it further

RESOLVED, That the County Treasurer shall submit a monthly report to the Board of Supervisors of any and all Corrections of Errors and/or Refunds of Taxes processed by him during the preceding month; and, be it further

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

Seconded by Supervisor GENDRON and adopted by the following vote:

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

**Resolution No. 374**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING COUNTY TREASURER TO ADVANCE MONIES  
BETWEEN FUNDS WHEN NECESSARY**

RESOLVED, That in the event of a cash flow problem within any unrestricted fund due to untimely receipt of State, Federal or other monies during 2014, the Fulton County Treasurer be and hereby is authorized and empowered to loan monies necessary to such funds from any other unrestricted funds; and, be it further

RESOLVED, That the Fulton County Treasurer be and hereby is directed to make a full report to the Finance Committee immediately following such transactions; and, be it further

RESOLVED, That the Fulton County Treasurer be and hereby is directed to repay these loans, with interest, at an appropriate current rate; 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 BORN and adopted by the following vote:

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

**Resolution No. 375**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION SETTING DEADLINE FOR SUBMITTAL OF BILLS**

WHEREAS, for the proper administration of County business, it has been determined that it would be in the best interest of the County of Fulton that any and all creditors who have sold goods, wares and merchandise or have provided personal services in 2013 submit their bills or claims in proper form to the respective department heads of the County on or before the 1<sup>st</sup> day of December 2013; now, therefore be it

RESOLVED, That a copy of this Resolution shall be filed with each department head so that they may notify any and all creditors of Fulton County to submit, in proper form, any and all claims for payment for the year 2013; and, be it further

RESOLVED, That a notice be given to the public by publication in its officially designated newspaper; and, be it further

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

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

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

**Resolution No. 376**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING 2014 TENTATIVE BUDGET AND FIXING DATE OF  
PUBLIC HEARING THEREFOR**

WHEREAS, the Tentative Budget, as originally compiled, was reviewed and revised by the Budget Review Committee in accordance with Sections 354 and 357 of the County Law; now, therefore be it

RESOLVED, That said budget so reviewed be accepted as the Tentative Budget for the year 2014; and, be it further

RESOLVED, That pursuant to Section 359 of County Law, a public hearing on the Tentative Budget for the year 2014, with such changes, alterations and revisions as shall have been made by the Board of Supervisors, will be held in the Supervisors' Chambers, in the City of Johnstown, on Monday, November 25, 2013, at 2:00 p.m.; and, be it further

RESOLVED, That the Clerk of the Board be authorized and directed to advertise the notice of the hearing according to law and state therein that the maximum salary of the Supervisors shall be \$7,505.00 each and that the salary of the Chairman shall be \$9,880.00, which reflects no increase over the 2013 salaries; 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 FAGAN and adopted by the following vote:

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

**Resolution No. 377**

Supervisor CALLERY 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 October 31, 2013, 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 DIGIACOMO and adopted by the following vote:

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

<b><u>MORTGAGE TAX DISTRIBUTION</u></b>				
<b><u>4/1/13-9/30/13</u></b>				
<b><u>Towns, Cities, Villages</u></b>			<b><u>Amount Credited to Town, City Or Village After Deducting Expenses</u></b>	
Bleecker.....			\$	6,463.38
Broadalbin.....				57,122.94
	Village	4,748.07		
	Town	52,374.87		
Caroga.....				15,396.74
Ephratah.....				5,563.30
Johnstown.....				51,580.44
Mayfield.....				42,251.18
	Village	1,888.71		
	Town	40,362.47		
Northampton.....				28,667.47
	Village	3,305.13		
	Town	25,362.34		
Oppenheim.....				7,684.13
	Village	198.03		
	Town	7,486.10		
Perth.....				36,011.69
Stratford.....				731.75
City of Johnstown.....				66,709.72
City of Gloversville.....				31,578.17
			<b>TOTAL..</b>	<b>.....\$ 349,760.91</b>
Dated this 31st day of October, 2013:				

**Resolution No. 378**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING COUNTY TREASURER TO CLOSE OUT  
RECORDS STORAGE ROOM PROJECT (2012 CAPITAL PLAN)**

WHEREAS, the 2012 Capital Plan included an Records Storage Room Project at the Fort Johnstown Building; and

WHEREAS, certain Capital projects have been completed; now, therefore be it

RESOLVED, That the following capital project has been completed and the Budget Director recommends it be closed out and transfer the remaining balance (approximately \$32,300.00) to the County Clerk Technology Improvement Reserve:

H-085-1622.100 Records Storage Room Project

and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

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



**Resolution No. 379**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING THREE-YEAR CAPITAL PLAN FOR FULTON  
COUNTY (2014-2016)**

RESOLVED, That the 2014-2016 Three-Year Capital Plan, as submitted by the Capital Program Committee, be and hereby is accepted as fulfillment of the responsibilities assigned in Resolution No. 121 of 1982, and said report, as reviewed by this Board, be accepted as Fulton County's formal Capital Plan for 2014-2016 for inclusion by the Budget Director into the 2014 Tentative Budget for the County of Fulton, as presented to this Board on November 12, 2013, as attached hereto; and, be it further

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

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

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

DEPARTMENT / PROJECT	2014	2015	2016	3 YEAR TOTAL
<b>Board of Elections - A225</b>				
NTS Image It Software	\$ 41,963			
<b>Total</b>	<b>\$ 41,963</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>3 Year Total</b>				<b>\$ 41,963</b>
<b>Facilities A245</b>				
Countywide Energy Conservation Project		\$ 1,800,000		
Roof Project, DSS	\$ 170,000			
Fulton County Jail/Courthouse Renovation Project	\$ 250,000			
Roof Project, Jail Rt 29		\$ 250,000		
Sealing Parking Lots & Roadways, County Complex I		\$ 68,500		
Sewer Line Repair. CR 122		\$ 100,000		
Pick Up Truck - 1/2 Ton		\$ 24,000		
<b>Total</b>	<b>\$ 420,000</b>	<b>\$ 2,242,500</b>	<b>\$ -</b>	
<b>3 Year Total</b>				<b>\$ 2,662,500</b>
<b>Information Svcs/Printing A275</b>				
County Server Upgrade Plan	\$ 15,600	\$ 20,000	\$ 20,000	
Software Replacement	\$ 600,000	\$ -		
County PC Upgrade Plan	\$ 57,177	\$ 40,000	\$ 35,000	
Wireless Upgrade	\$ 13,000			
<b>Total</b>	<b>\$ 685,777</b>	<b>\$ 60,000</b>	<b>\$ 55,000</b>	
<b>3 Year Total</b>				<b>\$ 800,777</b>
<b>FMCC A295</b>				
Technology Upgrades - Phase I	\$ 800,000			
Campus Upgrades - 1) Wayfinding Signage, Single Master Key System; 2) PE Bldg Renovations - Design & Engineering; Mechanical Upgrades	\$ -	\$ 800,000	\$ -	
PE Bldg Renovation - Construction			\$ 984,000	
<b>Total</b>	<b>\$ 800,000</b>	<b>\$ 800,000</b>	<b>\$ 984,000</b>	
<b>3 Year Total</b>				<b>\$ 2,584,000</b>
<b>Sheriff A305/A345</b>				
Patrol Car, 3	\$ 90,450	\$ 90,450	\$ 90,450	
CCTV Video System Upgrade	\$ 251,000			
<b>Total</b>	<b>\$ 341,450</b>	<b>\$ 90,450</b>	<b>\$ 90,450</b>	
<b>3 Year Total</b>				<b>\$ 522,350</b>
<b>Planning- A705</b>				
<b>Economic Development</b>				
Tryon Technology Park and Incubator Center Project	\$ 2,000,000			
Jump Start Fulton County: Tryon Marketing	\$ 150,000			
Jump Start Fulton County: Preparing Shovel Ready Site	\$ 150,000			
Tryon Pump Station Project	\$ 96,000			
Fulton County SMART Waters Project	\$ 60,000			
FJ & G Rail Trail	\$ 50,000			
Thruway Connector Design Study	\$ 500,000			
Centralized Records Storage Room Expansion		\$ 40,000		
<b>Total</b>	<b>\$ 3,006,000</b>	<b>\$ 40,000</b>	<b>\$ -</b>	
<b>3 Year Total</b>				<b>\$ 3,046,000</b>
<b>General Fund Total</b>	<b>\$ 5,295,190</b>	<b>\$ 3,232,950</b>	<b>\$ 1,129,450</b>	
<b>General Fund 3 Year Total</b>				<b>\$ 9,657,590</b>

<b>Highways D825/DM825</b>				
<b>Roads</b>				
Pave CR 126 - Broadalbin	\$	399,250		
Pave CR 108 - Oppenheim	\$	171,600		
Pave CR 152 - Northampton	\$	239,700		
Pave CR 122- Johnstown	\$	188,000		
Pave proposed CR 117 and CR 107 - Johnstown	\$	480,000		
Pave CR 153 -Johnstown			\$	44,000
Pave CR 103 - Johnstown			\$	62,500
Pave CR 119 - Ephratah			\$	221,250
Pave CR 126 - Broadalbin/Perth			\$	349,000
Pave CR 112, Bleecker			\$	296,000
Pave CR 142, Johnstown			\$	294,500
Pave CR 106 - Mayfield/Perth			\$	299,000
Pave CR 146, Johnstown			\$	193,500
Pave CR 125- Bleecker			\$	300,000
Pave CR 146- Mayfield			\$	160,000
Pave CR 123- Mayfield			\$	500,000
Pave CR 121- Johnstown			\$	80,000
Pave CR 105- Johnstown			\$	50,000
Pave CR 113 - Northampton			\$	159,000
<b>Subtotal</b>	<b>\$</b>	<b>1,478,550</b>	<b>\$</b>	<b>1,759,750</b>
			<b>\$</b>	<b>1,249,000</b>
<b>Equipment</b>				
Dual Drum Vibratory Blacktop Roller	\$	42,500		
Pickup Truck, 1/2 Ton			\$	24,000
Dump Truck, 1 Ton			\$	40,000
Tandem Dump Truck w/plow				250,000
<b>Subtotal</b>	<b>\$</b>	<b>42,500</b>	<b>\$</b>	<b>64,000</b>
			<b>\$</b>	<b>250,000</b>
<b>Highway Total</b>	<b>\$</b>	<b>1,521,050</b>	<b>\$</b>	<b>1,823,750</b>
			<b>\$</b>	<b>1,499,000</b>
<b>3 Year Total</b>				<b>\$ 4,843,800</b>
<b>Solid Waste EW865</b>				
Roll Off Hoist Frame Trailer	\$	72,000		
Weight Scale	\$	65,000		
Gas Well Work	\$	40,000		
Tractor Truck			\$	115,000
Curbside Recycling Truck			\$	100,000
Gas Well Work			\$	40,000
Wheel Wash System			\$	50,000
Off Road Truck			\$	300,000
Bulldozer			\$	300,000
Landfill Expansion Design			\$	200,000
<b>Solid Waste Total</b>	<b>\$</b>	<b>177,000</b>	<b>\$</b>	<b>305,000</b>
			<b>\$</b>	<b>800,000</b>
<b>3 Year Total</b>				<b>\$ 1,282,000</b>
<b>GRAND TOTAL:</b>	<b>\$</b>	<b>6,993,240</b>	<b>\$</b>	<b>5,361,700</b>
			<b>\$</b>	<b>3,428,450</b>
			<b>\$</b>	<b>15,783,390</b>

**Resolution No. 380**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR UNIFORM SERVICE  
FOR THE DEPARTMENT OF HIGHWAYS AND FACILITIES AND SOLID WASTE**

WHEREAS, the current contract for uniform service for the Departments of Highways and Facilities and Solid Waste expires on December 31, 2013; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for seal bids for Uniform Service for the Departments of Highways and Facilities and Solid Waste (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Office Building, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That said bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, November 27, 2013; and, be it further

RESOLVED, That the Purchasing Agent be and hereby is directed to identify in the bid specifications that the County of Fulton prefers the use of materials and goods made and assembled in the United States of America; 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, Superintendent of Highways and Facilities and Administrative Officer/Clerk of the Board.

Seconded by Supervisor OTTUSO and adopted by the following vote:

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

**Resolution No. 381**

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:

Highway & Facilities:

Essick Air Compressor (0001671) (Purchased 1970)

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

Seconded by Supervisor BORN and adopted by the following vote:

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

**Resolution No. 382**

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER

RESOLVED, That the Board of Supervisors hereby designates The Leader Herald, a daily newspaper, published in Gloversville, NY pursuant to the provision of Section 214 of County Law, as the newspaper to publish all local laws and notices of other matters required by Law to be published in the year 2014.

Seconded by Supervisor POTTER and adopted by the following vote:

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

**Resolution No. 383**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION ESTABLISHING A VACANCY REVIEW PROCESS FOR 2014**

WHEREAS, the Committee on Finance has begun preparation of the 2014 County Budget and has also been evaluating the impacts of burdensome State mandates on future County finances; and

WHEREAS, State mandated costs imposed upon county governments are translated into extra property tax burdens on local residents; and

WHEREAS, the Committee believes that austerity measures are necessary to ensure that the County budget and corresponding property tax levy are no larger than necessary for the effective operation of County government and its many services; and

WHEREAS, the Committee on Finance recommends the implementation of a tentative vacancy review procedure for existing positions and a hiatus upon the creation of any new positions or position upgrades within County of Fulton departments; now, therefore be it

RESOLVED, That the following vacancy review procedures be and hereby are adopted by the Board:

1. Prior to filling any vacant positions within a County department, the Department Head shall present said vacancy to the Committee on Finance, which shall serve as a "Vacancy Review Committee". The Department Head shall provide a detailed justification for retaining said position within County service or, if deemed unnecessary, a plan for elimination of the position from County service.
2. Upon each such referral to the Committee on Finance, the Committee shall take affirmative action one way or the other to recommend retention of the position or recommend elimination of the position.
3. Any recommendation to eliminate a position shall be subject to review and final decision by resolution of the full Board of Supervisors, which shall include a presentation by the Department Head prior to final action. If the "Vacancy Review Committee" recommends retention of a position within County service, the Department Head or other appointing authority shall be approved to commence recruitment and appointment to such position.

and, be it further

RESOLVED, That this policy shall commence and apply to all vacancies occurring on or after January 1, 2014, and shall end December 31, 2014; and, be it further

RESOLVED, That the above vacancy review procedure policy shall not apply to vacancies in Corrections Officer positions; and, be it further

**Resolution No. 383 (Continued)**

RESOLVED, That the Personnel Director and all involved Department Heads 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, All Department Heads, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**Resolution No. 384**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET  
AMENDMENTS**

From: A-045-1165.409 DA-Court Steno/Prof Svcs  
To: A-045-1165.200 DA-Equipment  
Sum: \$324.00 (Laser Printer)

From: A-285-1990.400 Contingent Fund Expense	\$14,000.00
A-075-1185.100 Coroner-P/R	3,400.00
A-075-1185.421 Coroner-Conf, Sch & Seminars	<u>700.00</u>
	\$18,100.00

To: A-075-1185.402 Coroner-Trans (Amb Exp)	\$ 7,600.00
A-075-1185.410 Coroner-Lab	3,000.00
A-075-1185.411 Coroner-Autopsies	<u>7,500.00</u>
	\$18,100.00

From: A-165-1410.110 Co Clerk-OT  
To: A-165-1410.408 Co Clerk-Telephones  
Sum: \$1,500.00

From: A-305-3110.100 Sheriff Dept-P/R  
To: A-305-3111.100 Special Deputies-P/R  
Sum: \$20,000.00

From: A-305-3110.200 Sheriff Dept-Equipment  
To: A-305-3110.408 Sheriff Dept-Telephone & Teletype  
Sum: \$1,000.00

From: A-325-3140.453 Probation Dept-Office Supplies  
To: A-325-3140.200 Probation Dept-Equipment  
Sum: \$195.00 (Office Chair)

From: A-345-3170.400 Penitentiary-Contract Expenses	\$ 7,500.00
A-345-3150.467 Jail-Cleaning Supplies	2,000.00
A-345-3150.466 Jail-Food Stuff	<u>1,500.00</u>
	\$11,000.00
To: A-345-3150.110 Jail-OT	\$11,000.00

**Resolution No. 384 (Continued)**

From: A-205-1430.100 Personnel Adm-P/R  
To: A-205-1430.110 Personnel Adm-OT  
Sum: \$4,000.00

From: EW-865-8163.110 Recycling-OT  
To: EW-865-8160.110 Solid Wst Adm-OT  
Sum: \$650.00

From: EW-865-8163.160 Recycling-Insurance Declinations  
To: EW-865-8160.160 Solid Wst Adm-Insurance Declinations  
Sum: \$750.00

From: EW-865-8162.453 Cent Landfill Oprns-Facility Supplies  
To: EW-865-8161.452 Solid Wst Tr/HI-Supplies  
Sum: \$2,500.00

From: EW-865-8162.454 Cent Landfill Oprns-Auto Supp (Tires, Etc)  
To: EW-865-8161.454 Solid Wst Tr/HI-Auto Supp (Oil, Tires, Etc)  
Sum: \$2,000.00

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

Budget Amendment:

Revenue:

Increase A-083-1051.000 Gain From Sales of Tax Acq. Prop	\$102,181.00	
Decrease A-083-2701.000 Refund of Approp Ex-Prior Years		\$102,000.00

Appropriation:

Increase A-145-1364.400 Taxes on Co Owned Property-Tax Exp		\$181.00
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Revenue:

Decrease A-083-3589.000 State Aid – Other Transportation		\$220,000.00
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Appropriation:

Decrease A-285-1940.400 Purchase of Land/Right-of-way	\$ 70,000.00	
Decrease A-285-1989.400 Other General Government Support	150,000.00	

Revenue:

Increase A-083-1287.000 Stop DWI Reimb to DA	\$2,000.00	
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Appropriation:

Increase A-045-1165.110 DA-O/T		\$ 2,000.00
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**Resolution No. 384 (Continued)**

Revenue:

Decrease A-083-3306.001 State Aid-Fire Grants \$11,400.00

Appropriation:

Decrease A-385-3645.401 Civil Def-SHSP-Contractual \$11,400.00

Revenue:

Decrease A-083-3306.001 State Aid-Fire Grants \$12,306.00

Appropriation:

Decrease A-385-3645.201 Civil Def-SHSP-Equip \$12,306.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Coroner, County Clerk, Sheriff, Probation, Jail. Solid Waste, Personnel, Civil Defense, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

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

**Resolution No. 385**

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING DIRECTOR OF PUBLIC HEALTH**

RESOLVED, That Irina Gelman of Brooklyn, NY, be and hereby is appointed Director of Public Health (Non-Union Job Group D-3), for a six (6) year term, commencing on or about January 7, 2014, at a starting salary rate of \$77,000.00 per year, and a one year permanent salary rate of \$80,000.00 per year, after successful completion of any probationary period; and, be it further

RESOLVED, That, in accordance with NYS Sanitary Code (10NYCRR Section 11.182), said appointment to the post of county Public Health Director is subject to final approval by the NYS Department of Health, Office of Public Health Practice; and, be it further

RESOLVED, That Irina Gelman is required to complete the Fulton County Board of Ethics' Financial Disclosure Statement and is 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, Personnel Director, Public Health Department, Irina Gelman, NYS Department of Health and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

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