

FIFTH DAY OF ANNUAL SESSION

Johnstown, NY

December 28, 2016

Roll Call – Quorum Present

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

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

Chairman Potter called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance to the Flag, Chairman Potter asked if there was anyone from the public who wished to address the Board. There being no one present who wished to speak, Chairman Potter then called for the reading of the Communications.

COMMUNICATIONS

1. Communication from the State Assembly, dated 29 November 2016
Subj: Receipt of Fulton County's Resolution No. 379 in Support of Access Adirondacks Memorandum of Understanding Among Public and Private Organizations Regarding Recreational Access to Adirondack State Lands.
2. Communication from NYSAC, dated 29 November 2016
Subj: Receipt of Fulton County's Resolution No. 379 in Support of Access Adirondacks Memorandum of Understanding Among Public and Private Organizations Regarding Recreational Access to Adirondack State Lands.
3. Communication from NYS DEC, dated 29 November 2016
Subj: Receipt of Fulton County's Resolution No. 379 in Support of Access Adirondacks Memorandum of Understanding Among Public and Private Organizations Regarding Recreational Access to Adirondack State Lands.
4. Communication from Fulton County Historical Society, dated 12 December 2016
Subj: Letter expressing appreciation to the County Historian and Board of Supervisors for their support. (Supervisor Born requested a copy)

UPDATES FROM STANDING COMMITTEES

Finance: Chairman Argotsinger advised that there was a question brought up at the Finance Committee Meeting held earlier in the day regarding an Overtime account transfer request from Superintendent of Highways and Facilities Mark Yost. Ms. Kuntzsch, checked with that Department and it was agreed that the requested transfer amount could be lowered from \$7,700.00 to \$4,000.00.

REPORTS OF SPECIAL COMMITTEES

Inter-County Legislative Committee of the Adirondacks: Supervisor Young advised that he had spoken with Administrative Officer Jon Stead prior to the Board meeting and Fulton County would be the "chairing county" for Inter-County in 2017.

Soil and Water Conservation District: Supervisor Lauria advised that the last meeting was held on December 20. He could not attend the meeting, but reviewed the highlights. Several pond evaluations were conducted and bridge work was looked at in the Town of Stratford. There is \$15,000.00 to be put towards seeding for the hydroseeder in 2017. January 17, 2017 is the next meeting.

CHAIRMAN'S REPORT

Chairman Potter advised that he came across a "48 Star Flag" that his family had in storage. Because of the flag's history, he will be donating the flag to the Fulton County Museum. Beth Lansburg, Legislative Aide, researched the background on the flag and prepared the handout and illustration that was distributed. Chairman Potter liked the history behind the flag and wanted to display it here today because it symbolizes a sense of patriotism. The flag is a symbol of unity that we can call ourselves "proud Americans". Chairman Potter stated that there is renewed patriotism in the country after the recent Presidential election and today was a good occasion to highlight the flag.

RESOLUTIONS

No. 490 (Resolution Authorizing a Contract with C.T. Male to Prepare Plans and Specifications for the F-Wing Renovation Project at Tryon Technology Park (2016 Capital Plan): Supervisor Callery advised that he will be voting against this Resolution because the engineer has been paid once for the feasibility study and the County should not have to pay this much for design plans from the same firm.

A motion was offered by Supervisor Fagan, seconded by Supervisor Groff and unanimously carried, to waive the Rules of Order to take Action on Late Resolution 501.

NEW BUSINESS

Mr. Stead explained that there was a recent article in the newspaper about the Fulton County Ethics Board and Attorney Brott was present to explain a mistatement that was reported in the newspaper. County Attorney Brott explained that there was a request made by the City of Johnstown Attorney for the County Ethics Board to review a possible conflict of interest related to Mr. Miller being sworn in as a City Councilman-At-Large in relation to his employment at the Gloversville-Johnstown Waste Water Treatment Facility. It came before the Fulton County Ethics Board because the City of Johnstown does not have an ethics board. The Fulton County Ethics Board was asked for an "advisory opinion" and issued one.

The Chairman of the Ethics Board, George Manchester, did speak to the media and unfortunately he made a mistake on his statement. The Board of Supervisors has no jurisdiction in relation to Mr. Miller being sworn in as a City Councilman. The matter will have to be decided by the Johnstown Mayor and the City Council in Johnstown for any further action. The County Ethics Board advisory opinion was issued to the City Attorney.

OLD BUSINESS

Chairman Potter then made his closing remarks.

“Amazing! How fast a year goes by? It seems that time gets accelerated when you’re busy and trust me my fellow colleagues, we have been on the accelerator from day 1!

It has been brought to my attention that agendas are tough to achieve within a year from a Chairman’s perspective. Really? Our positive message has been reinforced from our media partners and echoed throughout the community. Collectively, we really have moved the chains, working together as a team, goals have gotten achieved and accomplished!

Towns like Northampton, Mayfield and Caroga, are on the verge of something special. Recently, I walked around the Village of Northville. Beautiful! Our former Treasurer, County Clerk and a Channel 9 news personality live in the town and village. They must know something! I drive around Mayfield all the time, around the lake, soaking up the Great Sacandaga Lake - tranquil and peaceful. Caroga Lake has great fishing! Now everybody will be fishing there! Grab a burger and beverage at Vroman’s. Enjoy the Eddie at Pine Lake Park. Just need cell phone coverage...smh

Jim Groff, Jack Wilson and Rick Argotsinger are passionate about their communities as we all are.

Taking care of our seniors has always been and will be a priority for me. Office for the Aging does a great job. Their annual picnic, which I have volunteered since day 1 bring together different senior groups. Our seniors gave for us and it’s time to return the favor!

Thank you...Jon Stead..for working with me on our year’s agenda. Good Job!

Thank you Teresa Perry, Briana Chittenden and Beth Lansburg, our newest team member. Applause well deserved.

Thank you Alice Kuntzsch and Alicia Cowan, our fiscal watchdogs...you two rock!!

Most importantly...Thanks to you, our Board of Supervisors...time to pass the baton. You'll be in good hands. I will tell you this, it has been a distinct pleasure to work with each and every one of you and if you put your energy and effort into playing to your potential, to be the best you can be, I don't care the challenges of New York State, our attributes and our game plan and a positive outlook is a winning formula for Fulton County!"

Mr. Stead then presented Chairman Potter with the ceremonial gavel and a small token of appreciation in the form of a gift certificate. Mr. Stead commented that Chairman Potter was a very responsive Chairman and made every meeting that he possibly could. He underscored that Mr. Potter "took ownership" of special events explaining that Chairman Potter felt very strongly about his position as Chairman and represented the Board at several local events because he was determined to let people know that the Board of Supervisors cares about its constituents. He also had a good relationship with our State Representatives in Albany.

There being no further business, the Board adjourned "sine die" at 1:34 p.m., upon a motion by Supervisor Born, seconded by Supervisor Groff and unanimously carried.

Certified by:

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

Resolution No. 484

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

RESOLUTION AUTHORIZING CONTRACT WITH ADIRONDACK PARK
LOCAL GOVERNMENT REVIEW BOARD FOR COUNTY PROMOTIONS (2017)

WHEREAS, the Board of Supervisors has identified the Adirondack Park Local Government Review Board as a necessary "Membership Association"; and

WHEREAS, the Fulton County Board of Supervisors did appropriate the sum of \$3,000.00 for the year 2017, to be paid to the Adirondack Park Local Government Review Board for County promotions, as a membership association; now, therefore be it

RESOLVED, That the Chairman of the Fulton County Board of Supervisors be authorized and empowered to sign a contract with Adirondack Park Local Government Review Board for County promotions, including a better public understanding of problems and desirable practices in conservation of natural resources for the year 2017; and, be it further

RESOLVED, That such contract shall provide, among other matters, that the right and privilege shall be reserved to the Fulton County Board of Supervisors to cancel and rescind all or any part of such contract should any program or project offered or sponsored by the Adirondack Park Local Government Review Board not meet with the approval of the Board of Supervisors; and, be it further

RESOLVED, That the County Treasurer be and hereby is authorized and directed to transmit \$3,000.00 in a single payment on or after January 1, 2017 for the year 2017 to the Adirondack Local Government Review Board, and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

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

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

Seconded by Supervisor HOWARD and adopted by the following vote:

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

Resolution No. 485

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

RESOLUTION AUTHORIZING CONTRACT WITH FULTON MONTGOMERY
REGIONAL CHAMBER OF COMMERCE FOR MANAGEMENT OF
COUNTY TOURISM DEVELOPMENT PROGRAM (2017)

WHEREAS, the Board of Supervisors has identified County Tourism Development as an important "Core Program";

WHEREAS, the Board did appropriate the sum of \$79,835.00 for the year 2017, to be paid to the Fulton County Regional Chamber of Commerce and Industry (Chamber) for County publicity through management of the County Tourism Development Program, within the meaning of Section 224, Subdivision 14, of the New York State County Law; and

WHEREAS, Section 224, Subdivision 1, of the New York State County Law specifically authorizes the Fulton County Board of Supervisors to enter into a contract with the Chamber if services are to be performed for the County; and

WHEREAS, that Section further provides for the rendering of a verified account of the disbursements with verified or certified vouchers attached, as the Board deems proper; and

WHEREAS, that Section further provides that no money shall be paid to the Chamber until execution of a contract by the principal officer and disbursing officer of the Chamber agreeing to comply with the terms of this resolution; and

WHEREAS, that Section and Article 5 of the County Law is clear that payment for services can only be authorized for those services actually rendered; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with the Fulton County Regional Chamber of Commerce for management of the County Tourism Development Program in 2017, in an amount of \$79,835.00.00; said contract subject to the approval of the County Attorney; and, be it further

RESOLVED, That the contract shall provide that payment for services by the Chamber shall be made only after the following criteria have been met:

Resolution No. 485 (Continued)

1. Submitting a "statement of services" or a "program of events" with corresponding budget approved by the Fulton County Board of Supervisors;
2. The rendering of a verified account with verified or certified vouchers attached;
3. Before final payment can be made, a report identifying the services or events that were performed by the Chamber and an evaluation thereof;
4. County will retain any unused balance; and
5. That the Chamber will otherwise comply with all of the New York State codes, rules and regulations;

and, be it further

RESOLVED, That the cost for said program shall be provided from Appropriation Account A-1000.6410-4935 EXP-County Tourism Development; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Fulton County Area Chamber of Commerce and Industry, 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 YOUNG and adopted by the following vote:

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

Resolution No. 486

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

RESOLUTION AUTHORIZING CONTRACT WITH FULTON COUNTY
CENTER FOR REGIONAL GROWTH FOR BUSINESS DEVELOPMENT MARKETING
(2017)

WHEREAS, the Board of Supervisors has identified the Fulton County Center for Regional Growth as an important "Core Program"; and

WHEREAS, the Board did appropriate the sum of \$215,000.00 for the year 2017 for said program; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, authorizes the Chairman of the Board of Supervisors to sign a contract with the Fulton County Center for Regional Growth for management of the County's economic development program in 2017 in an amount of \$215,000.00; said contract shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, That such contract specify those services to be performed by the Fulton County Center for Regional Growth, including promoting and marketing Fulton County to attract new businesses and industries, and encouraging and assisting existing business and industries, and developing and implementing economic development programs; and, be it further

RESOLVED, That such contract shall provide, among other matters, that the right and privilege shall be reserved to the Fulton County Board of Supervisors to cancel and rescind all or any part of such contract should any program or project offered or sponsored by the Fulton County Center for Regional Growth not meet with the approval of the Board of Supervisors; and, be it further

RESOLVED, That the Fulton County Center for Regional Growth, as a condition to the contract authorized herein, cooperate with the Corporations working to promote economic development in Fulton County and encourage existing industries to expand; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That the contract shall provide that payment for services by the Center for Regional Growth shall be made only after the following criteria have been met:

Resolution 486 (Continued)

1. Submitting a "statement of services" or a "program of events" with corresponding budget approved by the Fulton County Board of Supervisors;
2. The rendering of a verified account with verified or certified vouchers attached;
3. Before final payment can be made, a report identifying the services or events that were performed by the Center for Regional Growth and an evaluation thereof;
4. County will retain any unused balance; and
5. That the Center for Regional Growth will otherwise comply with all of the New York State codes, rules and regulations;

RESOLVED, That the cost for said program shall be provided from Appropriation Account A.1000.6420-4936 EXP-Business Development Marketing; and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

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

Resolution No. 487

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

**RESOLUTION APPROPRIATING MONIES FOR FULTON COUNTY
SOIL AND WATER CONSERVATION DISTRICT (2017)**

WHEREAS, by Local Law, Fulton County created and established the Fulton County Soil and Water Conservation District to exist within its borders; and,

WHEREAS, the Board of Supervisors has identified Fulton County Soil and Water Conservation as an important "Core Program"; and

WHEREAS, the Fulton County Board of Supervisors has, pursuant to Section 223 of County Law, appropriated for such District the sum of \$61,020.00 for the year 2017; now, therefore be it

RESOLVED, That the Chairman of the Fulton County Board of Supervisors be and hereby is authorized and empowered to sign a contract with the Soil Conservation District for a sum of \$61,020.00 for said services, with such payments to be made in two (2) equal installments on the last day of January and June, with the first payment to be submitted only after receipt of the required annual report; and, be it further

RESOLVED, That such contract shall provide, among other matters, that the right and privilege shall be reserved to the Fulton County Board of Supervisors to cancel and rescind all or any part of such contract should any program or project offered or sponsored by such Soil Conservation District not meet with the approval of the Board of Supervisors; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

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

RESOLVED, That the cost for said program shall be provided from Appropriation Account A.1000.8710-4938 EXP-County Soil and Water Conservation; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Soil Conservation Committee (Ithaca, NY), Fulton County Soil Conservation District, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

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

Resolution No. 488

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

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR PHASE V LANDFILL EXPANSION PROJECT (2017 CAPITAL PLAN)

WHEREAS, THE 2017 Capital Plan identifies a Landfill Expansion Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from contractors for the Phase V Landfill Expansion Project at the Fulton County Landfill (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 the Committee on Environmental Resources c/o Jon R. Stead, Purchasing Agent no later than 2:00 p.m., Wednesday, January 25, 2017, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor WILSON and adopted by the following vote:

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

Resolution No. 489

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

RESOLUTION AUTHORIZING REQUEST FOR THE PROPOSALS TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED ANNEXATION OF LANDS FROM TOWN OF MOHAWK, MONTGOMERY COUNTY INTO THE CITY OF JOHNSTOWN, FULTON COUNTY

WHEREAS, annexation petitions were filed by two (2) property owners in the Town of Mohawk, Montgomery County, proposing that their properties be annexed into the City of Johnstown, Fulton County; and

WHEREAS, NYS Municipal Annexation Law requires that a State Environmental Quality Review Act (SEQRA) review of the proposed annexation be completed before any action is taken upon said petitions; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to distribute a Request for Proposals from qualified engineering firms to prepare a Draft Environmental Impact Statement for the proposed annexation of lands from Town of Mohawk, Montgomery County into the City of Johnstown, Fulton County (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 the usual business hours); and, be it further

RESOLVED, That such proposals 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, January 18, 2017; and, be it further

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

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

Seconded by Supervisor HANDY and adopted by the following vote:

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

Resolution No. 490

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

RESOLUTION AUTHORIZING A CONTRACT WITH C.T. MALE TO PREPARE PLANS AND SPECIFICATIONS FOR THE F-WING RENOVATION PROJECT AT TRYON TECHNOLOGY PARK (2016 CAPITAL PLAN)

WHEREAS, the 2016 Capital Plan identifies a Jump Start Fulton County: Renovate Tryon Regional Business Training/Incubator Center project; and

WHEREAS, Resolution 306 of 2016 authorized a contract with C.T. Male Associates to conduct an engineering evaluation of the F- Wing of Building 3 at the Tryon Technology Park to determine its feasibility to be retrofitted into a training and incubator center ; and

WHEREAS, due to its familiarity with the facility, the Planning Director requested a proposal from C.T. Male Associates to prepare design plans and bid specifications for the F-Wing Renovation Project at Tryon; and

WHEREAS, the Planning Director has recommended C.T. Male Associates of Gloversville, NY for said project based upon its proposal dated August 3, 2016 for said work; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with C.T. Male Associates of Gloversville, New York, to prepare design plans and specifications for the F-Wing Renovation Project at Tryon in an amount not to exceed \$35,000.00; and, be it further,

RESOLVED, That the 2016 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase H.8020.6430-2770.0825-REV-Renovate Training Center	\$ 5,600.00
Increase H.8020.6430-4789.0825-REV-Renovate Training Center	16,100.00

Appropriation Account:

Increase H.8020.6430-2100.0825-EXP-Renovate Tryon Training Center	\$21,700.00
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Resolution No. 490 (Continued)

and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 454 (16) Nays: 91 (3) (Supervisors Argotsinger, Callery and Howard)
Absent: 6 (1) (Supervisor Rice)

Resolution No. 491

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

RESOLUTION AUTHORIZING A CONTRACT WITH ENVIRONMENTAL DESIGN PARTNERSHIP TO PREPARE DESIGN PLANS AND SPECIFICATIONS FOR HALES MILLS ROAD EXTENSION WATERLINE CONSTRUCTION PROJECT (2017 CAPITAL PLAN)

WHEREAS, Environmental Design Partnership’s 2014 “SMART Waters” Findings Report, commissioned by the Board of Supervisors, concluded that it was feasible for the County to develop a regional water and wastewater system in Fulton County; and

WHEREAS, the 2016 Capital Plan includes a “SMART Waters-Design Hales Mills Road Extension Water and Sewer Lines Project” to create a County Water District and a County Sewer District for the area in and around Hales Mills Road Extension; and

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between Fulton County and Environmental Design Partnership of Clifton Park, New York, to prepare design plans and bid specifications for the Hales Mills Road Waterline Project at a cost not to exceed \$25,000.00 based upon Environmental Design Partnership’s proposal dated December 19, 2016; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Environmental Design Partnership, 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 Rice)

Resolution No. 492

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

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR HALES MILLS ROAD WATERLINE PROJECT (2017 CAPITAL PLAN)

WHEREAS, the proposed 2017 Capital Plan identifies a Hales Mills Road Waterline Construction Project; and

WHEREAS, the Committees on Economic Development and Environment, and Finance recommend advertising for bids for a Hales Mills Road Extension Waterline Construction Project; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to advertise for sealed bids for a Hales Mills Road Waterline Project (and according to further specifications which may be obtained at the Office of Purchasing Agent, Room 203, County Office Building, Johnstown, NY, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, February 22, 2017 at which time and place they will be publicly opened and read; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Environmental Design Partnership, Gloversville Water Board, Town of Johnstown, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

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

Resolution No. 493

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

RESOLUTION AUTHORIZING CHANGE ORDER NO. 5 TO THE CONTRACT WITH JABLONSKI EXCAVATING FOR THE TRYON INFRASTRUCTURE IMPROVEMENTS PROJECT (2014 CAPITAL PLAN)

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

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

WHEREAS, Resolution 161 of 2014 awarded a bid, dated March 2014, to Jablonski Excavating, Inc., for the Tryon Infrastructure Improvements Project, in an amount of \$1,119, 249.00 as a component of said Tryon Technology Park and Incubator Center Project; and

WHEREAS, subsequent resolutions authorized Additional Unit Price Work and Change Orders 1 through 4 for various work tasks in addition to the original contract specifications; and

WHEREAS, the Planning Director has reported that main sewer line must be disconnected from Hale Creek and an original facility waterline requires repair; and

WHEREAS, the Planning Director and Committees on Economic Development and Environment, and Finance recommend that the balance of project-associated grant funds be appropriated to complete said sewer line disconnection and waterline repair; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 5 to the contract with Jablonski Excavation, Inc., of St. Johnsville, NY, for the Tryon Infrastructure Improvements Project as follows:

Original Contract Amount	\$1,119,249.00
Additional Unit Price Work	400,773.50
Change Orders No. 1-4 (previous)	187,008.08
Change Order No. 5 (Sewer Line/Waterline Repair)	<u>47,310.03</u>
Revised Contract Amount	\$1,754,340.61

and, be it further

Resolution No. 493 (Continued)

RESOLVED, That the 2016 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase H.8020.6430-3500.0640-REV-State Aid- Tryon Technology Park \$47,310.03

Appropriation Account:

Increase H.8020.6430-2200.0640-EXP-Tryon Technology Park \$47,310.03

and, be it further

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

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

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

Resolution No. 494

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

RESOLUTION AUTHORIZING CONTRACT WITH CITIZENS IN COMMUNITY SERVICES FOR ALTERNATIVES TO INCARCERATION AND PRE-TRIAL RELEASE PROGRAMS (2017)

WHEREAS, the Board of Supervisors has identified "alternatives to incarceration" as an important "Core Program"; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and empowered to execute a contract with Citizens in Community Services, Inc., to provide an "Alternative Sentencing/Pre-Trial Release Program for Fulton County, as described in its proposal, at a cost on an annualized basis not to exceed \$84,800.00; such contract to become effective from and as of January 1, 2017 through December 31, 2017; and, be it further

RESOLVED, That the Citizens in Community Services, Inc. is hereby authorized and directed to apply for appropriate State aid reimbursement for said program on behalf of the County; and, be it further

RESOLVED, That the Citizens in Community Services, Inc., shall be paid the sum of \$84,800.00 for such services upon rendering of a verified account with verified or certified vouchers attached, with final payment to be submitted only after receipt of the required annual report; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

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

RESOLVED, That the cost for said program shall be provided from Appropriation Account A.1000.3170-4939 EXP- Alternatives to Incarceration & Pre-Trial Release; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Citizens in Community Services, Inc., Administrative Judge for the Fourth Judicial District, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

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

Resolution No. 495

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

RESOLUTION AUTHORIZING CONTRACT WITH CITIZENS IN
COMMUNITY SERVICE FOR COMMUNITY RESTITUTION PROGRAM (2017)

WHEREAS, the Board of Supervisors has identified "alternatives to incarceration" as an important "Core Program"; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign a contract with Citizens in Community Services, Inc., to provide a Community Restitution Program for the County of Fulton, as described in their proposal, at a cost on an annual basis not to exceed \$21,450.00; such contract to become effective from and as of January 1, 2017 through December 31, 2017; and, be it further

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

RESOLVED, That the Citizens in Community Services, Inc. is hereby authorized and directed to apply for appropriate State aid reimbursement for said program on behalf of the County; and, be it further

RESOLVED, That the Citizens in Community Services, Inc., shall be paid the sum of \$21,450.00 for such services, and such payments will be in four (4) quarterly installments, with final payment to be submitted only after receipt of the required annual report; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That the cost for said program shall be provided from Appropriation Account A.1000.3170-4939 EXP-Alternatives to Incarceration & Pre-Trial Release; and be it further

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

Seconded by Supervisor HANDY and adopted by the following vote:

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

Resolution No. 496

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

RESOLUTION AUTHORIZING CONTRACT WITH CITIZENS IN COMMUNITY SERVICE FOR THE 2017 COMMUNITY SERVICE YOUTH PROGRAM

WHEREAS, the 2017 Adopted budget identifies a \$7,800.00 funding contribution for Citizens in Community Service to operate the Community Service Youth Program; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Citizens in Community Services, Inc., to operate the Community Service Youth Program in 2017, at a cost of \$7,800.00; such contract to become effective from and as of January 1, 2017 through December 31, 2017; and, be it further

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

RESOLVED, That the Citizens in Community Services, Inc. is hereby authorized and directed to apply for appropriate State aid reimbursement for said program on behalf of the County; and, be it further

RESOLVED, That any contract payments be stipulated upon the timely submission of an annual report for the prior program year and appropriate new contract documentation to the satisfaction of the County Auditor; and, be it further

RESOLVED, That the cost for said program shall be provided from A.1000.3170-4939 EXP-Alternatives to Incarceration & Pre-Trial Release; and be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

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

Resolution No. 497

Supervisors WALDRON AND ARGOTSINGER 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 339 of 2016 authorized advertisement for bids for the purchase of uniforms for use in the Sheriff's Department and two (2) bids were received; now, therefore be it

RESOLVED, That the net estimated bid (via unit pricing), as submitted by United Uniform Company of Buffalo, New York, 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. 2016-30-02, dated December 14, 2016, at the following amounts:

<u>Category</u>	<u>Bid Amount</u>
Uniforms	\$80,505.52
Equipment/Accessories	\$20,825.00

Effective January 1 through December 31, 2018, 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 LAURIA and adopted by the following vote:

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

Resolution No. 498

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

RESOLUTION AWARDING BID FOR THE LEASE OF TWO (2) SEDANS AND TWO (2) MINI-VANS FOR USE IN THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, Resolution 380 of 2016 authorized advertisement for bids for two (2) sedans and two (2) mini-vans for use in the Department of Social Services and four (4) bids were received; now, therefore be it

RESOLVED, That the net bids, as identified below, for a three-year lease (without maintenance) of two (2) sedans and two (2) mini-vans for use in the Department of Social Services be and hereby are awarded; they being the lowest responsible bidders in accordance with Specification No. 2016-50-02, dated December 14, 2016:

Main Motor Car	Two (2) Sedans	\$13,708.00
Johnstown, New York	Two (2) Mini-vans	\$20,908.00

and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement with said bidders for the lease of said vehicles, effective on or about February 1, 2017 and continuing for three years; said agreements 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, Social Services Commissioner, All Bidders, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

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

Resolution No. 499

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PAYMENT FOR COURT-ORDERED COMMITMENT TO
CENTRAL NEW YORK FORENSIC UNIT (COMMUNITY SERVICES DEPARTMENT)**

WHEREAS, an individual in County custody was placed at the Central New York Forensic Unit via a court-ordered commitment; and

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

WHEREAS, the Director of Community Services has reviewed the circumstances of the committal and the charges and recommends payment of the amount invoiced for the months of October, November and part of December 2016; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is directed to issue a payment to the Central New York Forensic Unit in the amount of \$34,655.00, for services rendered for the months of October, November and part of December 2016; and, be it further

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

From: A.1000.1990-4907 – EXP – Contingent Fund Expense
To: A.4310.4310-4090 – EXP – Professional Services
Sum: \$34,655.00

and, be it further

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

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

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

Resolution No. 500

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS

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

Real Property

From: A.1355.1355-4200 – EXP - Miscellaneous
To: A.1355.1355-1100 – EXP - Overtime
Sum: \$75.00

County Clerk

From: A.1410.1410-4210 – EXP- Trainings and Conferences
To: A.1410.1410-1100 – EXP – Overtime
Sum: \$25.00

Highway and Facilities

From: A.1620.1620-4510 – EXP – Uniforms	1,500.00	
A.1620.1620-4580 – EXP – Gas-Fuel	2,500.00	
To: A.1620.1620-1100 – EXP – Overtime		\$4,000.00

Sheriff

From: A.3110.3150-4030 – EXP – Repairs (Corrections)	\$ 110.00	
A.3110.3150-4040 – EXP – Insurance (Corrections)	140.00	
A.3110.3150-4090 – EXP – Professional Services (Corrections)	900.00	
To: A.3110-3160-4130 – EXP – Contractual (Penitentiary)		\$1,150.00
From: A.3110.3150-1000 – EXP – Payroll (Corrections)	\$10,300.00	
To: A.3110.3150-1100 – EXP – Overtime (Corrections)		\$10,000.00
A.3110.3151-1000 – EXP – Payroll (Special Corrections Officers)		300.00

Solid Waste

From: CL.8160.8161-1000 – EXP - Payroll
To: CL.8160.8161-1100 – EXP - Overtime
Sum: 1,000.00

Resolution No. 500 (Continued)

RESOLVED, That the 2016 Adopted Budget be and hereby is amended, as follows:

Treasurer

Decrease A.1000.0599-0599 - REV - Appropriated Fund Balance \$ 93,217.00

Revenue

Decrease A.1000.1090-1090 – REV – Interest – Penalties on Real Property Taxes	\$125,000.00	
Increase A.1000.2701-2701 – REV - Refunds of Prior Year	\$141,585.00	
Increase A.1000.2720-2720 – REV – Off Track Betting Dist Earnings	25,000.00	
Increase A.1000.2770-2770 – REV – Other	<u>51,632.00</u>	
	\$218,217.00	\$218,217.00

Social Services

Decrease A.1000.0599-0599 - REV - Appropriated Fund Balance \$281,379.00

Expense Account:

Decrease: A.6010.6010-4560 EXP – DSS Printing \$ 12,000.00

Revenue Account:

Increase A.6010.6055-3655 REV – DSS-Day Care	155,000.00	
Increase A.6010.6119-1819 REV – DSS-Child Care	132,000.00	
Increase A.6010.6140-4640 REV – Fed Aid-DSS-Safety Net Assist	20,000.00	
Increase A.6010.6109-1809 REV – DSS-Family Assistance	53,379.00	
Increase A.6010.6109-4609 REV – DSS-Family Assistance	300,000.00	
Increase A.6010.6010.1841 REV – DSS-HEAP	9,000.00	
Decrease A.6010.6119-4619 REV – DSS-Child Care		<u>400,000.00</u>
	\$681,379.00	\$681,379.00

and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

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

Resolution No. 501

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH SENATOR JAMES TEDISCO FOR OFFICE SPACE AT THE COUNTY OFFICE BUILDING

WHEREAS, Senator James Tedisco has expressed an interest in locating a 49th Senate District office at the County Office Building, 223 West Main Street, Johnstown, NY 12095; and

WHEREAS, a NYS Senate office in the County Office Building would facilitate services to constituents in the county and facilitate communication between the Senator and County government; now, therefore be it

RESOLVED, That the Board of Supervisors hereby authorizes the Chairman of the Board to execute a Memorandum of Understanding with Senator James Tedisco to house a 49th Senate District office at the Fulton County Office Building, 223 West Main Street, Johnstown, NY 12095 encompassing 480 square feet more or less; and, be it further

RESOLVED, That said office space, as defined above, shall be provided for the period January 17, 2017 through December 31, 2018 at no cost to Senator Tedisco for rent and shall include routine custodial services similar to those provided to County Departments within the County Office Building; and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

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

Resolution No. 502

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPROVING MINUTES OF LAST SESSION

RESOLVED, That the minutes of this meeting, as prepared and arranged by the Administrative Officer/Clerk of the Board of Supervisors, be and the same are prepared as the minutes of the last session of the Board of Supervisors of Fulton County for the year 2016.

Seconded by Supervisor CALLERY and adopted by the following vote:

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

