

SEVENTH REGULAR SESSION

Johnstown, NY

July 13, 2015

Roll Call – Quorum Present

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

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

Chairman Ottuso called the meeting to order at 1:00 p.m. with Supervisor Lauria absent upon roll call. Following the Pledge of Allegiance to the Flag, Chairman Ottuso asked if there was anyone from the public who wished to address the Board. There being no one present who wished to speak, Chairman Ottuso asked Robert Roth, Capital District OTB Representative to proceed with the presentation of the 2015 OTB Scholarship awards.

Jon Stead, Administrative Officer/Clerk of the Board, advised that this is the time of year when the County Board of Supervisors and the Capital District OTB jointly sponsor a scholarship essay competition for high school seniors in Fulton County regarding County government. He had copies of the winning essays if any Supervisor wanted to read one.

Mr. Roth and Chairman Ottuso then presented Marino Fabozzi of Johnstown High School with a certificate for the first place scholarship award for 2015. Next, third place winner, Kristin Wright from Johnstown High School, was presented her third place certificate. Mr. Roth advised that the second place winner, Ashley Davenport of Johnstown High School, was not able to attend today.

REPORTS

- A. NYS Region 5 Fish and Wildlife Management Board Minutes, May 21, 2015.
- B. Haroff Auction & Realty, Inc. Summary Report for Fulton County, June 17, 2015.

REPORTS OF SPECIAL COMMITTEES

Adirondack Park Local Government Review Board: Supervisor Groff advised that the Adirondack Park Local Government Review Board has been working on educating the public on the threat of invasive species to the region's water bodies.

Soil and Water Conservation District: Supervisor Greene advised that the Soil and Water Conservation District Board met on June 16. They are dealing with ten (10) drainage problems and four (4) issues dealing with pond issues. They also discussed fish deliveries to ponds. The District is also continuing to work with the Personnel Department on the "Resource Conservation" position at the District.

CHAIRMAN'S REPORT

Chairman Ottuso read a letter from Montgomery County Sheriff Michael Amato regarding the jointly owned E911 phone system. Sheriff Amato praised Planning Director, James Mraz, for his continued dedicated, professional and knowledgeable manner. Sheriff Amato also thanked the Board of Supervisors for their continued support of the E911 phone system project.

RESOLUTIONS

No. 233 (Resolution Authorizing Amendment No. 1 to the Contract with DM Romeyn Civil Engineering Design, PLLC for Construction Engineering Services for the Records Storage Room Project – Phase II 2015 Capital Plan): Supervisor Callery advised that he is opposed to this Resolution. He added that it is not the money involved, rather it is the principal that the engineer provided a cost estimate and should not receive any additional money for something that he missed.

No. 245 (Resolution Authorizing a “SMART Waters” Memorandum of Agreement Between the County of Fulton, City of Gloversville Common Council, and the Gloversville Board of Water Commissioners): Supervisor Gendron commented that all can benefit from the excess capacity of water from the City of Gloversville and that the Agreement is a win-win situation for all parties involved. Supervisor Gendron also thanked the members of the Board of Supervisors’ negotiation team and Mr. Mraz, Planning Director, for their devoted hours of time. Supervisor Gendron added that this is a great step for Fulton County.

Supervisor Johnson agreed with Supervisor Gendron and added that there was some opposition from people in Gloversville in an article in the newspaper. He asked if something was agreed upon to pursue a City referendum. Mr. Stead explained that both the Gloversville Common Council and Gloversville Board of Water Commissioners have approved the agreement. Mr. Stead also explained that there is no public referendum scheduled for this that he is aware of.

Supervisor Greene agreed with Supervisor Gendron and said that everyone should be happy and it was a “win-win across the board”. He further explained that he has spoken to some constituents in his ward and they had three (3) concerns with the Agreement: 1) length of agreement and that maybe at the 20 year mark, the agreement be reviewed 2) what happens if there is a natural or man-made disaster? Would insurance cover it? 3) how to address the 1 percent sales tax if the State does not approve it in the future.

Supervisor Born agreed with the comments made and advised that she does not think that the public understands the advantages that could happen for the City of Gloversville with this agreement. She also advised that an article should be written in the paper that spells out exactly what the City of Gloversville will stand to gain financially with this agreement.

Supervisor Young advised that he has also talked to constituents about the sales tax revenue and he is hoping that this agreement kicks off additional agreements to work together and share services.

Supervisor Fagan commented that he was part of the team that was negotiating this deal and that he is happy that “a big piece of the puzzle” is being solved and the County still has a lot of other things to put into place. There is a lot more planning and initiatives to be done and it would be nice to get the area to grow like 20 or 30 years ago.

Chairman Ottuso advised that the public must understand that you cannot always negotiate in public and that elected officials have to move forward and make things happen. He is happy with the “SMART Waters” agreement for both the County and the City of Gloversville.

Chairman Ottuso then recognized Dr. Dustin Swanger, President, Fulton-Montgomery Community College who was present to provide a brief summary of the FMCC Proposed Budget for 2015-2016 for the Public Hearing scheduled today.

Dr. Swanger explained that he had previously provided an Enrollment Plan for FMCC to the Board. Dr. Swanger commented that this is the first time in eight (8) years that FMCC has asked for a sponsor share increase. He is asking for a \$100,000.00 increase in sponsor shares from both Fulton County and Montgomery County. He explained that there is a 3 percent decrease in enrollment from the 2014-2015 Budget. There will be a tuition increase for students bringing the total cost to \$3,900 per year. FMCC will be using approximately \$500,000.00 in fund balance. The state rate for each full-time equivalent (FTE) student went up by \$100.00, but with declining enrollment, FMCC will still receive less state aid. Dr. Swanger stated that he does not expect to ask for any increases in the next two years if this increase is approved.

Chairman Ottuso opened the Public Hearing for the purpose of receiving comments regarding the Tentative Budget for Fulton-Montgomery Community College as Related to the Financial Share and Obligation of Fulton County for the Fiscal Year Beginning September 1, 2015, Pursuant to Chapter 631 of the Laws of 1965 at 1:26 p.m.

There being no interested speakers, Chairman Ottuso advised that he would keep the Public Hearing open for a portion of the Board meeting.

No. 266 (Resolution Approving Installation of Solar Array Project on FMCC Campus Property (Dynamic Energy Project): Mr. Stead explained that the Resolution approved a short-term months lease at the end of the current 30 year lease agreement. He also explained that this Resolution approving the installation is a follow-up to a Resolution approved a couple months ago. There is no cost to the College in relation to the existing lease, but it does require that both Counties agree. Both steps are necessary for FMCC and HFM BOCES to proceed with the solar array project.

Chairman Ottuso asked if there were any members of the public who wished to make public hearing comments regarding the Tentative Budget for Fulton-Montgomery Community College as Related to the Financial Share and Obligation of Fulton County for the Fiscal Year Beginning September 1, 2015, Pursuant to Chapter 631 of the Laws of 1965. There being no interested speakers, Chairman Ottuso closed the public hearing at 1:37 p.m.

Chairman Ottuso then opened the Public Hearing for the purpose of receiving comments regarding Proposed Local Law “B” of 2015 Adjusting Salaries of Elected and Appointed Positions in the County of Fulton (2015-2017) at 1:38 p.m.

John Kane, 165 West Bush Road, Gloversville – Mr. Kane stated that he was against the reward of raises for department heads and appointed positions in the County of Fulton. He said that, in his opinion, Mr. Stead was bragging about reducing the County workforce when delivering his annual State of the County Address earlier this year. He further asked rhetorically if the raises were a “reward” for getting rid of the Infirmary.

Chairman Ottuso asked if there were any members of the public who wished to make public hearing comments regarding Proposed Local Law “B” of 2015 Adjusting Salaries of Elected and Appointed Positions in the County of Fulton (2015-2017). There being no interested speakers, Chairman Ottuso closed the public hearing at 1:45 p.m.

No. 252 (Resolution Adopting Proposed Local Law “B” of 2015 Adjusting Salaries of Elected and Appointed Positions in the County of Fulton (2015-2017)): Supervisor MacVean asked why the Board doesn’t wait until budget time to raise salaries because then the money could be budgeted.

Mr. Stead explained that normally the setting of non-union salaries is done the same time that a contract is passed with the CSEA General Unit. Mr. Stead further explained that this would normally be done in the fall of last year; however, the Personnel Committee recommended waiting until negotiations with the General Unit were concluded.

NEW BUSINESS

Supervisor Born advised that there were tickets available for the annual Office for Aging Senior Picnic and Supervisors should show their support by attending.

Chairman Ottuso advised that the Town of Caroga was having a block party this weekend and he would like to see a show of support from his fellow Supervisors by their attendance at the Block Party.

Supervisor Young commented that he attended the Buck Moon Arts Festival at FMCC this past weekend and the Sir William Johnson Market Days. It was great to see things moving in the county.

Supervisor Groff advised that Northville would be sponsoring a Wood Working and Craft show this coming weekend.

Chairman Ottuso recessed the Board Meeting at 1:53 p.m.

Chairman Ottuso reconvened the Board Meeting at 2:22 p.m.

Upon a motion by Supervisor Callery, seconded by Supervisor Gendron and unanimously carried, the Board entered into Executive Session at 2:22 p.m. for employment history.

Upon a motion by Supervisor Callery, seconded by Supervisor Waldron and unanimously carried, the Board re-entered into Regular Session at 3:26 p.m.

Upon a motion by Supervisor Callery, seconded by Supervisor Waldron and unanimously carried, the meeting adjourned at 3:27 p.m.

Certified by:

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

Resolution No. 233

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

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH DM
ROMEYN CIVIL ENGINEERING DESIGN, PLLC FOR CONSTRUCTION
ENGINEERING SERVICES FOR THE RECORDS STORAGE ROOM
PROJECT – PHASE II (2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan includes a Record Storage Room Project – Phase II in the Fort Johnstown Building; and

WHEREAS, Resolution 110 of 2015 authorized a contract with DM Romeyn Civil Engineering Design, PLLC for Construction Inspection Services for the Records Storage Room Project – Phase II; and

WHEREAS, during demolition work related to the project, it was discovered that the vertical steel bars and horizontal steel plates of the jail cells that provide structural support were not welded together; and

WHEREAS, DM Romeyn Civil Engineering PLLC was directed to re-evaluate the bars, perform additional structural loading calculations and prepare a design of work needed to ensure proper support for the building; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committees on Building and Grounds/Highway, and Finance, the Chairman of the Board be and hereby is authorized to sign Amendment No. 1 to the contract with DM Romeyn Civil Engineering Design, PLLC of Gloversville, NY for additional engineering design and inspection services for the Records Storage Room Project – Phase II at the Fort Johnstown Building as follows:

Original Contract Amount:	\$ 625.00
Amendment No. 1	<u>520.00</u>
Revised Contract Amount:	\$1,145.00

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Increase-A.0511 Appropriated Reserves	\$520.00
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Appropriation Account:

Increase A.9950.9950-9000 EXP-Transfers	\$520.00
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and, be it further

Resolution No. 233 (Continued)

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

From: A.0881-County Clerk Technology Improvement Reserve
To: A.0909-Unreserved Fund Balance
Sum: \$520.00

From: A.9950.9950-9000-EXP-Transfers
To: H.8020.1622.2100.0725-Record Storage Room-Phase II
Sum: \$520.00

and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 447 (15) Nays: 81 (4) (Supervisors Callery, Greene, Howard and Potter) Absent: 23 (1) (Supervisor Lauria)

Resolution No. 234

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

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH
R&B CONSTRUCTION LLC FOR THE RECORDS STORAGE ROOM
PROJECT – PHASE II (2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan identifies a Records Storage Room Project – Phase II in the Fort Johnstown Building; and

WHEREAS, Resolution 109 of 2015 awarded a bid to R&B Construction LLC for the Records Storage Room Project-Phase II; and

WHEREAS, during demolition work related to the project, it was discovered that the vertical steel bars and horizontal steel plates of the jail cells that provide structural support were not welded together; and

WHEREAS, R&B Construction completed additional work welding the vertical steel bars and horizontal steel plates of the jail cells to ensure proper support for the building as specified by the project engineer; and

WHEREAS, the cost for the additional work was \$8,439.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the contract with R&B Construction, LLC for additional work welding vertical steel bars and horizontal steel plates of the jail cells related to the Records Storage Room Project – Phase II as follows:

Original Contract Amount:	\$34,500.00
Change Order No. 1	<u>5,589.00</u>
Revised Contract Amount	\$40,089.00

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Increase-A.0511 Appropriated Reserves \$7,980.00

Appropriation Account:
Increase A.9950.9950-9000 EXP-Transfers \$7,980.00

and, be it further

Resolution No. 234 (Continued)

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

From: A.0881-County Clerk Technology Improvement Reserve
To: A.0909-Unreserved Fund Balance
Sum: \$7,980.00

From: A.9950.9950-9000-EXP-Transfers
To: H.8020.1622.2100.0725-Record Storage Room-Phase II
Sum: \$7,980.00

and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

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

Resolution No. 235

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING DISTRIBUTION OF A REQUEST FOR PROPOSALS
FOR LEASE OF THE RESTAURANT BUILDING AT THE FULTON COUNTY
AIRPORT**

WHEREAS, the lease agreement for the current tenant in the restaurant building at the Fulton County Airport is expiring on December 31, 2015; and

WHEREAS, the Committee on Buildings and Grounds/Highway recommends soliciting parties that may be interested in leasing the County-owned restaurant building located at the Fulton County Airport; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to distribute a Request for Proposals from interested parties to rent the restaurant building at the Fulton County Airport (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, August 19, 2015; 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, Fixed Base Operator, 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 Lauria)

Resolution No. 236

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION APPROVING “FLEA MARKET” EVENT SPONSORED BY GRANDMA MILLIE’S RESTAURANT AT THE FULTON COUNTY AIRPORT (2015)

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

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

RESOLVED, That upon the recommendation of the Committee on Buildings and Grounds/Highway, Grandma Millie’s Bakery and Café be and hereby is authorized to utilize the Fulton County Airport for a “Flea Market” on Sunday, August 23, 2015, contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

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

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

Seconded by Supervisor GROFF and adopted by the following vote:

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

Resolution No. 237

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

RESOLUTION AWARDING BID TO JAMES A. EDGAR, INC. FOR ROOF
REPLACEMENT PROJECT AT THE FULTON COUNTY CORRECTIONAL FACILITY
(2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan includes a Roof Replacement Project at the Fulton County Correctional Facility; and

WHEREAS, Resolution No. 157 of 2015 authorized advertisement for bids for said roof replacement project, and three (3) bids were received; and

WHEREAS, the Superintendent of Highways and Facilities, Purchasing Agent and the Committees on Buildings and Grounds/Highway, and Finance recommend that a contract be awarded to James A. Edgar, Inc. of Scotia, NY for the Fulton County Correctional Facility Roof Replacement Project, at a cost not to exceed \$260,725.00; and

WHEREAS, inasmuch as the bids exceeded the budgeted appropriation for said project, the Committee on Finance recommends appropriating additional funds from the Capital Improvement Reserve to complete the project; now, therefore be it

RESOLVED, That the net bid in the amount of \$260,725.00 (inclusive of Alternate Bid 2-Add Cover Board at \$27,575.00), as submitted by James A. Edgar, Inc. of Scotia, NY for the Fulton County Correctional Facility Roof Replacement Project, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED that the Superintendent of Highways and Facilities has also requested that a project contingency allowance in the amount of \$23,315.00 be established to address any unforeseen circumstances that may arise during the project; and, be it further

RESOLVED, That the Superintendent of Highways and Facilities be and hereby is delegated authority to approve required field Change Orders during said project, up to a not-to-exceed total of \$10,000.00 and contingent upon not exceeding the total contract amount, and is directed to report any such approved change orders to the Board of Supervisors at its next meeting; and, be it further

RESOLVED, that the Superintendent shall process appropriate Change Order requests for approval by the Board of Supervisors to charge said contingency allowance; and, be it further

Resolution No. 237 (continued)

RESOLVED, That the 2015 Adopted Budget be and hereby is amended as follows:

Increase A.0511 Appropriated Reserves \$43,840.00

Appropriation Account:

Increase A.9950.9950-9000 EXP-Transfer \$43,840.00

and, be it further

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

From : A.0883.0800 Capital Improvement Reserves
To : A.0909 Unreserved Fund Balance
Sum : \$43,840.00

From: A.9950.9950-9000 EXP-Transfer
To: H.1620.1624-2100.0715 EXP Correctional Facility Roof Replacement
Sum: \$284,040.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, James A. Edgar, Inc., 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 Lauria)

Resolution No. 238

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING COUNTY ROADS FOR SNOW AND ICE CONTROL
DURING WINTER OF 2015-2016

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

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

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

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

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

Seconded by Supervisor BRADT and adopted by the following vote:

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

COUNTY ROADS OF FULTON COUNTY DESIGNATED
FOR
SNOW AND ICE CONTROL DURING WITNER OF 2015-
2016

<u>Rd. No.</u>		<u>Length</u>
101	St. Rte. 29A westerly to Co. Rd. 131	1.81
102	Phelps St.-G'ville City Line northeasterly to St. Rte. 30A (2.12 Tn. Johnstown; 1.28 Tn. Mayfield)	 3.40
103	St. Rte. 67 southeasterly to Montgomery Co. Line	0.52
104	St. Rte. 29A southerly to Co. Rd. 119	2.37
105	St. Rte. 920J westerly to Gloversville City Line	0.27
106	St. Rte. 29 southeasterly to St. Rte. 30 (2.85 Tn. Mayfield; 1.42 Tn. Perth)	 4.27
107	Johnstown City Line easterly to Co. Rd. 132 (3.26 Tn. Johnstown; 6.51 Tn. Perth; 4.97 Tn. Broadalbin)	 14.74
108	St. Rte. 331 westerly to Herkimer Co. Line	4.03
109	Co. Rd. 110 southerly to Saratoga Co. Line (0.24 Tn. Northampton; 1.43 Tn. Broadalbin)	 1.67
110	Broadalbin Village Line northerly to Saratoga Co. Line (6.59 Tn. Broadalbin; 0.98 Tn. Northampton)	 7.57
111	St. Rte. 29A northerly to Kasson Drive	1.36
112	St. Rte. 29A easterly to St. Rte. 309 (2.22 Tn. Caroga; 6.62 Tn. Bleecker)	 8.84
113	Northville Village limits to Saratoga Co. Line	1.48
114	St. Rte. 29 southerly to Montgomery Co. Line	2.84
116	St. Rte. southerly to Sammonsville	4.38
116A	Montgomery Co. Line northerly to Co. Rd. 116 intersection	0.59
117	Co. Rd. 107 to Co. Rd. 107 Tryon Technology Park	1.28
119	St. Rte. 29 northwesterly to Herkimer Co. Line (5.00 Tn. Ephratah; 6.59 Tn. Stratford)	 11.59
120	Co. Rd. 108 to Dolgeville Village limits	2.58
121	Gloversville City Line to Co. Rd. 122	0.53
122	Johnstown City Line northeasterly to Co. Rd. 102	5.52

123	St. Rte. 30 northeasterly to Co. Rd. 152 (4.28 Tn. Mayfield, 1.88 Tn. Northampton)	6.16
125	Co. Rd. 112 to Hamilton Co. Line	7.42
126	Co. Rd. 155 to Montgomery Co. Line (3.19 Tn. Broadalbin; 2.41 Tn. Perth)	5.60
130	St. Rte. 30 to St. Rte. 30	0.51
131	St. Rte. 29 northerly to Co. Rd. 101	2.10
131A	Johnstown City Line westerly to Co. Rd. 131 intersection	1.58
132	Co. Rd. 107 southerly to Montgomery Co. Line	3.03
137	St. Rte. 29A to Cape Horn Rd.	3.79
138	Co. Rd. 110 southerly to St. Rte. 29	4.65
140	St. Rte. 10 to Montgomery Co. Line	2.58
142	Co. Rd. 107 southerly to Montgomery Co. Line	2.65
142A	St. Rte. 67 northeasterly to Co. Rd. 142 intersection	0.92
143	Northville Village Limits to Hamilton Co. Line	1.59
145	Co. Rd. 112 northerly to Barlow Rd.	1.35
146	Co. Rd. 102 northeasterly to St. Rte. 30 (1.63 Tn. Mayfield; 0.09 Vill. Mayfield; 1.75 Tn. J'town)	3.47
148	Johnstown City Line southerly to Montgomery Co. Line	0.65
149	Co. Rd. 113 northerly to Northville Village limits	1.19
150	Co. Rd. 108 easterly to St. Rte. 331	1.17
151	St. Rte. 29 south to Co. Rd. 108	2.20
152	St. Rte. 30 northerly to St. Rte. 920H	3.04
153	Airport Rd.-St. Rte. 67 northerly	0.36
154	G'ville City Line easterly to St. Rte. 30A & St. Rte. 349 northeasterly to St. Rte. 30A (0.67 Tn. J'town; 0.79 Tn. M'field)	1.46
155	St. Rte. 29 easterly to St. Rte. 30 easterly to St. Rte. 29 (0.02 Tn. Broadalbin; 1.29 Tn. Mayfield)	1.31
156	St. Rte. 67 northerly to St. Rte. 29	1.28
157	St. Rte. 349 northerly to Co. Rd. 154	0.83
158	St. Rte. 29 southerly to Co. Rd. 107 (0.32 Tn. Mayfield; 1.38 Tn. Perth)	<u>1.70</u>
	TOTAL	144.23

Resolution No. 239

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

RESOLUTION AUTHORIZING 2015-2016 AGREEMENTS FOR SNOW AND ICE CONTROL ON CERTAIN DESIGNATED ROADS

RESOLVED, That the Chairman of the Board of Supervisors and the County Highway Superintendent are hereby empowered and directed to enter a written agreement with the following towns in Fulton County for snow and ice control on certain designated County roads during the season of 2015-2016, at a cost of \$5,000.00 per mile:

<u>Town</u>	<u>Mileage</u>
Bleecker	2.15 (includes contract for plowing Tower Rd)
Caroga	5.15
Ephratah	7.40
Johnstown	6.72
Mayfield	5.91
Northampton	9.69
Perth	3.03
Stratford	<u>8.96</u>
TOTAL	49.01

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 POTTER and adopted by the following vote:

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

Resolution No. 240

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

RESOLUTION AUTHORIZING CONTRACT WITH THE TOWN OF BLEECKER FOR 2015-2016 WINTER MAINTENANCE OF THE COMMUNICATIONS TOWER ROAD

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

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

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

RESOLVED, That the cost for said work shall be charged against Appropriation Account D.5010.5142-4130 Snow Rem./County-Town Contr; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

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

Resolution No. 241

Supervisor FAGAN offered the following Resolution and moved its adoption:

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

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of unleaded fuels for the fuel dispensing system located at the County Services Complex and Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Room 203, County Office Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That said bids must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Office Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, August 19, 2015; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Solid Waste Deputy Director, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by Supervisor CALLERY and adopted by the following vote:

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

Resolution No. 242

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

RESOLUTION AUTHORIZING A CONTRACT WITH SOLAR LIBERTY FOR A SOLAR ENERGY PROJECT AT THE FULTON COUNTY SOLID WASTE FACILITY

WHEREAS, Resolution 388 of 2014 authorized a Request for Proposals for a Solar Energy Alternatives Project and three (3) proposals were received; and

WHEREAS, the Committees on Economic Development & Environment, and Finance recommended entering into a contract with Solar Liberty for a Solar Array Project located at the Department of Solid Waste; and

WHEREAS, Resolution 161 of 2015 endorsed the concept of a Solar Energy Project at the Fulton County Landfill via a 20-year Power Purchase Agreement (PPA) with Solar Liberty that will result in extensive electrical cost savings to County government via remote net-metering; and

WHEREAS, the Solid Waste Operations Consultant recommends a PPA schedule with a fixed rate of 9.9 cents per kilowatt hour that would generate savings to the County estimated at approximately \$4,273,563.00, over a 20-year period; now, therefore be it

RESOLVED, That the Chairman of the Board, be and hereby is, authorized to sign a 20 year Power Purchase Agreement with Solar Liberty, of Buffalo, NY, for a Solar Array Energy Project at the Department of Solid Waste; said contract subject to approval of the County Attorney; and, be it further

RESOLVED, That copies of this Resolution be forwarded to the County Treasurer, Deputy Director of Solid Waste, Solid Waste Operations Consultant, Superintendent of Highways and Facilities, County Attorney, Solar Liberty, 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 Lauria)

Resolution No. 243

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

RESOLUTION AWARDING BID FOR A WALKING FLOOR TRAILER FOR USE IN THE SOLID WASTE DEPARTMENT (2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan includes a new Walking Floor Trailer for use in the Solid Waste Department; and

WHEREAS, Resolution No. 163 of 2015 authorized advertisement for bids for said Walking Floor Trailer and one (1) bid was received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committees on Economic Development and Environment and Finance recommend that the bid be awarded to Mac Trailer Manufacturing for a Walking Floor Trailer at a cost not to exceed \$65,973.00 (inclusive of Add Alternate 1: Add Tarp System); now, therefore be it

RESOLVED, That the net bid in the amount of \$65,973.00, including an add alternate bid of \$3,689.00 for a tarp system, as submitted by Mac Trailer Manufacturing of Alliance, OH for a Walking Floor Trailer be and hereby is awarded; they being the only bidder in accordance with project specifications; and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended as follows:

Increase CL.0511 Appropriated Reserves \$10,973.00

Appropriation Account

Increase CL.8160.8161.2010 EXP-Capital Expense \$10,973.00

and, be it further

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

From: CL.0883 Equipment Reserve
To: CL.0909 Unreserved Fund Balance
Sum: \$65,973.00

Resolution No. 243 (continued)

and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

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

Resolution No. 244

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND WASTE CONNECTIONS CORPORATION FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2015)

WHEREAS, Waste Connections Corporation has contacted the Solid Waste Department with a request to utilize the Fulton County Landfill during 2015 for the disposal of sludge from Keymark Corporation, located in Fonda, NY; and

WHEREAS, the Deputy Solid Waste Director and Solid Waste Operations Consultant recommend entering a contract with private hauler Waste Connections; now, and 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 Waste Connections of Clifton Park, New York for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, with a guaranteed disposal amount of 500 tons during the term of said contract, effective July 13, 2015 through December 31, 2015; 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, Deputy Director of Solid Waste, Waste Connections, 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 Lauria)

Resolution No. 245

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

RESOLUTION AUTHORIZING A “SMART WATERS” MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF FULTON, CITY OF GLOVERSVILLE COMMON COUNCIL, AND THE GLOVERSVILLE BOARD OF WATER COMMISSIONERS

WHEREAS, Resolution 213 of 2013 authorized a contract with Environmental Design Partnership, LLP (EDP) to prepare a model for Fulton County’s “SMART Waters” System; and

WHEREAS, EDP’s Findings Report titled, “SMART Waters: A Regional Model for Water and Wastewater Services in Fulton County, NY” concluded that a regional water and wastewater system can be successfully implemented by Fulton County and provide economic benefits for the Region by promoting land development; and

WHEREAS, Resolution 163 of 2014 supported the creation of a regional water and wastewater system in Fulton County and authorized the commencement of discussions with the Cities of Gloversville and Johnstown, Villages of Broadalbin, Mayfield and Northville, Town of Northampton, Gloversville-Johnstown Joint Wastewater Treatment Facility, City of Amsterdam, Hudson River-Black River Regulating District and any other appropriate municipalities/organizations; and

WHEREAS, representatives of Fulton County and City of Gloversville officials have met periodically for several months to negotiate a Memorandum of Agreement that establishes a framework of terms and conditions for a formal Inter-municipal Cooperation Agreement that will govern the purchase of excess water capacity by the Fulton County Water and Sewer Agency from the City;

WHEREAS, on June 15, 2015, the Gloversville Board of Water Commissioners approved the aforementioned Memorandum of Agreement; and

WHEREAS, on June 27, 2015, the Gloversville Common Council approved the aforementioned Memorandum of Agreement; now, therefore be it

RESOLVED, That said Memorandum of Agreement, as attached hereto and made a part hereof, shall include the following terms, conditions and responsibilities:

Gloversville City Responsibilities:

1. The CITY shall supply up to 2.0 million gallons of water per day, on a 30-day average, to the Fulton County Water and Sewer Agency to use anywhere.
2. The CITY shall charge the Fulton County Water and Sewer Agency the in-City rate charged to residential customers within the City of Gloversville.

Resolution No. 245 (Continued)

3. In accordance with Section 13 of the Gloversville-Johnstown Joint Sewer Contract dated May 22, 1964, the CITY hereby consents to and approves allowing CITY sewer lines to be extended outside the City to any property serviced by water coming from the CITY.
4. The CITY agrees to execute a 40-year Inter-Municipal Agreement with the COUNTY to sell water to the COUNTY in accordance with this MOA.

Gloversville Water Board Responsibilities:

1. The WATER BOARD shall supply up to 2.0 million gallons of water per day, on a 30-day average, to the Fulton County Water and Sewer Agency to use anywhere.
2. The WATER BOARD shall be responsible for the operation, maintenance and repair of all water infrastructure installed by the Fulton County Water and Sewer Agency.
3. The WATER BOARD agrees to execute a 40-year Inter-Municipal Agreement with the COUNTY to sell water to the COUNTY in accordance with this MOA.

Fulton County Responsibilities:

1. The COUNTY shall amend Resolution 278 of 1967 and Resolution 290 of 2005 in relation to the “imposition of additional rate of sales and compensating use taxes” to provide the City of Gloversville with 15% of the COUNTY’s undistributed portion of the 1% additional County Sales Tax imposed in 2005.
2. The COUNTY shall enact a 50% exemption from COUNTY property taxes on watershed properties currently owned by the WATER BOARD.
3. The COUNTY shall, over a five (5) year installment period, reimburse the WATER BOARD’s annual debt service payment on the approximately \$335,000 in outstanding debt the WATER BOARD currently has.
4. The COUNTY, acting through the Fulton County Water and Sewer Agency, shall add an Administrative Surcharge of \$.50 per 100 cubic feet of water sold to its customers. The revenue from the Administrative Surcharge shall be paid to the CITY on an annual basis.
5. The COUNTY agrees to execute a 40-year Inter-Municipal Agreement with the CITY and WATER BOARD to purchase water from the CITY AND WATER BOARD in accordance with this MOA.

and, be it further,

Resolution No. 245 (Continued)

RESOLVED, That based 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 SMART Waters Memorandum of Agreement, as attached hereto and made a part hereof, between the County of Fulton, City of Gloversville Common Council, and the Gloversville Board of Water Commissioners; and, be it further

RESOLVED, That copies of this Resolution be forwarded to the County Treasurer, Planning Director, Gloversville Common Council, Gloversville Board of Water Commissioners, Fulton Montgomery Regional Chamber of Commerce, Fulton County Center for Regional Growth, CEO Roundtable, 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 Lauria)

**MEMORANDUM OF AGREEMENT
BETWEEN
FULTON COUNTY, CITY OF GLOVERSVILLE COMMON COUNCIL AND
CITY OF GLOVERSVILLE BOARD OF WATER COMMISSIONERS**

This Memorandum of Agreement (MOA) dated July 13, 2015 between the Fulton County Board of Supervisors having its principal office at 223 West Main Street, Johnstown, NY 12095, hereinafter referred to as COUNTY and the City of Gloversville Common Council having its principal offices at Frontage Road, Gloversville, NY 12078 hereinafter referred to as CITY and the City of Gloversville Board of Water Commissioners having its principal offices at 67-73 South Main Street, Gloversville, NY 12078, hereinafter referred to as WATER BOARD.

WHEREAS, the COUNTY created the Fulton County Water and Sewer Agency to develop COUNTY Water and Sewer Districts, and

WHEREAS, the Fulton County Water and Sewer Agency is the Fulton County Board of Supervisors, and

WHEREAS, the COUNTY desires to create a regional water system and to do so needs water capacity, and

WHEREAS, the WATER BOARD has developed an outstanding water supply and distribution system that has significant excess water capacity, and

WHEREAS, the COUNTY desires to purchase water from the CITY and WATER BOARD to develop a regional water system, and

WHEREAS, the CITY and WATER BOARD desire to sell some of its excess water capacity to the COUNTY to develop a regional water system

Now, therefore by mutual consent of the COUNTY, CITY, and WATER BOARD it is agreed as follows:

I. CITY RESPONSIBILITIES:

1. The CITY shall supply up to 2.0 million gallons of water per day, on a 30-day average, to the Fulton County Water and Sewer Agency to use anywhere.
2. The CITY shall charge the Fulton County Water and Sewer Agency the in-City rate charged to residential customers within the City of Gloversville.
3. In accordance with Section 13 of the Gloversville-Johnstown Joint Sewer Contract dated May 22, 1964, the CITY hereby consents to and approves allowing CITY sewer lines to be extended outside the City to any property serviced by water coming from the CITY.
4. The CITY agrees to execute a 40-year Inter-Municipal Agreement with the COUNTY to sell water to the COUNTY in accordance with this MOA.

II. WATER BOARD RESPONSIBILITIES:

1. The WATER BOARD shall supply up to 2.0 million gallons of water per day, on a 30-day average, to the Fulton County Water and Sewer Agency to use anywhere.

2. The WATER BOARD shall be responsible for the operation, maintenance and repair of all water infrastructure installed by the Fulton County Water and Sewer Agency.
3. The WATER BOARD agrees to execute a 40-year Inter-Municipal Agreement with the COUNTY to sell water to the COUNTY in accordance with this MOA.

COUNTY RESPONSIBILITIES:

1. The COUNTY shall amend Resolution 278 of 1967 and Resolution 290 of 2005 in relation to the “imposition of additional rate of sales and compensating use taxes” to provide the City of Groversville with 15% of the COUNTY’s undistributed portion of the 1% additional County Sales Tax imposed in 2005.
2. The COUNTY shall enact a 50% exemption from COUNTY property taxes on watershed properties currently owned by the WATER BOARD.
3. The COUNTY shall, over a five (5) year installment period, reimburse the WATER BOARD’s annual debt service payment on the approximately \$335,000 in outstanding debt the WATER BOARD currently has.
4. The COUNTY, acting through the Fulton County Water and Sewer Agency, shall add an Administrative Surcharge of \$.50 per 100 cubic feet of water sold to its customers. The revenue from the Administrative Surcharge shall be paid to the CITY on an annual basis.
5. The COUNTY agrees to execute a 40-year Inter-Municipal Agreement with the CITY and WATER BOARD to purchase water from the CITY AND WATER BOARD in accordance with this MOA.

IN WITNESS THEREOF, the parties hereto have signed their hands by their duly authorized representatives as of the 13th day of July, 2015.

CITY:

APPROVED AS TO FORM:

 DAYTON KING, MAYOR
 ATTORNEY

 ANTHONY CASALE, CITY

WATER BOARD:

 WAYNE MCCANN, PRESIDENT

COUNTY:

APPROVED AS TO FORM:

 RALPH OTTUSO, CHAIRMAN
 ATTORNEY

 JASON BROTT, COUNTY

Resolution No. 246

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

RESOLUTION COMMITTING LOCAL MATCHING FUNDS FOR PURCHASE OF TWO
NEW BUSES VIA A FULMONT COMMUNITY ACTION
AGENCY GRANT APPLICATION

WHEREAS, Fulton County Office for Aging contracts with Fulmont Community Action Agency for OFA senior transportation services; and

WHEREAS, the buses for said transportation are purchased by Fulmont via a grant with the New York State Department of Transportation; and

WHEREAS, a local share of \$23,000.00 for the grant application is required, and the Office for Aging has historically raised such funds through private donations; now, therefore be it

RESOLVED, That upon the recommendation of the Office for Aging Director and Committees on Human Services and Finance, the Chairman of the Board, be and hereby is, authorized to sign a Memorandum of Agreement committing to provide the local matching share for Fulmont Community Action Agency's grant application for the purchase of two (2) new buses for the Senior transportation Program in Fulton County; local share coming from private donations in the amount of \$23,000.00; and, be it further

RESOLVED, That the OFA Director be and hereby is directed to commence an ambitious fundraising effort to further the purport of this resolution; and, be it further

RESOLVED, That copies of this Resolution be forwarded to the County Treasurer, Director for Office for Aging, Fulmont Community Action Agency, New York State Department of Transportation, 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 Lauria)

Resolution No. 247

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

RESOLUTION APPROPRIATING ADDITIONAL NYS DEPARTMENT OF HEALTH
EBOLA GRANT FUNDS FOR PURCHASE OF IPADS AND ACCESSORIES
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 125 of April 2015 accepted 2015-2016 Ebola Grant from the NYS Department of Health in the amount of \$38,000.00; and

WHEREAS, said grant allowed for the purchase of equipment and supplies necessary for surveillance and monitoring Ebola activities in Fulton County; and

WHEREAS, the Public Health Director has requested to purchase two (2) iPads and a portable printer for use in monitoring Ebola activities utilizing Ebola grant funds; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Human Services and Finance, the Public Health Director be and hereby is authorized to purchase equipment as identified above for the Public Health Department utilizing Ebola Grant funds in the amount of \$450.00; and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A.4010.4010-3402 REV-Public Health-Grant Revenues \$450.00

Appropriation Account:

Increase A.4010.4189-2000 EXP-Equipment-Over Threshold Value \$450.00

and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

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

Resolution No. 248

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CHILDREN WITH HANDICAPPING CONDITIONS TRANSPORTATION PROGRAM (2015-2016)

WHEREAS, Resolution 209 of 2015 awarded bids for the Children with Handicapping Conditions Transportation Program for transportation services in 2015; and

WHEREAS, the Public Health Director has advised that a new route for transportation of children to the center-based program at Center for Disabilities-MOVE, Glenville, NY location is necessary; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from vendors for transportation to the Center for Disabilities-MOVE center-based program for the Children with Handicapping Conditions Transportation Program, in Glenville, NY (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, July 29, 2015, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor JOHNSON and adopted by the following vote:

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

Resolution No. 249

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2015-2016 EMERGENCY
PREPAREDNESS GRANT FROM THE NYS DEPARTMENT OF HEALTH
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 346 of 2012 authorized acceptance of 2012-13 Emergency Preparedness Grant funds from the NYS Department of Health; and

WHEREAS, in an effort to reduce the administrative burden associated with executing annual contract renewals, the NYS Department of Health will be amending the current Emergency Preparedness grant to a five (5) year term expiring June 30, 2017; and

WHEREAS, the amendment will result in a five-year contract for the period July 1, 2012 through June 30, 2017 with a total contract amount of \$267,500.00 (\$53,500.00 per year); now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and the New York State Department of Health to accept the Emergency Preparedness grant, in an amount of \$52,096.00, for the period July 1, 2015 through June 30, 2016; and, be it further

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

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

Seconded by Supervisor CHRISTOPHER and adopted by the following vote:

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

Resolution No. 250

Supervisor BORN offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF 2015-2016 EARLY INTERVENTION
ADMINISTRATION GRANT FROM THE NYS DEPARTMENT OF HEALTH
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, the Fulton County Public Health Director recommends an agreement for acceptance of Early Intervention Administration from the NYS Department of Health; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and NYS Department of Health to accept an Early Intervention Administration, in an amount of \$22,398.00, for the period beginning October 1, 2015 through September 30, 2016; said agreement subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

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

Resolution No. 251

Supervisors BORN AND CALLERY offered the following Resolution and moved its adoption

RESOLUTION WAIVING THE RESIDENCY RULE FOR HIRE OF ASSISTANT PUBLIC HEALTH DIRECTOR POSITION (PUBLIC HEALTH DEPARTMENT)

WHEREAS, the Public Health Director has advised that she has had difficulty recruiting Assistant Public Health Director candidates from within Fulton County; and

WHEREAS, the Public Health Director and Personnel Director recommend that applicants who are not residents of Fulton County be considered; and

WHEREAS, the Committees on Human Services and Personnel recommend waiving the County's "Residency Rule" to hire out-of-county residents in this instance only; now, therefore be it

RESOLVED, That the County "Residency Rule" be and hereby is waived for the hire of an Assistant Public Health Director in the Public Health Department; and, be it further

RESOLVED, That the Public Health Director be and hereby is authorized to fill the vacant position of Assistant Public Health Director in the Public Health Department with out-of-county residents and that future vacant positions should be filled in accordance with normal residency requirements; and, be it further

RESOLVED, That the candidate shall establish permanent Fulton County residency within 180 days of the appointment date; and, be it further

RESOLVED, That the Vacancy Review Policy shall remain in full force and effect; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, Personnel Director, 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 Lauria)

Resolution No. 252

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING PROPOSED LOCAL LAW “2” OF 2015 ADJUSTING SALARIES OF ELECTED AND APPOINTED POSITIONS IN THE COUNTY OF FULTON (2015-2017)

WHEREAS, a proposed Local Law “2” of 2015 entitled, “LOCAL LAW ADJUSTING SALARIES OF ELECTED AND APPOINTED POSITIONS IN THE COUNTY OF FULTON FOR 2015-2017” has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, said proposed Local Law "2" authorizes an increase to the salaries of positions identified therein by 3 percent for 2015, 2.75 percent for 2016 and 2.75 percent for 2017, effective January 1, 2015; and

WHEREAS, a public hearing was held on July 13, 2015, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law No. 2, hereinabove referenced be and hereby is approved; and, be it further

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

RESOLVED, That in accordance with NYS Law, said local law is subject to permissive referendum; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, All Department Heads, NYS Secretary of State, General Code Publishers, Budget Director/County Auditor, Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor FAGAN and adopted by the following vote:

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

**LOCAL LAW "2" of 2015 Adjusting Salaries of Elected and Appointed
Positions in the County of Fulton (2015-2017)**

		1/1/15 - 1/1/17 DEPARTMENT HEAD SALARIES (1/1/15 - 3% 1/1/16 - 2.75% 1/1/17 - 2.75%)			3.00%			2.75%			2.75%		
Now, therefore be it enacted.													
JOB GROUP	POSITION	1/1/2014 MINIMUM SALARY	1/1/2014 MAXIMUM SALARY	1/1/2014 ACTUAL SALARY	1/1/2015 MINIMUM SALARY	1/1/2015 MAXIMUM SALARY	1/1/2015 ACTUAL SALARY	1/1/2016 MINIMUM SALARY	1/1/2016 MAXIMUM SALARY	1/1/2016 ACTUAL SALARY	1/1/2017 MINIMUM SALARY	1/1/2017 MAXIMUM SALARY	1/1/2017 ACTUAL SALARY
D-1	Director of Weights & Measures	\$37,529	\$56,187	\$44,000	\$38,655	\$57,873	\$45,320	\$39,719	\$59,464	\$46,566	\$40,811	\$61,099	\$47,847
	Fire Coordinator/Civil Defense Director			\$47,000			\$48,410			\$49,741			\$51,109
D-2	Budget Director/County Auditor	\$46,857	\$71,400	\$66,751	\$48,263	\$73,542	\$68,754	\$49,590	\$75,564	\$70,644	\$50,954	\$77,642	\$72,587
	Director of Information Services/Printing			\$71,400			\$73,542			\$75,564			\$77,642
	Director of Personnel			\$58,913			\$60,680			\$62,349			\$64,064
	Director of Real Property Tax Svc Agency			\$60,192			\$61,998			\$63,703			\$65,455
D-3	Administrative Officer/Clerk of the Board	\$58,518	\$94,216	\$85,489	\$60,274	\$97,042	\$88,054	\$61,931	\$99,711	\$90,475	\$63,633	#####	\$92,963
	Commissioner of Social Services			\$77,531			\$79,857			\$82,053			\$84,309
	Director of Office for the Aging ¹			\$59,235			\$61,012			\$62,690			\$64,414
	Director of Solid Waste Management (40 hrs)			\$94,216			\$97,042			\$99,711			#####
	Planning Director			\$74,085			\$76,308			\$78,406			\$80,562
	Probation Director			\$67,167			\$69,182			\$71,085			\$73,039
	Public Health Director (40 hrs)			\$80,000			\$82,400			\$84,666			\$86,994
	Superintendent of Highways & Facilities			\$80,875			\$83,301			\$85,592			\$87,946
	Director of Community Services			\$85,206			\$87,762			\$90,176			\$92,655
	ELECTED OFFICIALS (NO LONGEVITY)												
D-3	County Clerk (Fixed for Term)			\$65,031			\$66,982			\$68,824			\$70,717
	County Treasurer (Fixed for Term)			\$66,267			\$68,255			\$70,132			\$72,061
	Sheriff (Fixed for Term)			\$71,265			\$73,403			\$75,422			\$77,496

REMARKS:
1) Reso 392 (11/13/12) Established stipend of \$4,000/year effective 1/1/13; assigned duties of Youth Bureau Director.

Resolution No. 253

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

RESOLUTION AUTHORIZING THE DIRECTOR OF WEIGHTS AND MEASURES TO OBTAIN A COUNTY CREDIT CARD FOR PETROLEUM TESTING

WHEREAS, in accordance with the County's annual contract with the New York State Department of Agriculture and Markets, the Director of Weights and Measures must submit fuel station samples on a monthly basis; and

WHEREAS, currently, the Weights and Measures Director purchases gasoline at various fuel stations for testing of fuel using his own personal funds at a cost of approximately \$45.00 per month and has to wait for reimbursement from the County; and

WHEREAS, the Weights and Measures Director has requested a County credit card via NYS OGS Contract to use for purchase of said gasoline samples; now, therefore be it

RESOLVED, That upon the recommendation of the Weights and Measures Director, Committees on Public Safety and Finance, the Chairman of the Board be and hereby is authorized to sign documents authorizing a County credit card via NYS OGS Contract for use by the Weights and Measures Director for the petroleum testing; and, be it further

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

RESOLVED, That said credit card shall only be used for the purchase of petroleum testing; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Weights and Measures Director, 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 Lauria)

Resolution No. 254

Supervisors KINOWSKI AND BORN offered the following Resolution and moved its adoption:

**RESOLUTION ENDORSING THE AMBULANCE SERVICE OF FULTON COUNTY
OBTAINING A NYS TRAINING SPONSORSHIP FOR EMERGENCY MEDICAL
SERVICES CLASSES**

WHEREAS, Fulton-Montgomery Community College has provided training for emergency medical services (EMS) in Fulton County and has decided not to continue this curriculum; and

WHEREAS, without another in-county training program, the nearest access to EMS training for first responders will be in Cobleskill, NY; and

WHEREAS, the Ambulance Service of Fulton County is requesting that the Board of Supervisors endorse the Ambulance Service's application to obtain a NYS Training Sponsorship to teach Emergency Medical Services Classes locally; now, therefore be it

RESOLVED, That the Board of Supervisors hereby endorses the Ambulance Service of Fulton County's application to obtain a NYS Training Sponsorship for Emergency Medical Services Classes so as to ensure local access to EMS training for first responders and prospective first responders from Fulton County; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Ambulance Service of Fulton county, EMS 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 Lauria)

Resolution No. 255

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

RESOLUTION AUTHORIZING CHARGEBACK BETWEEN THE STOP-DWI PROGRAM
AND THE PROBATION DEPARTMENT FOR COLLECTION OF
STOP-DWI FINES FOR 2015

WHEREAS, Resolution 338 of 2010 authorized an inter-departmental chargeback between the STOP-DWI Program and the Probation Department for collection of STOP-DWI fines as a pilot program through December 31, 2010; and

WHEREAS, inasmuch as said pilot program has been successful, the District Attorney, STOP-DWI Coordinator and Probation Director recommend its continuation in 2015; now, therefore be it

RESOLVED, That the Probation Director be and hereby is authorized to charge back actual costs to the STOP-DWI Program for the collection and distribution of STOP-DWI fines, or other related program costs approved by the STOP-DWI Advisory Board, effective January 1, 2015 through December 31, 2015, at a cost not to exceed \$2,000.00; and, be it further

RESOLVED, That the District Attorney, STOP-DWI Coordinator and Probation Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Probation Director, STOP-DWI Coordinator, 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 Lauria)

Resolution No. 256

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

RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER NETWORK FIREWALLS WITH 2014 SHSP GRANT FUNDS (CIVIL DEFENSE/FIRE COORDINATOR)

WHEREAS, Resolution 174 of 2014 accepted a 2014 Homeland Security Program Grant in the amount of \$60,000.00 for the Civil Defense/Fire Coordinator’s Office; and

WHEREAS, the Civil Defense Director/Fire Coordinator requests that said funds be used to purchase computer network firewalls to secure the County network against cyber security threats; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator be and hereby is authorized to purchase the following computer network firewall items listed below with 2014 Homeland Security Program grant funds, in an amount not to exceed \$16,666.00:

- | | |
|------------------------------------|------------|
| 1. Hardware and Appliances | \$6,885.00 |
| 2. Annual Subscription and Support | \$4,181.00 |
| 3. Professional Services | \$5,600.00 |

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase REV A.3640.3645-3306.0001 REV-Civil Defense-SHSP \$16,666.00

Appropriation Account:

Increase A.3640.3645-2840 EXP-SHSP-Equipment \$16,666.00

and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator and 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, Civil Defense Director/Fire Coordinator, Information Services 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 Lauria)

Resolution No. 257

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

RESOLUTION AUTHORIZING THE PURCHASE OF TYCHEM COVERALLS FOR THE FULTON, MONTGOMERY, AND SCHOHARIE COUNTY REGIONAL HAZ-MAT TEAM WITH 2013 STATE HOMELAND SECURITY HAZARDOUS MATERIALS GRANT FUNDS (CIVIL DEFENSE DEPARTMENT)

WHEREAS, Resolution 259 of 2013 allocated a 2013 State Homeland Security Hazardous Material Program Grant in the amount of \$34,000.00 for the benefit of Fulton, Montgomery and Schoharie Counties, with Fulton County as the Lead Agency; and

WHEREAS, the Regional Team has requested the purchase of Tychem coveralls used for protection against a range of chemical environments; and

WHEREAS, the Civil Defense Director/Fire Coordinator requests that said funds be used to purchase thirty (30) cases of various size Tychem coveralls, at a cost not to exceed \$5,450.00; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator be and hereby is authorized to purchase the following:

Nine cases (Large)	\$1,430.64 (3 for each County)
Nine cases (X Large)	\$1,430.64 (3 for each County)
Nine cases (XX Large)	\$1,430.64 (3 for each County)
Three cases (XXX Large)	<u>\$1,071.60</u> (1 for each County)
	\$5,450.00

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A.3640.3645-3306.0001 REV-Civil Defense-SHSP \$5,450.00

Appropriation Account:

Increase A.3640.3645-2840 EXP-SHSP-Contractual \$5,450.00

and, be it further

Resolution No. 257 (continued)

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, 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 Lauria)

Resolution No. 258

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

RESOLUTION AUTHORIZING PURCHASE AND INSTALLATION OF SECURITY CAMERAS AND RELATED COMPONENTS FOR THE GLOVERSVILLE POLICE DEPARTMENT USING 2014 STATE HOMELAND SECURITY PROGRAM GRANT FUNDS (CIVIL DEFENSE DEPARTMENT)

WHEREAS, Resolution 174 of 2014 accepted a 2014 Homeland Security Program Grant in the amount of \$60,000.00 for the Civil Defense/Fire Coordinator’s Office; and

WHEREAS, the Homeland Security Grant contains funding for the purchase and installation of two CCTV security cameras for the Cities of Gloversville and Johnstown Police Departments; and

WHEREAS, the Gloversville Police Department is requesting funds totaling \$14,934.96 for the purchase and installation of two (2) CCTV cameras for use in the City of Gloversville, at two different locations; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator be and hereby is authorized to purchase and install CCTV cameras for the Gloversville Police Department in an amount not to exceed \$14,934.96; and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase A.3640.3645-3306.0001 REV-Civil Defense-SHSP \$14,935.00

Appropriation Account:

Increase A.3640.3645-4840 EXP-SHSP-Contractual \$14,935.00

and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Gloversville Police Department, 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 Lauria)

Resolution No. 259

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

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

WHEREAS, Resolution 101 of 2015 authorized advertisement for bids for paper use in the Information Services/Printing Department and four (4) bids were received; and

WHEREAS, the Information Services Director recommends that the bid received from W.B. Mason for “Category A: White Xerographic Paper” be disqualified because they did not supply required samples with their bid as listed in the bid specifications; now, therefore be it

RESOLVED, That the net bid, as hereinafter indicated, be and hereby is awarded for lump sum purchases, they being the lowest responsible bidders in accordance with Specification No. 2015-25-01, dated May 18, 2015:

Staples Advantage:

Category A – White Xerographic Paper	\$20,187.60
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and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Services/Printing Director, Printing Division, All Bidders, 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 Lauria)

Resolution No. 260

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE PURCHASE OF A DESKTOP SCANNER FOR USE IN
THE REAL PROPERTY TAX SERVICES AGENCY**

WHEREAS, the Real Property Tax Services Agency Director has identified the need for an additional desktop scanner for the Data Coordinator's Office to facilitate the work flow required by the new financial software applications; and

WHEREAS, the Committee on Finance has reviewed said request and concurs; now, therefore be it

RESOLVED, That the Real Property Tax Services Agency Director be and hereby is authorized to purchase one (1) desktop scanner for use in the Data Coordinator's Office at a cost not to exceed \$875.00; and, be it further

RESOLVED, That said cost be charged to A.1355.1366-2000 EXP-Equipment Over Threshold Value; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, RPTSA Director, 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 Lauria)

Resolution No. 261

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH JOSEPH P. MANGIONE, INC. FOR THE “MASTER KEY SYSTEM” COMPONENT OF THE FMCC PRIORITY CAMPUS SAFETY PROJECT (2015 CAPITAL PLAN)

WHEREAS, the 2015 Capital Plan includes a Priority Campus Safety Project at Fulton-Montgomery Community College; and

WHEREAS, Resolution 228 of 2015 awarded a bid to Joseph P. Mangione, Inc. for the “Master Key System” component of the FMCC Priority Campus Safety Project in the amount of \$120,875.00; and

WHEREAS, after the bid was awarded, it was discovered that Door system replacements for the College Union Building were not included in the project specifications; and

WHEREAS, Joseph P. Mangione, Inc. has submitted a proposal to change the locks in the College Union Building resulting in an increased cost of \$11,765.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the contract with Joseph P. Mangione, Inc. for the locks in the College Union Building as follows:

Original Contract Amount	:	\$120,875.00
Change Order No. 1	: +	<u>11,765.00</u>
Revised Contract Amount	:	\$132,640.00

and, be it further

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

From: A.9950.9950-9000 EXP-Transfer
To: H.8020.2497-2100.0730 EXP-FMCC Priority Campus Safety Project
Sum: \$2,941.25

and, be it further

Resolution No. 261 (continued)

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase H.8020.2497.3285-0730 REV-State Aid-FMCC Campus Safety	\$5,882.50
Increase H.8020.2497.2397-0730 REV-Capital Projects-Montgomery County- FMCC Campus Safety	\$2,941.25

Appropriation Account:

Increase H.8020.2497.2100-0730 EXP-FMCC Priority Campus Safety Project	\$8,823.75
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and, be it further

RESOLVED, That the County Treasurer and 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, County Attorney, Planning Director, Joseph P. Mangione, Inc., FMCC, 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 Lauria)

Resolution No. 262

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT WITH RYAN BIGGS/CLARK DAVIS ENGINEERING AND SURVEYING FOR ENGINEERING SERVICES FOR THE “REPLACE QUAD SIDEWALK/STAIRS” COMPONENT OF THE FMCC PRIORITY CAMPUS SAFETY PROJECT

WHEREAS, Resolution 142 of 2015 authorized a contract with Ryan Biggs/Clark Davis Engineering and Survey for Engineering Services for the “Replace Quad Sidewalks/Stairs” Component of the FMCC Priority Campus Safety Project; and

WHEREAS, the contract amount specified in said Resolution did not include reimbursable expenses estimated at \$200.00; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign Amendment No. 1 to the contract with Ryan Biggs/Clark Davis Engineering and Surveying of Clifton Park, NY for reimbursable expenses for the “Replace Quad Sidewalks/Stairs” Component of the FMCC Priority Campus Safety Project, at a cost not to exceed \$200.00; all other terms and conditions in said contract shall remain in full force and effect; and, be it further

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

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

From: A.9950.9950-9000 EXP-Transfer
To: H.8020.2497-2100.0730 EXP-FMCC Priority Campus Safety Project
Sum: \$50.00

and, be it further

RESOLVED, That the 2015 Adopted Budget be and hereby is amended, as follows:

Revenue Account:

Increase H.8020.2497-3285.0730 REV-State Aid-FMCC Campus Safety	\$100.00
Increase H.8020.2497.2397-0730 REV-Capital Projects-Montgomery County- FMCC Campus Safety	\$ 50.00

Resolution No. 262 (continued)

Appropriation Account:

Increase H.8020.2497.2100-0730 EXP-FMCC Priority Campus Safety Project \$150.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Planning Director, Ryan Biggs/Clark Davis Engineering, 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 Lauria)

Resolution No. 263

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE SALE OF COUNTY-OWNED PROPERTIES NOT MEETING THE SET MINIMUM AUCTION PRICE (2015)

WHEREAS, an auction for the sale of County-owned property was held on Wednesday, June 17, 2015; and

WHEREAS, Resolution No. 215 of 1997 established a procedure to set minimum bids for tax acquired properties subject to public auction, specifying that all bids over the minimum be final and executable by the County Treasurer; and

WHEREAS, certain bids received did not meet the minimum set bid prices previously established by the Board of Supervisors; and

WHEREAS, the Committee on Finance has reviewed the list of bids not meeting the minimum and determined it would be in the County's best interest to accept bids below the minimum on certain parcels in order to place them back on the active tax rolls; now, therefore be it

RESOLVED, That in addition to the parcels meeting the minimum, the County Treasurer be and hereby is authorized to sell other County-owned properties at the identified auction bid price below the minimum, included on the attached list; and, be it further

RESOLVED, That the County Treasurer be directed to record the appropriate deed after the execution thereof and to bill the purchasers the proper fees, as well as 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 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 Lauria)

Tax Acquired Property Auction
June 17, 2015
Selected Sales Not Meeting the Minimum Bid

<u>Town/SBL</u>	<u>Purchaser</u>	<u>Tax Amount</u>	<u>Bid Accepted</u>
<i>Broadalbin:</i>			
91.3-1-14	James Hall & Donald Keller	\$ 655.44	\$ 100.00
<i>Caroga:</i>			
82.20-1-21	Timothy Norton & Kathleen White	\$ 587.91	\$ 150.00
82.20-1-22	Timothy Norton & Kathleen White	\$ 587.91	\$ 50.00
82.20-1-23	Timothy Norton & Kathleen White	\$ 587.91	\$ 100.00
82.20-1-24	Timothy Norton & Kathleen White	\$ 587.91	\$ 50.00
82.20-1-25	Timothy Norton & Kathleen White	\$ 587.91	\$ 100.00
82.20-1-26	Timothy Norton & Kathleen White	\$ 587.91	\$ 200.00
82.20-1-27	Timothy Norton & Kathleen White	\$ 587.91	\$ 200.00
82.20-1-28	Jordan Day	\$ 587.91	\$ 100.00
82.20-1-29	Jordan Day	\$ 359.93	\$ 100.00
83.9-4-20	Joseph Zietz	\$ 1,157.86	\$ 50.00
<i>Ephratah:</i>			
145.11-3-4	Milton Dorn	\$ 635.41	\$ 200.00
170.12-2-5	Donald LaPier	\$ 7,904.92	\$ 4,500.00
<i>Johnstown:</i>			
101.16-4-33	Frank Catalano, Jr.	\$ 385.23	\$ 250.00
101.16-7-3	Frank Catalano, Jr.	\$ 920.87	\$ 100.00
101.20-1-18	Kellen Bassette	\$ 3,117.82	\$ 500.00
101.20-3-7	Kellen Bassette	\$ 930.78	\$ 150.00
101.-2-39	Kerry Jordon	\$ 5,146.77	\$ 4,000.00
116.4-2-1	Terren Warner	\$ 1,126.14	\$ 50.00
133.20-3-13	Chris DaCorsi, Sr.	\$ 2,519.83	\$ 50.00
133.20-3-14	Chris DaCorsi, Sr.	\$ 2,327.53	\$ 50.00
133.20-3-15	Chris DaCorsi, Sr.	\$ 2,199.46	\$ 50.00
133.20-3-16	Chris DaCorsi, Sr.	\$ 2,199.46	\$ 50.00
133.20-3-17	Chris DaCorsi, Sr.	\$ 1,654.75	\$ 50.00
133.20-3-18	Chris DaCorsi, Sr.	\$ 1,654.75	\$ 50.00
133.20-3-19	Chris DaCorsi, Sr.	\$ 1,446.51	\$ 50.00
133.3-1-1.2	Joseph Zietz	\$ 3,141.36	\$ 100.00
134.9-3-4	Charles Florence	\$ 1,669.91	\$ 600.00
149.8-20-14	Howard Goebel	\$ 202.50	\$ 50.00
<i>Mayfield:</i>			
119.-8-31	Daniel Halloran	\$ 5,350.99	\$ 4,500.00
119.-8-32.2	Daniel Halloran	\$ 224.29	\$ 50.00

<i>Oppenheim:</i>			
111.-1-30	Starr Stevenson	\$ 4,096.45	\$ 4,000.00
<i>Perth:</i>			
166.2-1-24	Bruce Kaczor	\$ 4,023.54	\$ 1,000.00
<i>Vg. Of Broadalbin</i>			
138.1-1-31.1	Jason Jennings	\$ 832.23	\$ 50.00
<i>City of Gloversville:</i>			
134.10-5-5	MaryAnn Baldwin	\$ 1,200.77	\$ 200.00
134.14-15-16	Michael Salvione	\$10,455.16	\$ 3,000.00
134.16-8-11	James Nellis	\$ 513.64	\$ 50.00
134.17-3-68	Joshua Tesi	\$ 1,968.51	\$ 50.00
134.18-18-5	Michael Salvione	\$ 6,793.28	\$ 5,000.00
134.18-23-12	Town & Country LLC	\$ 9,303.08	\$ 4,000.00
134.18-6-8	Enrique Sewer	\$11,968.47	\$ 4,000.00
134.18-8-19.1	Kathleen Mussi	\$ 1,157.26	\$ 100.00
134.19-21-8	Angelo Lomanto	\$ 9,255.49	\$ 6,000.00
134.19-25-3	Daniel Halloran	\$12,236.47	\$11,000.00
134.19-8-11	Cindy Dwight	\$ 2,250.23	\$ 50.00
149.10-11-20.5	Enrique Sewer	\$ 5,235.00	\$ 4,400.00
149.10-12-15	Joslynn Christiano	\$ 2,937.49	\$ 100.00
149.10-13-12	Gary Culver	\$ 881.87	\$ 100.00
149.10-7-9.5	Town & Country LLC	\$ 5,469.78	\$ 4,500.00
149.14-12-4	Jesse Fosmire	\$ 2,236.64	\$ 50.00
149.5-21-2	Lisa Hewitt	\$ 2,063.12	\$ 50.00
149.5-21-5	Gerald Williams	\$ 9,404.59	\$ 8,000.00
149.5-9-11	Gerard Galante	\$ 402.11	\$ 100.00
149.6-10-26	Dennis Baird Jr.	\$ 7,872.00	\$ 1,500.00
149.6-19-4	Mark Sohl	\$ 1,366.17	\$ 250.00
149.6-22-13	Joshua Tesi	\$ 5,395.50	\$ 2,750.00
149.6-26-6	Terry Gordon	\$ 8,729.20	\$ 5,000.00
149.6-27-19	Mark Sohl	\$ 1,100.51	\$ 100.00
149.7-11-13	Robert Mitchell, Jr.	\$ 1,399.85	\$ 100.00
149.5-15-8.5	Michael Stover II	\$11,814.01	\$ 1,400.00
149.6-14-18	David Prew	\$30,036.30	\$ 7,000.00
149.10-10-37	Leon Riesel	\$ 8,818.06	\$ 7,500.00
134.18-13-7	Joshua Tesi	\$ 9,461.28	\$ 7,500.00

Resolution No. 264

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING THE 2015-2016 FMCC BUDGET

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented the sponsoring counties with a 2015-2016 budget request, proposing a total FMCC budget of \$20,121,443.00; and

WHEREAS, a public hearing related to the adoption of said FMCC Budget was held on July 13, 2015 and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That the several amounts reflecting the share to be appropriated by Fulton County be and the same hereby are appropriated for the objects and purposes specified below, to become effective September 1, 2015:

Fulton County Sponsor Share:	\$ 1,495,821.00
Revenues and Montgomery Co. Share:	<u>18,625,622.00</u>
Total FMCC Operating Budget	\$20,121,443.00

and, be it further

RESOLVED, That the share and obligation of the County of Fulton shall be included in the Fulton County Budget for 2015, as provided for in Section 6304 of the Education Law of the State of New York; and, be it further

RESOLVED, That the Board of Supervisors hereby directs the FMCC Board of Trustees to prepare a final 2015-2016 College budget in accordance with the sums appropriated herein; and, be it further

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

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

Seconded by Supervisor CALLERY and adopted by the following vote:

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

Resolution No. 265

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN H-F-M BOCES AND
FULTON AND MONTGOMERY COUNTIES TO FACILITATE A SOLAR
PHOTOVOLTAIC SYSTEM POWER PURCHASE AGREEMENT PROJECT TO BENEFIT
H-F-M BOCES**

WHEREAS, H-F-M BOCES, a division of NYS government, leases property on the campus of Fulton-Montgomery Community College from owners Fulton County and Montgomery County; and

WHEREAS, said lease agreement is a special arrangement that was authorized via previous special legislation by the NYS Legislature in 2004, that involved the two Sponsor Counties of Fulton and Montgomery leasing said portion of the College property to the Montgomery County IDA; and

WHEREAS, within the aforementioned special arrangement, the Montgomery County IDA sublets the same parcel to H-F-M BOCES for its vocational-technical training facility and administrative offices; the term of said sub-lease being January 2, 2005 through January 11, 2034; and

WHEREAS, H-F-M BOCES wishes to undertake a “Solar Photovoltaic System Power Purchase Agreement” and associated ground lease with WGL Energy Systems (Aka Dynamic Energy) of Delaware to facilitate energy cost savings for its facility; and

WHEREAS, review by both the Fulton and Montgomery County Attorneys has determined that the solar array ground lease cannot extend beyond the existing leases that allow H-F-M BOCES to occupy College property jointly owned by the two Sponsor Counties; and

WHEREAS, H-F-M BOCES officials have requested to lease said parcel from the Counties for two (2) years beyond the end of the current leases in 2034 to facilitate said Photovoltaic System Power Purchase Agreement and associated 20-year ground lease with WGL Energy Systems, Inc. (aka Dynamic Energy); now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is, authorized to sign a lease between H-F-M BOCES and Fulton County and Montgomery County to facilitate a “Solar Photovoltaic System Power Purchase Agreement” Project at H-F-M BOCES’ facility, for the term January 12, 2034 through January 11, 2036; and, be it further

Resolution No. 265 (continued)

RESOLVED, That annual rent payments by H-F-M BOCES to the two counties and equally shared during the 2-year lease shall be as follows:

Due January 12, 2034:	\$270,232.00
Due January 12, 2035:	\$270,232.00

and, be it further

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

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

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

Seconded by Supervisor YOUNG and adopted by the following vote:

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

Resolution No. 266

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING INSTALLATION OF SOLAR ARRAY PROJECT ON FMCC
CAMPUS PROPERTY (DYNAMIC ENERGY PROJECT)**

WHEREAS, H-F-M BOCES, a division of NYS government, leases property on the campus of Fulton-Montgomery Community College from owners Fulton County and Montgomery County; and

WHEREAS, said lease agreement is a special arrangement that was authorized via previous special legislation by the NYS Legislature in 2004, that involved the two Sponsor Counties of Fulton and Montgomery leasing said portion of the College property to the Montgomery County IDA; and

WHEREAS, within the aforementioned special arrangement, the Montgomery County IDA sublets the same parcel to H-F-M BOCES for its vocational-technical training facility and administrative offices; the term of said sub-lease being January 2, 2005 through January 11, 2034; and

WHEREAS, H-F-M BOCES wishes to undertake a “Solar Photovoltaic System Power Purchase Agreement” and associated ground lease with WGL Energy Systems (Aka Dynamic Energy) of Delaware to facilitate energy cost savings for its facility; and

WHEREAS, review by both the Fulton and Montgomery County Attorneys has determined that the proposed solar array ground lease with WGL Energy Systems cannot extend beyond the existing leases that allow H-F-M BOCES to occupy College property jointly owned by the two Sponsor Counties; and

WHEREAS, in accordance with the existing leases, both counties must consent to the subletting of a portion of the H-F-M BOCES lease parcel to WGL Energy Systems to install solar photovoltaic arrays for the benefit of H-F-M BOCES; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby approves the installation of a Solar Photovoltaic Array Project on FMCC campus property consisting of a Power Purchase Agreement and associated 20-year ground lease, with no cost to the College or Fulton and Montgomery Counties; and, be it further

RESOLVED, That this resolution and approval for said project is contingent upon H-F-M BOCES complying with all state and/or local regulations including permitting requirements under the State Environmental Quality Review Act (SEQRA); and, be it further

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

Resolution No. 266 (continued)

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, FMCC, H-F-M BOCES, Montgomery County Legislature, 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 Lauria)

Resolution No. 267

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

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

Board of Supervisors:

Mail Slot Cabinet (Plywood) (0000607)

Social Services:

Desk (0003312) (1999)
Desk (0003241) (1997)
Desk (0002869) (1997)
File Cabinet 2 Drawer (0002885) (8/95)
Desk (0002884) (2004)
Chair (No BC) (1987)
Desk (0003326) (1993)
Chair (No BC) (1987)
Desk (0002872) (1980)
Chair (No BC) (1987)
Desk (0003293) (1962)
Desk (0002879) (1980)
Chair (No BC) (1995)
Chair (No BC) (1995)
Chair (No BC) (1995)
Computer Table (No BC) (1992)
Table (No BC) (1989)
Desk (0003286) (1996)
Chair (No BC) (1999)
Chair (No BC) (2006)
Chair (No BC) (1987)
Chair (No BC) (2006)
Desk (0002979) (1968)
File Cabinet with glass doors (No BC) (1995)
File Cabinet (0002986) (1986)
File Cabinet (0004410) (1998)
File Cabinet (0002806) (1997)

and, be it further

Resolution No. 267 (continued)

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, Social Services Commissioner, Solid Waste Director 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 Lauria)

Resolution No. 268

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING TRANSFERS

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

DSS

From: A.6010.6010-4930 EXP-DSS-NYS Chargebacks
To: A.6010.6010-4540 EXP-DSS-Auto Supplies
Sum: \$1,320.00

Veterans

From: A.6510.6510-4020 EXP-Travel
To: A.6510.6510-2000 EXP-Equipment-Over Threshold Value
Sum: \$100.00 (printer)

OFA

From: A.7610.7610-1000 EXP-Payroll
To: A.7610.7610-1100 EXP-Overtime
Sum: \$2,500.00

Planning

From: A.9950.9950-9000 – EXP-Transfers
To: H.8020.1622-2100.0725 EXP-Record Storage Room Project Phase II
Sum: \$4,875.00

and, be it further

Resolution No. 269

Supervisor POTTER offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING DIRECTOR OF SOLID WASTE MANAGEMENT

WHEREAS, a vacancy exists in the position of Director of Solid Waste Management for Fulton County; and

WHEREAS, the Board of Supervisors has received applications and interviewed applicants for the vacant position of Director of Solid Waste Management; now, therefore be it

RESOLVED, That Clifford Engle of Hagerstown, MD be and hereby is appointed Director of Solid Waste Management (Non-Union Job Group D-3), for a term commencing on or about August 17, 2015, and ending December 31, 2017, at a starting salary rate of \$90,000.00 per year and a one-year permanent salary rate of \$94,000.00, after successful completion of any probationary period; and, be it further

RESOLVED, That the candidate shall establish permanent Fulton County residency within 180 days of the appointment date; and, be it further

RESOLVED, That Mr. Engle is hereby required to complete the Fulton County Board of Ethics' Financial Disclosure Statements and to sign the County Oath Book; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 500 (18) Nays: 0 Absent: 51 (2) (Supervisors Gendron and Lauria)