

FIRST DAY OF ANNUAL SESSION

Johnstown, NY

November 14, 2016

Roll Call – Quorum Present

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

TOTAL: Present: 19 Vacant: 1 (Caroga)

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

COMMUNICATIONS

1. Communication from Seneca County Board of Supervisors
Subj: Resolution No. 222 of 2016 Calling on Governor Andrew Cuomo and the State Legislature to Work with New York's Congressional Delegation to Amend and Improve the Family First Prevention Services Act of 2016 to Ensure Essential Fiscal Resources are Maintained to Support Families in Need.
2. Email from New York State Department of Environmental Conservation
Subj: National Grid Former MGP Site (Gloversville) – Cleanup of Site Contamination to Begin (Supervisors Born and Young requested a copy)
3. Email from New York State Department of Environmental Conservation
Subj: Public Meeting Scheduled for November 15, 2016 in Johnstown for DEC to Prepare Management Plan for Fulton County State Forests (Supervisors Argotsinger, Christopher, and Howard requested a copy)

LATE COMMUNICATIONS:

1. Communication from Sullivan County Legislature
Subj: Resolution No. 425-17 Introduced by the Government Services Committee to Support the Calling of a Constitutional Convention in November 2017 (Supervisors Lauria and Young requested a copy)
2. Communication from Fulton County Industrial Development Agency
Subj: Fulton County Industrial Development Agency's 2017 Adopted Budget (Supervisors Lauria and Young requested a copy)

REPORTS OF SPECIAL COMMITTEES

Adirondack Park Local Government Review Board: Supervisor Groff advised that proposed Resolution 27 on the Agenda was a Resolution Supporting Access Adirondacks Memorandum of Understanding Among Public and Private Organizations Regarding Recreational Access to Adirondack State Lands and all the towns in the Adirondacks support this Resolution and he hoped the Board would support it also.

Inter-County Legislative Committee of the Adirondacks: Supervisor Young advised that the Inter-County meeting was held on October 27 in Plattsburgh. Topics discussed were broadband access and solar and wind projects. He also advised that the Inter-County Legislative Committee also supported the same Resolution on the “Access Adirondacks” MOU that Supervisor Groff just spoke about and he hoped the County would support it also.

CHAIRMAN’S REPORT

Chairman Potter advised that last Thursday he attended a meeting where Anne Thane, former Mayor of Amsterdam, gave a presentation on how to apply for grants for consolidation of services and the meeting was well-attended.

Chairman Potter said that he also attended a dinner for the Johnstown Historical Society, and that dinner was well-attended with approximately 70 attendees.

Chairman Potter further advised that he attended the Vision 2026 Summit. Dr. Evers from the NYS Business Council was the keynote speaker.

RESOLUTIONS

No. 22 (Resolution Supporting Introduction of a New York State Paint Stewardship Program (Assembly Bill A.6199C): Supervisor Callery advised that the Program was discussed in detail at the Economic Development and Environment Committee Meeting held on November 2, and he cannot support it because it is another tax on the taxpayers through paint sales and it was a “nonsense fee”.

Supervisor Born advised that she agreed with Supervisor Callery and that it would be another burden placed on taxpayers and she will not support the Resolution.

Supervisor Howard advised that it was “another useless regulation taking money out of the money stream”.

No. 386 (Resolution Authorizing Purchase of Two VHF HI-Band Frequencies with 2013 Statewide Interoperable Communications Grant Funds (Civil Defense/Fire Coordinator): Supervisor Howard asked if this purchase of VHF Hi-band Frequencies would solve the problem and has the new frequency been tested. Mr. Stead answered that according to the Civil Defense Director and Sheriff, it should clear up the interference. Public Safety Chairman Groff said that the VHF Hi-band frequencies needed to be purchased first before it could be tested.

No. 393 (Resolution Designating Banks (2017): Supervisor Young asked if there was a decision making process for choosing banks such as where they are located, fees charged, etc. Chairman of Finance Argotsinger said yes, consideration was given by the Treasurer and the Finance Committee such as what fees a certain bank charges. Finance did discuss this issue during its last meeting. County Treasurer Blodgett explained at the Finance Meeting that the fee schedule from Key Bank in particular should be available sometime in December. Mr. Stead added that any bank the County uses needs to be a commercial bank.

Chairman Potter opened the Public Hearing to receive comments on the proposed 2017-2019 Capital Plan for the County of Fulton at 1:32 p.m. There being no speakers, Chairman Potter stated that he would keep the Public Hearing open.

No. 401(Resolution Endorsing the Concept of Requiring Pilot Payments from Owners of Solar, Wind, or Farm Waste Energy Systems Eligible for Section 487 Real Property Tax Exemptions): Supervisor Callery advised that he was opposed to this Resolution and that residential home owners would suffer. Mr. Stead then explained that the title of the Resolution has changed from what was sent out on the Agenda and that the County is not ready to pursue the Local Law at this time.

Mr. Stead explained that when a project is anticipated to be started, there is only a certain amount of time in which a Payment in Lieu of Taxes (PILOT) can be instituted. He further explained that more research needs to be done and Mr. Galarneau, Real Property/Tax Map Director has to be consulted further along with the County Attorney. He also indicated that Town Assessors and the Town Assessors Association had also been discussing the topic. Some counties have a cooperative agreement with other municipalities in their county. Another option would be to have each local assessing unit do their own Local Law. Mr. Stead also advised that the County Attorney must also look into the concept of the PILOT payments.

Supervisor Howard advised that there were several concerns brought up during the Finance Committee Meeting and that many residential energy systems are not owned by the property owner. Mr. Stead explained that the Finance Committee recommendation was to require PILOTS for commercial projects only. Mr. Stead further explained that the County needs input from towns, school districts and the two cities on how best to proceed.

No. 402 (Resolution Establishing a Vacancy Review Process for 2017): Supervisor Groff asked if this review process was for a vacant position due to retirement or for someone leaving a position. Mr. Stead answered, “yes”.

Supervisor Young asked if a vacancy has ever been refused. Mr. Stead answered that in the past, positions have not been filled; however, in the last four (4) years, only one or two positions have not been filled.

Supervisor Greene advised that as currently constructed, he is against the Vacancy Review for “garden variety” positions. The Department Head has already had their budget approved as well as their Personnel Summary and the Department Head should have the ability to fill a budgeted vacant position without having to come to Vacancy Review.

Supervisor Howard advised that Vacancy Review gives the Finance Committee a “window into the operations of a department” and is important to show trends in a particular department.

Chairman Potter asked if there were any members of the public who wish to make comments regarding the Public Hearing on the proposed 2017-2019 Capital Plan for County of Fulton. There being no speakers, Chairman Potter closed the Public Hearing at 1:48 p.m.

A motion was offered by Supervisor Fagan, seconded by Supervisor Waldron and unanimously carried, to waive the Rules of Order to take Action on Late Resolutions 405 and 406.

No. 405 (Resolution Accepting State Criminal Alien Assistance Program (SCAPP) Grant Funds): Supervisor Fagan asked what State Criminal Alien Assistance Program funds are used for. Mr. Stead explained that the funds that Fulton County receives are a prorated dollar amount for the Correctional Facility as reimbursement for dealing with criminal aliens.

Chairman Potter called for a ten minute recess at 1:53 p.m.

The Board reconvened back into Regular Session at 2:03 p.m.

Alice Kuntzsch, Budget Director, provided a MS PowerPoint presentation regarding the 2017 Tentative Fulton County Budget.

Chairman Potter asked if Monday, November 21 at 1:00 p.m. is a date that Supervisors could meet to conduct a Budget Review Workshop. It was agreed that members of the Board were available to meet that day.

It was also agreed that there would be a full Board meeting on Monday, November 28 at 1:00 p.m. with a Public Hearing at 1:30 p.m. that day for the 2017 Tentative Budget.

NEW BUSINESS

Referencing the recent dissention and protests following the Presidential Election won by Donald Trump, Supervisor Lauria read a quote from John F. Kennedy “*Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future*”.

Upon a motion by Supervisor Blackmon, seconded by Supervisor Greene and unanimously carried, the Committee entered into Executive Session at 2:27 p.m. for employment history.

Upon a motion by Supervisor Lauria, seconded by Supervisor Fagan and unanimously carried, the Board re-entered into Regular Session at 2:34 p.m.

There being no further business before the Board, the Board recessed at 2:35 p.m. until Monday, November 21, 2016 at 1:00 p.m.

Certified by:

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

Resolution No. 354

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR THE PURCHASE OF HEATING OIL AND SPECIAL BLEND FOR COUNTY BUILDINGS (2017)

WHEREAS, Resolution 300 of 2016 authorized advertisement for bids for No. 2 heating oil and special blend for certain County Buildings and three (3) bids were received; and

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

RESOLVED, That the net bid, as submitted by Midnight Oil Company of Broadalbin, NY, for the purchase and delivery of approximately 5,000 gallons of No. 2 heating oil, including 50/50 blend of fuel oil and kerosene, to be delivered to various County building locations, be and hereby is accepted, as reviewed and recommended by the Superintendent of Highways and Facilities and Purchasing Agent; they being the lowest responsible bid in accordance with Specification No. 2016-24-02, dated September 12, 2016:

No. 2 Heating Oil (Rack Price)	\$1.5551
Margin (Vendor Margin)	<u>.225</u>
	\$1.776/gallon
50/50 Blend of No. 2 Heating Oil & Kerosene (Rack Price)	\$1.745
Margin (Vendor Margin)	<u>.225</u>
	\$1.97/gallon

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Sheriff, Civil Defense Director/Fire Coordinator, Solid Waste Director, All Bidders, 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 Vacant: 1 (Caroga)

Resolution No. 355

Supervisor BRADT offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID FOR WASTE REMOVAL SERVICES AT THE
CORRECTIONAL FACILITY (2017)**

WHEREAS, Resolution 301 of 2016 authorized advertisement for bids for waste removal services at the Correctional Facility and two (2) bids were received; now, therefore be it

RESOLVED, That the net bid, in the following amount, as submitted by County Waste & Recycling Service, Inc., of Clifton Park, NY, for removal of waste material for 2017 be and hereby is awarded, as reviewed and recommended by the Superintendent of Highways and Facilities and Fulton County Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2016-24-01, dated October 19, 2016 :

\$23.89 per pick-up (Correctional Facility location)

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Sheriff, Correctional Facility, 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 Vacant: 1 (Caroga)

Resolution No. 356

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR CLEANING SERVICES AT THE FULTON COUNTY OFFICE BUILDING (2017)

WHEREAS, Resolution 298 of 2016 authorized advertisement for bids for custodial services in the County Office Building at 223 West Main Street, Johnstown, and one (1) bid was received; now, therefore be it

RESOLVED, That the net bid, as submitted by Brezzy's Cleaning Service, of Gloversville, NY, at annual costs identified below, for custodial services at the Fulton County Office Building be and hereby is awarded; they being the lowest responsible bidder in accordance with Specification No. 2016-24-03:

<u>2017</u>	<u>2018*</u>	<u>2019*</u>
\$77,412.00	\$77,912.00	\$78,412.00

*at County option

and, be it further

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

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 357

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING EXTENSION OF LEASE AGREEMENT BETWEEN
FULTON COUNTY AND ST. MARY'S HEALTHCARE FOR LEASE OF OFFICE SPACE
AT 57 EAST FULTON STREET, GLOVERSVILLE (2017)

WHEREAS, Resolution 368 of 2014 authorized an Agreement Between Fulton County and St. Mary's Healthcare for Lease of Office Space at 57 East Fulton Street, Gloversville; and

WHEREAS, Resolution 366 of 2015 authorized an extension to said agreement; and

WHEREAS, said lease includes rent, maintenance and cleaning to be provided by the Fulton County Highways and Facilities Department; and

WHEREAS, said lease allows for two (2) additional one year renewals at tenant option; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Buildings and Grounds/Highway and Finance, the Chairman of the Board be and hereby is authorized to sign an extension of a lease agreement between Fulton County and St. Mary's Healthcare for lease of office space at 57 East Fulton Street, Gloversville, NY, effective January 1, 2017 through December 31, 2017, at an annual cost of \$99,514.67, payable in equal monthly installments; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, St. Mary's Healthcare, 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 Vacant: 1 (Caroga)

Resolution No. 358

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

RESOLUTION ESTABLISHING 2017 WATER RATES FOR FULTON COUNTY
WATER DISTRICT NO. 1

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

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

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

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

RESOLVED, That inasmuch as it has been determined that a water district must be operated and maintained with funds received from its users, the Board of Supervisors, as the Fulton County Water and Sewer Agency, hereby establishes the 2017 water rate for Fulton County Water District No. 1 as follows:

	Cost per 100 Cubic Feet of Water
Purchased Water	\$ 5.56
Surcharge for Administrative, Operation and Maintenance	<u>5.15</u>
2017 Water Rate Chargeable to Customers	\$10.71

and, be it further

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

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

Seconded by Supervisor HANDY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 359

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

**RESOLUTION RECLASSIFYING A CIVIL ENGINEER POSITION TO SENIOR PLANNER
IN THE PLANNING DEPARTMENT**

WHEREAS, Resolution 424 of 2015 authorized the creation of a Civil Engineer position in the Planning Department to coordinate SMART Waters system initiatives as well as other economic growth projects; and

WHEREAS, extensive recruitment efforts have not resulted in any applicants for the post; and

WHEREAS, the Planning Director has recommended that said Civil Engineer position in the Planning Department be reclassified to Senior Planner to facilitate hiring of qualified candidates and the Personnel Director concurs with said recommendation; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committees on Personnel and Finance, effective November 15, 2016, one (1) full-time Civil Engineer position (Non-Union Job Group A/T-9, one year permanent rate: \$64,512.00), be and hereby is reclassified to Senior Planner (Non-Union Job Group A/T-9, one year permanent rate: \$64,512.00) in the Planning Department; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Payroll Division, Planning Director, 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 Vacant: 1 (Caroga)

Resolution No. 360

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

RESOLUTION ACCEPTING STATE AND MUNICIPAL FACILITIES PROGRAM (SAM)
GRANT FOR THE FULTON COUNTY OFFICE BUILDING EXTERIOR RENOVATION
PROJECT

WHEREAS, the proposed 2017 Capital Plan includes a potential Building Exterior Renovation Project for the County Office Building at 223 West Main Street, Johnstown to perform certain exterior renovations, including new handicap entrances, sidewalks, landscaping and signage; and

WHEREAS, the NYS State and Municipal Facilities Capital (SAM) Program provides grants to municipalities for certain local infrastructure projects; and

WHEREAS, Fulton County received notification from Senator Farley that the SAM Grant application had been approved in an amount up to \$450,000.00; now, therefore be it

RESOLVED, that the Chairman of the Board be, and hereby is, authorized to execute grant acceptance documents required for approval and disbursement of funds in accordance with said SAM Grant regulations; and, be it further

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

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 361

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

RESOLUTION AUTHORIZING APPLICATION FOR "I LOVE NEW YORK" TOURISM PROMOTION MATCHING GRANT FUNDS (2017)

RESOLVED, That by this Resolution, the Board of Supervisors for the County of Fulton hereby authorizes the Fulton Montgomery Regional Chamber of Commerce and Industry (the County's tourism promotion agency) to submit an "I Love New York" Tourism Matching Funds Application, in an amount of \$431,500.00 (projected local County match of \$215,750.00) for the County's 2016-2017 tourism and promotion programs; and, be it further

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 362

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION CLASSIFYING THE PROPOSED HALES MILLS WATERLINE PROJECT AS AN UNLISTED ACTION, PROPOSING THAT THE BOARD OF SUPERVISORS SERVE AS LEAD AGENCY AND AUTHORIZING THE DISTRIBUTION OF A PART I ENVIRONMENTAL ASSESSMENT FORM TO INVOLVED AGENCIES UNDER SEQRA

WHEREAS, Resolution 505 of 2015 authorized the hiring of Environmental Design Partnership to prepare preliminary engineering plans for a Hales Mills Waterline Project as a component of the SMART Waters Initiative (Jump Start Fulton County); now, therefore be it

RESOLVED, That in accordance with the New York State Environmental Quality Review Act (SEQRA), the Board of Supervisors hereby classifies said Hales Mills Waterline Project as an Unlisted Action and proposes that it serve as Lead Agency for the purpose of conducting a Coordinated SEQRA review of the proposed action and for issuing a determination of significance; and, be it further

RESOLVED, That the Planning Director is hereby authorized and directed to distribute copies of the Environmental Assessment Form and project documents to all Involved Agencies asking each to consent to the Board of Supervisors serving as SEQRA Lead Agency and giving each Agency 25 calendar days to respond; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Attorney, NYSDEC, NYSDOT, NYSDOH, Empire State Development, Town of Johnstown, City of Gloversville Water Department, Administrative Officer/Clerk of the Board and to each and every other institution or agency that will further the purport of their Resolution.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 363

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION COMMENCING EIGHT-YEAR REVIEW OF FULTON COUNTY
AGRICULTURAL DISTRICT NO. 1

WHEREAS, Agricultural District No. 1, located in the Towns of Mayfield, Perth and Johnstown, Broadalbin, Johnstown, Oppenheim and Ephratah, was officially created on August 7, 1977 and reauthorized in 1985, 1993 and 2003; and

WHEREAS, Article 25AA, Section 303(a) of the NYS Agriculture and Markets Law, specifies that "the County Legislative Body shall review any district created under this section eight (8) years after the date of its creation and every eight (8) years thereafter; and

WHEREAS, on October 11, 2016, the NYS Department of Agriculture and Markets officially notified Fulton County to begin the eight-year review of Agricultural District No. 1; and

WHEREAS, the Board of Supervisors desires to proceed with conducting the required eight-year review of Agricultural District No. 1; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby acknowledges the receipt of the official notice from the Department of Agriculture and Markets notifying the County of Fulton of the need to begin the eight-year review of Agricultural District No. 1; and, be it further

RESOLVED, That the Clerk of the Board be and hereby is directed to provide notice of this eight-year review of Agricultural District No. 1 by publishing a notice in the official County newspaper and by posting such notice in at least five (5) conspicuous places within the Agricultural District, with said notice identifying the municipalities in which the Agricultural District is found and the District's total area; indicate that a map of the District will be on file and open to public inspection in the Office of the County Clerk and such other places as the Board of Supervisors deems appropriate; and, be it further

RESOLVED, That the Clerk of the Board is further directed to notify municipalities and landowners within the District that they may propose a modification of the District by filing such proposal with the Clerk of the Board within thirty (30) days after the publication of such notice; and, be it further

RESOLVED, That at the conclusion of the 30-day comment period, the Agricultural and Farmland Protection Board is hereby authorized and directed to prepare a report for the Fulton County Board of Supervisors addressing the following issues:

- The nature of farming and farm resources within the District, including the total number of acres of land and total number of acres in farm operations in the District;
- The extent to which the District has achieved its original objective;
- The extent to which County and local comprehensive plans, policies and objectives are consistent with and support the District.

Resolution No. 363 (Continued)

- The degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in the District and their influence on farming;
- Recommendations to continue, terminate or modify the District;

and, be it further

RESOLVED, That the Clerk of the Board be and hereby is authorized and directed to schedule a public hearing on the 8-year review of Agricultural District No. 1 at least one hundred twenty (120) days prior to the District review date of August 7, 2017, and not more than one hundred eighty (180) days prior to such date, in the following manner:

- The hearing shall be held in a place within the District or otherwise readily accessible to the proposed District;
- A notice of public hearing shall be published in a newspaper having a general circulation within the District;
- An individual written notice must be given to municipalities, which includes existing District land, any land included in the proposed modifications to the District, to the owners of land, as listed on the most recent assessment roll, which is the subject of a proposed modification, and to the Commissioner of Agriculture and Markets;
- A notice of hearing must contain the time, date and place of the public hearing and a description of the District, any proposed modifications and the recommendations of the Fulton County Planning Board and Agriculture and Farmland Protection Board;

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Planning Director, Fulton County Planning Board, Fulton County Agriculture and Farmland Protection Board, Town of Johnstown, Town of Mayfield, Town of Perth, Town of Broadalbin, Town of Oppenheim, Town of Ephratah, Fulton County Code Book, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who may further the purport of this Resolution.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 364

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

RESOLUTION REQUESTING STATE LEGISLATION TO DESIGNATE CERTAIN
FULTON COUNTY WATERWAYS AS INLAND WATERWAYS

WHEREAS, Section 911 of NYS Executive Law designates certain waterways within the State as “Inland Waterways”; and

WHEREAS, communities located along formally designated Inland Waterways are eligible for grant funding via the Local Waterfront Revitalization Program administered by the NYS Department of State for planning, design, feasibility studies and construction projects; and

WHEREAS, special state legislation is required to have eligible waterways designated as Inland Waterways by the State Legislature; now, therefore be it

RESOLVED, That the Board of Supervisors hereby requests the introduction of special state legislation by Fulton County’s representatives in the New York State Legislature to formally designate the following county waterways as “Inland Waterways” in accordance with NYS Executive Law:

<u>Waterway</u>	<u>Municipality</u>
Cayadutta Creek	Cities of Gloversville, City of Johnstown, Town of Johnstown
Kennyetto Creek	Town of Broadalbin, Town of Mayfield, Village of Broadalbin
East and West Caroga Lakes	Town of Caroga
Mayfield Lake	Village of Mayfield, Town of Mayfield
Northville Lake	Village of Northville, Town of Northampton

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Senator Hugh Farley, Assemblyman Marc Butler, Senator-elect James Tedisco, Mayor Dayton King, Mayor Cynthia Lakata, Supervisor Jack Wilson, Supervisor Tom Christopher, Supervisor Richard Argotsinger, Mayor Eugene Christopher, Mayor Jamie Ward, Mayor John Spaeth, Supervisor James Groff, Town of Caroga, Planning Director James Mraz, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 365

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND THE TOWN OF EDINBURG FOR USE OF THE FULTON COUNTY LANDFILL FOR SOLID WASTE DISPOSAL (2017)

WHEREAS, Resolution 374 of 2015 authorized an agreement with the Town of Edinburg for use of the Fulton County Landfill in 2016; and

WHEREAS, the Town of Edinburg desires to continue to utilize the Fulton County Landfill during 2017; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Town of Edinburg for use of the Fulton County Landfill, at a rate of \$56.00 per ton, effective January 1, 2017 through December 31, 2017; 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, Town of Edinburg, 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 Vacant: 1 (Caroga)

Resolution No. 366

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND THE VILLAGE OF CANAJOHARIE FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2017)

WHEREAS, Resolution 370 of 2015 authorized an agreement with the Village of Canajoharie for use of the Fulton County Landfill in 2016; and

WHEREAS, the Village of Canajoharie desires to continue to utilize the Fulton County Landfill during 2017 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Village of Canajoharie for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2017 through December 31, 2017; 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, Village of Canajoharie, 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 Vacant: 1 (Caroga)

Resolution No. 367

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND VILLAGE OF SCHOHARIE FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2017)

WHEREAS, Resolution 371 of 2015 authorized an agreement with the Village of Schoharie for use of the Fulton County Landfill in 2016; and

WHEREAS, the Village of Schoharie desires to continue to utilize the Fulton County Landfill during 2017 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Village of Schoharie for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2017 through December 31, 2017; 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, Village of Schoharie, 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 Vacant: 1 (Caroga)

Resolution No. 368

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND VILLAGE OF SCHUYLERVILLE FOR USE OF THE FULTON COUNTY LANDFILL FOR SLUDGE DISPOSAL (2017)

WHEREAS, Resolution 372 of 2015 authorized an agreement with the Village of Schuylerville for use of the Fulton County Landfill in 2016; and

WHEREAS, the Village of Schuylerville desires to continue to utilize the Fulton County Landfill during 2017 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Village of Schuylerville for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2017 through December 31, 2017; 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, Village of Schuylerville, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 369

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE
DEPARTMENT AND TOWN OF NISKAYUNA FOR USE OF THE FULTON COUNTY
LANDFILL FOR SLUDGE DISPOSAL (2017)

WHEREAS, Resolution 373 of 2015 authorized an agreement with the Town of Niskayuna for use of the Fulton County Landfill in 2016; and

WHEREAS, the Town of Niskayuna desires to continue to utilize the Fulton County Landfill during 2017 for the disposal of sludge; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and the Town of Niskayuna for disposal of sludge at the Fulton County Landfill, at a rate of \$65.00 per ton, effective January 1, 2017 through December 31, 2017; 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, Town of Niskayuna, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 370

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

RESOLUTION AUTHORIZING A CONTRACT WITH ONONDAGA COUNTY RESOURCE RECOVERY AGENCY FOR ACCEPTANCE OF NON-HAZARDOUS HOUSEHOLD BATTERIES (2017)

WHEREAS, Resolution 375 of 2015 authorized an agreement with Onondaga County Resource Recovery Agency (OCRRA) for use of the Fulton County Landfill in 2016; and

WHEREAS, due to an alternate disposal pilot project OCRRA is involved with, the Fulton County Landfill has not received any household batteries in 2016; and

WHEREAS, the Deputy Solid Waste Director received a request from Onondaga County Resource Recovery Agency (OCRRA) to utilize the Fulton County Landfill for disposal of approximately 100 tons per year of non-hazardous household batteries during 2017; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Deputy Solid Waste Director be and hereby is authorized to accept up to a maximum of 100 tons per year of non-hazardous household batteries from Onondaga County Resource Recovery Agency for disposal in the Fulton County Landfill, at a cost of \$75.00 per ton, effective January 1, 2017 through December 31, 2017; and, be it further

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

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

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 371

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

RESOLUTION AUTHORIZING RECIPROCAL AGREEMENT BETWEEN THE SOLID WASTE DEPARTMENT AND THE GLOVERSVILLE-JOHNSTOWN JOINT SEWER BOARD FOR LEACHATE DISPOSAL SERVICES (2017-2018)

WHEREAS, the current agreement between the Solid Waste Department and the Gloversville-Johnstown Joint Sewer Board for leachate disposal expires on December 31, 2016; and

WHEREAS, Fulton County presently pays for leachate treatment at the Gloversville-Johnstown Wastewater Treatment Facility (GJWWTF) using a complicated billing formula based upon flow, solids content, BOD level, capital fees, monitoring fees and surcharges; and

WHEREAS, the GJWWTF presently pays Fulton County a per ton fee for disposal of sludge; and

WHEREAS, a mutually beneficial reciprocal chargeback system has been negotiated between the parties to promote economical and efficient billing procedures; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a two-year agreement between the Solid Waste Department and the Gloversville-Johnstown Joint Sewer Board, effective January 1, 2017 through December 31, 2018, at the following rates:

\$0.011 per gallon charged to County for leachate disposed of at GJWWTF
\$34.00 per ton charged to GJWWTF for sludge hauled to Landfill

and, be it further

RESOLVED, That this Resolution is contingent upon formal approval of the terms and conditions of the agreement by the GJWWTF; 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, Deputy Director of Solid Waste, Joint Sewer Board, Gloversville-Johnstown Wastewater Treatment Facility, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 372

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

RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT BETWEEN THE SOLID WASTE DEPARTMENT AND ONEIDA-HERKIMER SOLID WASTE AUTHORITY FOR PROCESSING OF SINGLE STREAM RECYCLABLES (2017-2021)

WHEREAS, the Fulton County Solid Waste Department is currently structured and equipped to handle source-separated recyclables; and

WHEREAS, the Interim Director of Solid Waste and Solid Waste Operations Consultant have conducted a cost/benefit analysis regarding converting Fulton County's recycling program from source-separated to "single-stream recycling" and recommend such conversion to promote economy and efficiency within the Department; and

WHEREAS, Oneida-Herkimer Solid Waste Authority has a modern processing facility and capacity to handle single-stream residential recyclables generated in Fulton County; and

WHEREAS, the Interim Director of Solid Waste, Operations Consultant and Committees on Economic Development and Environment, and Finance recommend a 5-year agreement with the Oneida-Herkimer Solid Waste Authority to accept and process single stream recyclables; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an inter-municipal agreement with the Oneida-Herkimer Solid Waste Authority to accept and process single-stream recyclables, at a cost of \$68.98 per ton for year one, with a rate increase of 2 percent per year for years 2 through 5, effective January 1, 2017 through December 31, 2021; subject to approval of the County Attorney; and, be it further

RESOLVED, that said contract also include a provision by formula to share in the revenue generated from the sale of processed Fulton County recyclables in accordance with market conditions; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Interim Solid Waste Director, Oneida-Herkimer Solid Waste Authority, 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 Vacant: 1 (Caroga)

Resolution No. 373

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE DEPARTMENT AND COUNTY WASTE & RECYCLING SERVICES, INC. FOR USE OF THE FULTON COUNTY LANDFILL FOR KEYMARK CORP. SLUDGE DISPOSAL (2017)

WHEREAS, Resolution 376 of 2015 authorized an agreement with Waste Connections Corporation for use of the Fulton County Landfill in 2016; and

WHEREAS, Waste Connections Corporation (aka, County Waste and Recycling Services, Inc) desires to continue to utilize the Fulton County Landfill during 2017 for the disposal of sludge material from Keymark Corporation, located in Fonda, NY; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and County Waste and Recycling Services, Inc. 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 annual tonnage disposal requirement of 1,200 tons during the term of said contract, effective January 1, 2017 through December 31, 2017; and, be it further

RESOLVED, That said contract is subject to the approval of 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 CALLERY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 374

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT BETWEEN THE SOLID WASTE
DEPARTMENT AND BARTON & LOGUIDICE, PC FOR SERVICES RELATED TO
TITLE V PERMIT REQUIREMENTS (2017)

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

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

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a renewal contract between the Solid Waste Department and Barton and Loguidice Engineers to complete reports required in 2017 for the Title V Air Permit issued for the Phase IV Landfill Expansion Project, at a cost not to exceed \$7,000.00; said contract subject to the approval of the County Attorney; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 375

Supervisor WALDRON offered the following Resolution and moved its adoption:

**RESOLUTION SUPPORTING INTRODUCTION OF A NEW YORK STATE PAINT
STEWARDSHIP PROGRAM (ASSEMBLY BILL A.6199C)**

WHEREAS, it is estimated that close to 4 million gallons of leftover paint are generated in New York each year, which would cost \$31 million for local government to properly manage, and

WHEREAS, management of leftover paint in New York results in a cost that typically represents 50% of municipal household hazardous waste budgets, although not all paint is properly managed, and

WHEREAS, a statewide paint stewardship program would mean that the paint industry would be responsible for collecting and managing leftover paint in New York, and

WHEREAS, the American Coatings Association, a trade association representing 95% of paint manufacturers from across the United States has created PaintCare, a non-profit program to manage the reuse, recycling and disposal of leftover paint, and

WHEREAS, the District of Columbia and eight other states, including Rhode Island, Connecticut, Vermont and Maine have passed legislation implementing paint recovery programs managed by PaintCare, saving local municipalities \$69 million dollars while successfully recycling 16 million gallons of paint since 2010 as part of household hazardous waste collection programs, and

WHEREAS, in addition to reducing government costs, a paint stewardship program would continue adding green sector jobs to the over 200 already created across states with paint stewardship legislation, reduce waste and encourage the public to purchase the right amount of paint for a job, and

WHEREAS, the Fulton County Board of Supervisors therefore wishes to express its support for a statewide paint collection system, now, therefore be it

RESOLVED, that the Fulton County Board of Supervisors hereby urges the New York State Legislature to enact A.6199C/S4926C, to relieve municipalities and taxpayers from the financial burden of collecting and managing leftover paint in New York; and, be it further

Resolution No. 375 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senator Hugh Farley, Assemblyman Marc Butler, Interim Solid Waste Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

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

TOTAL: Ayes: 70 (4) Nays: 469 (15) (Supervisors Argotsinger, Blackmon, Born, Breh, Callery, Christopher, Fagan, Greene, Groff, Handy, Howard, Kinowski, Lauria, Potter, and Wilson) Vacant: 12 (1) (Caroga)

Resolution No. 376

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

RESOLUTION AUTHORIZING ACCEPTANCE OF RECYCLING EDUCATION GRANT
FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION (SOLID WASTE DEPARTMENT)

WHEREAS, Fulton County has been allocated \$85,427.00 in grant funds under the 2016 NYS Department of Environmental Conservation Recycling Education Grant; now, therefore be it

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

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

Revenue Account:

Decrease CL.1000.0599-0599-REV Appropriated Fund Balance \$85,427.00

Appropriation Account:

Increase CL.8160.8163-3989-REV-State Aid- Recycling and SWM grants \$85,427.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Interim Solid Waste 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 Vacant: 1 (Caroga)

Resolution No. 377

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

RESOLUTION APPROPRIATING MONIES TO CERTAIN RESERVE ACCOUNTS
(SOLID WASTE DEPARTMENT)

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

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

Revenue:

Increase CL-8160.8162-2130 REV-Landfill-Tipping Fees \$477,250.00

Appropriations:

Increase CL-9901.9901-5000.0001 EXP-Transfer to Reserve-Post Closure Care \$ 56,000.00

Increase CL-9901.9901-5000.0002 EXP-Transfer to Reserve-Capping \$150,000.00

Increase CL-9901.9901-5000.0003 EXP-Landfill to Reserve-Remediation \$ 21,250.00

Increase CL-9901.9901-5000.0004 EXP-Transfer to Reserve-Depreciation \$250,000.00

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

From: CL-9901.9901-5000.0001 EXP-Transfer to Reserve-Post Closure Care

To: CL-0898.0880 Closure Reserve

Sum: \$175,000.00

From: CL-9901.9901-5000.0002 EXP-Transfer to Reserve-Capping

To: CL-0898.0882 Capping Reserve

Sum: \$325,000.00

From: CL-9901.9901-5000.0003 EXP-Landfill to Reserve-Remediation

To: CL-0898.0881 Remediation Reserve

Sum: \$40,000.00

From: CL-9901.9901-5000.0004 EXP-Transfer to Reserve-Depreciation

To: CL-0898.0879 CL Landfill Depreciation

Sum: \$1,500,000.00

From: CL-0909-Unreserved Fund Balance \$2,000,000.00

To: CL-0898.0883- Transfer Haul Equipment Reserve \$750,000.00

To: CL-0898.0878- CL Building-Equipment Depreciation \$1,250,000.00

Resolution No. 377 (Continued)

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Deputy Director of Solid Waste, 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 Vacant: 1 (Caroga)

Resolution No. 378

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

RESOLUTION SETTING TIPPING FEE SCHEDULE FOR THE DEPARTMENT OF
SOLID WASTE (2017)

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

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

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

RESOLVED, That effective January 1, 2017, the rate schedule, attached hereto and made a part hereof, for various tipping and related fees for the Fulton County Solid Waste Department, be and hereby is adopted for all users of Fulton County Solid Waste Facilities; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Deputy Director of Solid Waste, 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 Vacant: 1 (Caroga)

Category	2016 Rate/Ton		2017 Rate/Ton
Friable Asbestos	\$75.00		\$75.00
Construction/demolition	\$55.00		\$55.00
Commercial	\$55.00		\$55.00
Contaminated soil	\$25.00		\$25.00
*County Transfer Haul	\$53.00		\$53.00
*Municipal/County Demolition	\$25.00		\$25.00
Industrial waste	\$55.00		\$55.00
*Municipal Direct Haul	\$33.00		\$33.00
*Sludge	\$44.00		\$44.00
* Sludge (GJWWTP) (per contract)	\$34.00		\$34.00
Uncovered Load	\$150.00		\$150.00
*Cleanup Program	\$50.00		\$50.00
Out of County Contracted Waste	\$56.00		\$56.00
Out of County MSW (25⁺ tons)	\$40.00		N/A
*Transfer Station Recycling	\$10.00		\$10.00
*Curbside Recycling	\$20.00		\$20.00
Commercial Recycling/Clean Wood	\$0.00		\$0.00
Tires - bulk (20 or more)	\$250.00		\$250.00
Tires - Up to & including 16"	\$2.50	each	\$2.50
Tires - 16.5" - 24"	\$5.00	each	\$5.00
Tires - 24.5" & larger	\$250.00		\$250.00
*County haul only (no disposal)	\$20.00		\$20.00
Miscellaneous:			
Compost	\$0.00	/ton	\$0.00
Minimum charge	\$5.00		\$5.00
Vehicle weighing charge	\$5.00		\$5.00
Commercial appliance surcharge	\$5.00	each	\$5.00
Residential Freon units	\$0.00	each	\$0.00
Returned Check Fee	\$20.00		\$20.00
<i>Freon units and tires accepted only at Dept. of Solid Waste</i>			
<i>* These categories do not apply to private companies.</i>			

Resolution No. 379

Supervisor WALDRON offered the following Resolution and moved its adoption:

RESOLUTION SUPPORTING ACCESS ADIRONDACKS MEMORANDUM OF UNDERSTANDING AMONG PUBLIC AND PRIVATE ORGANIZATIONS REGARDING RECREATIONAL ACCESS TO ADIRONDACK STATE LANDS

WHEREAS, the Towns of Newcomb, North Hudson, Minerva, Indian Lake and Long Lake have assembled a Memorandum of Understanding (MOU) regarding recreational access to Adirondack State Lands; and

WHEREAS, the MOU is a statement by the parties pledging work together to increase access and recreational opportunities on Adirondack state lands by public and private entities which will improve the economies of the municipalities and Counties within the region; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby supports the Access Adirondacks Memorandum of Understanding between the Towns of Newcomb, North Hudson, Minerva, Indian Lake and Long Lake to increase the access and recreational opportunities on Adirondack state lands which will improve the economic health of these municipalities, Hamilton and Essex County; and, be it further

RESOLVED, That the Board of Supervisors encourages all involved entities, both public and private, interested in access to Adirondack lands, endorse and sign said Memorandum of Understanding to benefit residents and visitors in New York State; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to Governor Andrew M. Cuomo, Senator Elizabeth O’C Little, Senator Hugh Farley, Assemblyman Marc Butler, Assemblyman Dan Stec; Adirondack Park Agency Chairman Sherman Craig; Division of Lands and Forests Director Robert Davies; Forest Preserve Coordinator/Special Assistant Karyn Richards; Regional Director Robert Stegemann; Adirondack Local Government Review Board Executive Director Frederick Monroe; Inter-County Legislative Committee of the Adirondacks, Adirondack Association of Towns and Villages President Brian Towers; New York State Association of Counties, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 380

Supervisor GREENE offered the following Resolution and moved its adoption:

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

WHEREAS, the leases of two (2) sedans and two (2) minivans for use in the Social Services Department will expire on January 25, 2017; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the lease of two (2) sedans and two (2) minivans for use in the Department of Social Services (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, November 30, 2016, at which time and place they will be publicly opened and read; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 381

Supervisor GREENE offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CHILDREN WITH
HANDICAPPING CONDITIONS TRANSPORTATION TO WHISPERING PINES
PRE-SCHOOL (2016-2017)**

WHEREAS, Transportation for children enrolled in center-based special education programs is required by Federal IDEA (Individuals with Disabilities Education Act), and

WHEREAS, Resolution 18 of 2016 awarded bids for the Children with Handicapping Conditions Transportation Program for transportation services in 2016-2017; and

WHEREAS, a pre-school child will be attending Whispering Pines Preschool in Amsterdam, NY, and will require transportation; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertised for sealed bids from vendors for transportation to the Whispering Pines Preschool in Amsterdam, 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, November 23, 2016, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 382

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

RESOLUTION AUTHORIZING EXTENSION OF 2013 AND 2014 GRANTS FROM THE
NYS OFFICE OF INDIGENT LEGAL SERVICES (PUBLIC DEFENDER)

WHEREAS, Resolution 73 of 2014 authorized a Resolution for a Grant Application to the NYS Office of Indigent Legal Services to Create a Part-Time Sixth Assistant Public Defender Position; and

WHEREAS, Resolution 74 of 2014 authorized a Resolution Accepting “Upstate Quality Improvement and Caseload Reduction Grant” from the NYS Office of Indigent Legal Services; and

WHEREAS, said grants have not been fully expended by the Public Defender’s Office; and

WHEREAS, the New York State Office of Indigent Legal Services has extended the grant periods for the 2013 Upstate Quality Improvement and Caseload Reduction Grant and the 2014 Indigent Legal Services Grant until December 31, 2017; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract extension with the New York State Office of Indigent Legal Services from December 31, 2016 until December 31, 2017, for 2013 Upstate Quality Improvement and Caseload Reduction Grant and 2014 Indigent Legal Services Grant; all other terms and aspects of said contract shall remain in full force and effect; and, be it further

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

Seconded by Supervisor HANDY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 383

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

RESOLUTION AUTHORIZING PURCHASE OF SECURITY CAMERAS FOR USE IN THE PROBATION DEPARTMENT

WHEREAS, the Probation Director requested a security assessment by a Training and Security Specialist through the Sheriff's Department and several recommendations were made including the installation of security cameras; and

WHEREAS, the Probation Director has requested to purchase three (3) Security Cameras at a cost of \$650.00 each, for a total of \$1,950.00 for installation at the Probation Building; and

WHEREAS, the Committees on Probation and Finance have reviewed said request and concur; now, therefore be it

RESOLVED, That the Probation Director be and hereby is authorized to purchase the following equipment for use in the Probation Department:

(3) Axis M3027-VE Security Cameras	\$ 650.00 each
Total	\$1,950.00

and, be it further

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

From: A.3140.3140-4070 – EXP – Postage	\$1,800.00	
A.3140.3140-4530 – EXP – Supplies	\$ 70.00	
To: A.3140.3140-4010 – EXP – Equipment-Non-Asset		\$1,870.00

and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 384

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

RESOLUTION AUTHORIZING ACCEPTANCE OF 2016-2017 NYS STOP-DWI
CRACKDOWN GRANT FROM THE NYS GOVERNOR'S
TRAFFIC SAFETY COMMITTEE

WHEREAS, the District Attorney received a 2016-2017 "NYS STOP-DWI Crack Down" Grant from the NYS Governor's Traffic Safety Committee to offset local policy agency's patrol costs in 2017 as follows:

Fulton County Sheriff's Office	\$ 3,558.36
Gloversville Police Department	3,056.54
Johnstown Police Department	2,144.14
Northville Police Department	<u>364.96</u>
Total	\$ 9,124.00

now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said 2016-2017 "STOP-DWI Crack Down" Grant from the Governor's Traffic Safety Committee, in the amount of \$9,124.00, for sponsored activities during 2017; and, be it further

RESOLVED, That the Budget Director and District 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, District Attorney, Sheriff, 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 Vacant: 1 (Caroga)

Resolution No. 385

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

RESOLUTION AUTHORIZING PURCHASE OF A STORAGE CABINET FOR USE IN THE DISTRICT ATTORNEY’S OFFICE WITH CRIME FORFEITURE PROCEEDS

WHEREAS, the District Attorney has requested to use crime forfeiture proceeds to purchase a Storage Cabinet for use in the District Attorney’s Office; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the District Attorney be and hereby is authorized to purchase a Storage Cabinet for the District Attorney’s Office utilizing Crime Forfeiture proceeds, as follows:

<u>Item</u>	<u>Cost</u>
(1) Storage Cabinet	\$443.35

and, be it further

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

Revenue Account:

Increase A.1165.3197-2626 REV-Forfeiture of Crime Proceeds-Restricted \$444.00

Appropriation Account:

Increase A.1165-3197.4010 EXP – Equipment Non-Asset \$444.00

and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 386

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

**RESOLUTION AUTHORIZING PURCHASE OF TWO VHF HI-BAND FREQUENCIES
WITH 2013 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT FUNDS
(CIVIL DEFENSE/FIRE COORDINATOR)**

WHEREAS, Resolution 103 of 2014 authorized a Resolution Accepting a Statewide Interoperable Communications Grant for the Civil Defense Department/Fire Coordinator in the amount of \$2,327,780.00; and

WHEREAS, in order to address severe radio communications interruptions occurring on existing Sheriff's Department emergency radio frequencies, the Civil Defense Director/Fire Coordinator and Sheriff recommended purchasing two (2) additional VHF Hi-band Frequencies for County use; and

WHEREAS, the Civil Defense Director/Fire Coordinator has obtained approval from the NYS Department of Homeland Security and Emergency Services to use a portion of the balance of the aforementioned Statewide Interoperable Communication Grant for the purchase of additional VHF Hi-band frequencies; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator be and hereby is authorized to purchase two (2) VHF Hi-band Frequencies with 2013 Statewide Interoperable Communications Grant funds, in an amount not to exceed \$12,200.00; and, be it further

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

Revenue Account:

Increase H.3640.3020-3397.0680 REV – State Aid-Public Safety \$12,200.00

Appropriation Account:

Increase H.3640.3020-2100.0680 EXP – Statewide Interoperable Communications \$12,200.00

and, be it further

Resolution No. 386 (Continued)

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

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 387

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

RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT WITH DM ROMEYN CIVIL ENGINEERING DESIGN, PLLC FOR ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES FOR THE BURN BUILDING RENOVATION PROJECT (2016 CAPITAL PLAN)

WHEREAS, the 2016 Capital Plan includes a Burn Building Renovation Project; and

WHEREAS, Resolution 108 of 2016 authorized a Contract with DM Romeyn Civil Engineering Design, PLLC to Prepare Design and Bid Specifications and conduct construction administration for said Burn Building Renovation Project; and

WHEREAS, Resolution 292 of 2016 authorized a Resolution Awarding a Bid for construction to P.C.C. Contracting for the Burn Building Renovation Project; and

WHEREAS, inasmuch as the overall scope of work and cost of the Burn Building Renovation Project was higher than originally projected, additional construction administration services will be required; now, therefore be it

RESOLVED, That upon the recommendation of the Civil Defense Director/Fire Coordinator and Committees on Public Safety and Finance, the Chairman of the Board be and hereby is authorized to sign a contract amendment with DM Romeyn Civil Engineering Design, PLLC for additional construction administration services for the Burn Building Renovation Project, at a cost not to exceed \$1,800.00; 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 2016 Adopted Budget be and hereby is amended as follows:

Increase A.1000.0511-0511 REV - Appropriated Reserves \$1,800.00

Appropriation Account:

Increase A.1000.9950-9000.1200 EXP – Capital Improvement Reserve \$1,800.00

and, be it further

Resolution No. 387 (Continued)

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

From: A-0883.0800 Capital Improvement Reserve
To: A-0909-Unreserved Fund Balance
Sum: \$1,800.00

From: A.1000.9950-9000.1200 EXP- Capital Improvement Reserve
To: H.3640.3640-2100.0810 EXP – Burn Building Renovation
Sum: \$1,800.00

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 WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 388

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

RESOLUTION AUTHORIZING AGREEMENTS FOR LEASE OF COMMUNICATIONS TOWER SPACE ON BLEECKER MOUNTAIN (CIVIL DEFENSE/FIRE COORDINATOR)

RESOLVED, That the Chairman of the Board be and herby is authorized to sign agreements between the Civil Defense/Fire Coordinator’s Office and the following agencies for lease of tower space on Bleecker Mountain, at rates and terms as follows:

	<u>Cost per Year</u>	<u>Lease Term</u>
Lexington Center	\$6,000.00	January 1, 2017-December 31, 2018
NYS Dept. of Transportation	6,000.00	January 1, 2017-December 31, 2018
National Grid	6,000.00	January 1, 2017-December 31, 2018

and, be it further

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

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 389

Supervisor GROFF offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR FOODSTUFFS FOR
USE IN THE CORRECTIONAL FACILITY FOR 2017**

RESOLVED, That the Fulton County Purchasing Agent be and hereby is authorized to advertise for sealed bids for foodstuffs for the Fulton County Correctional Facility on a periodic basis for the year 2017, in accordance with bidding requirements and at dates and times to be determined by said Purchasing Agent; and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 390

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING PURCHASE OF A FAX MACHINE FOR USE IN THE
COUNTY CLERK'S OFFICE**

WHEREAS, the County Clerk has requested to purchase a new Fax Machine to replace one that has recently broken; now, therefore be it

RESOLVED, That the County Clerk be and hereby is authorized to purchase a Fax Machine for use in the County Clerk's Office as follows:

(1) Fax Machine	\$495.00
-----------------	----------

and, be it further

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

From: A.1410.1410-4020 EXP - Travel
To: A.1410.1410-4010 EXP - Equipment-Non-Asset
Sum: \$500.00

and, be it further

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 391

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION CONFIRMING COUNTY INVESTMENT POLICY FOR 2017

WHEREAS, Resolution 65 of 1986 established an "Investment Procedure" for "Investment of Idle Funds" by the County Treasurer; and

WHEREAS, Resolution 414 of 1994 updated said procedure to correspond with current requirements; and

WHEREAS, Resolution 397 of 1998 adopted the "Fulton County Investment Policy" to conform with all applicable federal, state and other legal requirements; and

WHEREAS, Resolution 292 of 2013 amended said policy to allow certain additional permitted investment instruments; and

WHEREAS, General Municipal Law, Section 39, requires that the "Fulton County Investment Policy" be reviewed by the Board of Supervisors on an annual basis; now, therefore be it

RESOLVED, That the Board of Supervisors hereby confirms the contents of the "Fulton County Investment Policy", as adopted by Resolution 397 of 1998, as amended; and, be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 392

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION DELEGATING APPROVAL AUTHORITY TO THE COUNTY TREASURER
FOR CORRECTIONS OF ERRORS AND/OR TAX REFUNDS LESS THAN
\$2,500.00 IN 2017**

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

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

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

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

RESOLVED, That upon the recommendation of the Committee on Finance, the Board of Supervisors hereby authorizes the County Treasurer to approve Corrections of Errors and/or Refunds of Taxes less than \$2,500.00 in 2017, pursuant to the aforementioned laws; and, be it further

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

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

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 393

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING BANKS (2017)

RESOLVED, That pursuant to Section 212 of County Law, the Board of Supervisors of Fulton County does hereby designate the following banks as depositories of County funds, the maximum amount to be deposited in the following banks not to exceed the sum set opposite their respective names, for the year 2017:

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

and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 394

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

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

RESOLVED, That in the event of a cash flow problem within any unrestricted fund due to untimely receipt of State, Federal or other monies during 2017, the Fulton County Treasurer be and hereby is authorized and empowered to loan monies necessary to such funds from any other unrestricted funds; and, be it further

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

RESOLVED, That the Fulton County Treasurer be and hereby is directed to repay these loans, with interest, at an appropriate current rate; and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 395

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING COUNTY TREASURER TO CLOSEOUT CERTAIN
CAPITAL PROJECTS

WHEREAS, certain projects identified in prior Capital Plans that have been completed and accounts established for said projects are no longer utilized; now, therefore be it

RESOLVED, That the following capital project work has been completed and the Budget Director recommends that said project be closed out and the remaining balance returned to the A-0883.0800-Capital Improvement Reserves:

- H.1620.1624-2100.0715 Correction Facility Roof Replacement (2015) \$17,401.00 (approx.)
- H.8020.8097-2100.0660 Thruway Connector Project (2014) \$9,554.00 (approx.)
- H.8020.7989-4000.0705 Rail Trail (2014) \$7,500.00 (approx.)

and, be it further

RESOLVED, That the following capital project work has been completed and the Budget Director recommends that said project be closed out and the remaining balance returned to the A-0883.0700 - Capital Equipment Reserve

- H.1680.1681-2100.0710 IT Upgrade Plan (2015) \$860.00 (approx.)

and, be it further

RESOLVED, That the following capital project work has been completed and the Budget Director recommends that said project be closed out and the remaining balance returned to the A-0890 – E911 Emergency Phone System Reserve

- H.8020.3020-2100.0740 VESTA 911 PSAP Replacement Project (2015) \$5,000.00 (approx.)

and, be it further

Resolution No. 395 (Continued)

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Planning Director, Information Services Director, Sheriff, 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 Vacant: 1 (Caroga)

Resolution No. 396

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPROPRIATING MONIES TO CAPITAL RESERVES

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

WHEREAS, 2016 Tobacco Settlement Proceeds for Fulton County totaled \$860,314.70 and

WHEREAS, an additional one-time settlement share was also received by Fulton County via a settlement agreement between certain tobacco companies and the State of New York (Non-Participating Manufacturer) for the period 2004 through 2014 totaling \$799,217.59; and

WHEREAS, the Committee on Finance recommends appropriating the combined 2016 proceeds specified herein in accordance with said Capital Plan funding policy; \$1,000.00 allocated in the 2017 Adopted Budget to the Youth Bureau Program and the balance allocated to the Capital Reserves; now, therefore be it

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

Decrease A.1000.0599-0599 REV-Appropriated Fund Balance \$1,659,533.00

Revenue Account:

Increase A.1000.2690-2690 REV-Other Compensation for Loss 1,659,533.00

and, be it further

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

From: A-0909 Unreserved Fund Balance	\$1,658,533.00	
To: A-0883.0700 - Capital Equipment Reserve		\$ 658,533.00
A-0883-0800 - Capital Improvements Reserve		\$1,000,000.00

and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 397

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING 2017 TENTATIVE BUDGET AND FIXING DATE OF
PUBLIC HEARING THEREFORE

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

RESOLVED, That said budget so reviewed be accepted as the Tentative Budget for the year 2017; and, be it further

RESOLVED, That pursuant to Section 359 of County Law, a public hearing on the Tentative Budget for the year 2017, with such changes, alterations and revisions as shall have been made by the Board of Supervisors, will be held in the Supervisors' Chambers, in the City of Johnstown, on Monday, November 28, 2016, at 1:30 p.m.; and, be it further

RESOLVED, That the Clerk of the Board be authorized and directed to advertise the notice of the hearing according to law and state therein that the maximum salary of the Supervisors shall be \$8,102.00 each, which reflects a 2.75% increase over the 2016 salaries and that the salary of the Chairman shall be \$10,665.00, which reflects a 2.75% increase over the 2016 salary; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Department, Payroll, 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 Vacant: 1 (Caroga)

Resolution No. 398

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING THREE-YEAR CAPITAL PLAN FOR FULTON COUNTY
(2017-2019)

RESOLVED, That the 2017-2019 Three-Year Capital Plan, as submitted by the Capital Program Committee, be and hereby is accepted as fulfillment of the responsibilities assigned in Resolution No. 121 of 1982, and said report, as reviewed by this Board, be accepted as Fulton County's formal Capital Plan for 2017-2019 for inclusion by the Budget Director into the 2016 Tentative Budget for the County of Fulton, as presented to this Board on November 14, 2016, as attached hereto; and, be it further

RESOLVED, That the 2017 Capital Projects identified herein for the Fulton-Montgomery Community College be and hereby are approved for appropriation within the 2017 County Budget; and, be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

DEPARTMENT / PROJECT	2017			2018			2019			Fulton County Share 3 Year Total
	Total Cost	Offsetting Revenue	Fulton County Share	Total Cost	Offsetting Revenue	Fulton County Share	Total Cost	Offsetting Revenue	Fulton County Share	
District Attorney - 1165			\$ -			\$ -			\$ -	
New Neighborhood Project: Surveillance & Intelligence Gathering Tools	\$ 90,000	\$ -	\$ 90,000			\$ -			\$ -	
Total	\$ 90,000	\$ -	\$ 90,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 90,000
Facilities - 1620										
Central Air Conditioning-FC Office Building, LED Lighting, Drive Motors - Corrections	\$ -	\$ -	\$ -	\$ 650,000		\$ 650,000				
Fulton County Office Building Roof	\$ 50,000	\$ -	\$ 50,000			\$ -				
Sealing Parking Lots - Striping, Curb & Sidewalk Repairs : St Mary's, OFA, Probation, Complex I & Complex II	\$ 40,000	\$ -	\$ 40,000			\$ -				
Sealing Parking Lots -Complex II, Sheriff, Corrections				\$ 55,000	\$ -	\$ 55,000				
St Mary's Roof				\$ 30,000	\$ -	\$ 30,000				
Replacement Windows - Probation							\$ 42,000	\$ -	\$ 42,000	
EQUIPMENT:										
Pickup Truck with Plow	\$ 38,000	\$ -	\$ 38,000							
Muffin Monster - Sewer Grinder							\$ 15,000	\$ -	\$ 15,000	
Total	\$ 128,000	\$ -	\$ 128,000	\$ 735,000	\$ -	\$ 735,000	\$ 57,000	\$ -	\$ 57,000	\$ 920,000
Information Services - 1680										
County PC Upgrade Plan	\$ 34,866	\$ -	\$ 34,866	\$ 35,000		\$ 35,000	\$ 35,000	\$ -	\$ 35,000	
Disaster Recovery/Business Continuity Plan	\$ 49,280	\$ -	\$ 49,280	\$ 20,000		\$ 20,000	\$ -	\$ -	\$ -	
Network Security and Server	\$ 43,500	\$ -	\$ 43,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Microsoft Office Upgrade	\$ -	\$ -	\$ -	\$ 78,710	\$ -	\$ 78,710	\$ -	\$ -	\$ -	
Server Software Upgrade	\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ -	\$ -	
Total	\$ 127,646	\$ -	\$ 127,646	\$ 158,710	\$ -	\$ 158,710	\$ 35,000	\$ -	\$ 35,000	\$ 321,356
FMCC - 2497										
Campus Critical Maintenance Projects - Campus Labs & Classroom Design	\$ 100,000	\$ 75,000	\$ 25,000							
Campus Critical Maintenance Projects - Technology Upgrade	\$ 900,000	\$ 675,000	\$ 225,000							
Campus Critical Maintenance Projects - Campus Bathrooms & Locker Rooms Renovations	\$ 2,200,000	\$ 2,200,000	\$ -							
Allen House: Administrative and Community Center	\$ 2,425,400	\$ 2,425,400	\$ -							
Campus Critical Maintenance Projects - Campus Labs & Classroom Renovations Phase I				\$ 1,000,000	\$ 750,000	\$ 250,000				
Campus Critical Maintenance Projects - Campus Labs & Classroom Renovations Phase II							\$ 1,000,000	\$ 750,000	\$ 250,000	
Total	\$ 5,625,400	\$ 5,375,400	\$ 250,000	\$ 1,000,000	\$ 750,000	\$ 250,000	\$ 1,000,000	\$ 750,000	\$ 250,000	\$ 750,000
Sheriff - 3110										
Patrol Car (2)	\$ 73,000	\$ -	\$ 73,000							
Van	\$ 33,500	\$ -	\$ 33,500							
Patrol Car (3)				\$ 112,500	\$ -	\$ 112,500	\$ 114,000	\$ -	\$ 114,000	
Total	\$ 106,500	\$ -	\$ 106,500	\$ 112,500	\$ -	\$ 112,500	\$ 114,000	\$ -	\$ 114,000	\$ 333,000
Public Health - 4010										
Medical Records Server and Software Upgrade	\$ 20,665	\$ -	\$ 20,665							
Total	\$ 20,665	\$ -	\$ 20,665	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,665
PLANNING- 8020										
FACILITIES:										
Airport Master Plan Environmental Assessments	\$ 250,000	\$ 237,500	\$ 12,500			\$ -				
Airfield Lighting Design	\$ 100,000	\$ 95,000	\$ 5,000	\$ 900,000	\$ 855,000	\$ 45,000				
Fulton County Office Building Exterior Renovations	\$ 500,000	\$ 450,000	\$ 50,000							
Subtotal	\$ 850,000	\$ 782,500	\$ 67,500	\$ 900,000	\$ 855,000	\$ 45,000	\$ -	\$ -	\$ -	
ECONOMIC DEVELOPMENT :										
Public Relations/Affairs/Marketing Campaign	\$ 100,000	\$ -	\$ 100,000							
SMART Waters - Waterline for Hales Mills Road Ext	\$ 1,300,000	\$ 260,000	\$ 1,040,000							
SMART Waters - Sewer Collection and Treatment System - Vails Mills	\$ 250,000	\$ -	\$ 250,000	\$ 2,350,000	\$ -	\$ 2,350,000				
Jump Start Fulton County: Create Shove Ready Land at Tryon Technology Park	\$ 50,000	\$ -	\$ 50,000							
Subtotal	\$ 1,700,000	\$ 260,000	\$ 1,440,000	\$ 2,350,000	\$ -	\$ 2,350,000	\$ -	\$ -	\$ -	
Total	\$ 2,550,000	\$ 1,042,500	\$ 1,507,500	\$ 3,250,000	\$ 855,000	\$ 2,395,000	\$ -	\$ -	\$ -	\$ 3,902,500
General Fund Total	\$ 8,648,211	\$ 6,417,900	\$ 2,230,311	\$ 5,256,210	\$ 1,605,000	\$ 3,651,210	\$ 1,206,000	\$ 750,000	\$ 456,000	\$ 6,337,521

HIGHWAY - D/DM										
Paving CR 112, Town of Bleecker	\$ 480,000	\$ 480,000	\$ -							
Paving CR 148, Town of Johnstown	\$ 66,000	\$ 66,000	\$ -							
Paving CR 114, Town of Oppenheim	\$ 420,000	\$ 420,000	\$ -							
Paving CR 151, Town of Oppenheim	\$ 380,000	\$ 287,816	\$ 92,184							
Paving CR 108, Town of Oppenheim	\$ 100,000		\$ 100,000							
Paving CR 146, Town of Mayfield	\$ 213,000		\$ 213,000							
Paving CR 152, Town of Northampton	\$ -		\$ -	\$ 50,000		\$ 50,000				
Paving CR 155, Town of Mayfield	\$ -		\$ -	\$ 90,000		\$ 90,000				
Paving CR 142A, Town of Johnstown	\$ -		\$ -	\$ 95,000		\$ 95,000				
Paving CR 125, Town of Bleecker				\$ 785,000	\$ 785,000	\$ -				
Paving CR 157, Town of Mavfield				\$ 130,000	\$ 130,000	\$ -				
Paving CR 137, Town of Caroga				\$ 360,000	\$ 338,816	\$ 21,184				
Paving CR 102, Town of Johnstown				\$ 130,000	\$ -	\$ 130,000				
Paving CR 140, Town of Ephratah				\$ 50,000	\$ -	\$ 50,000				
Paving CR 158, Towns of Mayfield and Perth				\$ 260,000	\$ -	\$ 260,000				
Paving CR 132, Town of Perth							\$ 475,000	\$ 475,000	\$ -	
Paving CR 138, Town of Broadalbin							\$ 275,000	\$ 275,000	\$ -	
Paving CR 137, Town of Caroga							\$ 225,000	\$ 225,000	\$ -	
Paving CR 150, Town of Oppenheim							\$ 175,000	\$ 175,000	\$ -	
Paving CR 119, Town of Stratford							\$ 396,000	\$ 103,816	\$ 292,184	
Paving CR 143, Town of Northampton							\$ 191,000	\$ -	\$ 191,000	
Paving CR 149, Town of Northampton							\$ 143,000	\$ -	\$ 143,000	
Subtotal	\$ 1,659,000	\$ 1,253,816	\$ 405,184	\$ 1,950,000	\$ 1,253,816	\$ 696,184	\$ 1,880,000	\$ 1,253,816	\$ 626,184	\$ 1,727,552
Equipment										
Truck 4500 Crew Cab	\$ 49,800	\$ -	\$ 49,800							
Truck SSV Crew Cab 4x4	\$ 28,400	\$ -	\$ 28,400							
Truck 4500 Regular Cab 4x4	\$ 56,600	\$ -	\$ 56,600							
Alamo Boom Mower 5100Mw/ 19'				\$ 100,000	\$ -	\$ 100,000				
Alamo Boom Mower 5100Mw/ 19'				\$ 100,000	\$ -	\$ 100,000				
Tandem Dump Truck with Plow							\$ 250,000	\$ -	\$ 250,000	
Subtotal	\$ 134,800	\$ -	\$ 134,800	\$ 200,000	\$ -	\$ 200,000	\$ 250,000	\$ -	\$ 250,000	\$ 584,800
Highway Total	\$ 1,793,800	\$ 1,253,816	\$ 539,984	\$ 2,150,000	\$ 1,253,816	\$ 896,184	\$ 2,130,000	\$ 1,253,816	\$ 876,184	\$ 2,312,352

Solid Waste EW865										
Landfill Expansion Engineering	\$ -	\$ -	\$ -							
Landfill Expansion Construction	\$ 7,000,000		\$ 7,000,000							
Gas Well Work	\$ 75,000		\$ 75,000	\$ 75,000		\$ 75,000	\$ 70,000		\$ 70,000	
Garage Waste Heat	\$ 25,000		\$ 25,000							
Subtotal	\$ 7,100,000	\$ -	\$ 7,075,000	\$ 75,000	\$ -	\$ 75,000	\$ 70,000	\$ -	\$ 70,000	\$ 7,220,000
Equipment										
Landfill Compactor	\$ 725,000	\$ 40,000	\$ 685,000							
Scale Program Software Update	\$ 12,000	\$ -	\$ 12,000							
Radiation Monitor	\$ -	\$ -	\$ -	\$ 27,000	\$ -	\$ 27,000				
Roll Off Truck	\$ 150,000	\$ -	\$ 150,000							
Tractor Truck	\$ 125,000	\$ -	\$ 125,000							
Fusion Machine	\$ 16,000	\$ -	\$ 16,000							
Styrofoam Densifier	\$ 28,000	\$ 25,530	\$ 2,470							
Off Road Truck				\$ 350,000	\$ -	\$ 350,000				
Bulldozer				\$ 350,000	\$ -	\$ 350,000				
GPS Base Station & Rover Unit				\$ 125,000	\$ -	\$ 125,000				
Rearload Recycling Collection Truck				\$ 200,000	\$ -	\$ 200,000				
Daily Cover Tarp Unit				\$ 50,000	\$ -	\$ 50,000				
Bucket Loader							\$ 180,000	\$ -	\$ 180,000	
Side Slope Mower							\$ 40,000	\$ -	\$ 40,000	
Fork Lift							\$ 30,000	\$ -	\$ 30,000	
Wheel Wash System							\$ 50,000	\$ -	\$ 50,000	
Subtotal	\$ 1,056,000	\$ 65,530	\$ 990,470	\$ 1,102,000	\$ -	\$ 1,102,000	\$ 300,000	\$ -	\$ 300,000	\$ 2,392,470
Solid Waste Total	\$ 8,156,000	\$ 65,530	\$ 8,090,470	\$ 1,177,000	\$ -	\$ 1,177,000	\$ 370,000	\$ -	\$ 370,000	\$ 9,612,470
GRAND TOTAL:	\$ 18,598,011	\$ 7,737,246	\$ 10,860,765	\$ 8,583,210	\$ 2,858,816	\$ 5,724,394	\$ 3,706,000	\$ 2,003,816	\$ 1,702,184	\$ 18,262,343

Resolution No. 399

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING DEADLINE FOR SUBMITTAL OF BILLS

WHEREAS, for the proper administration of County business, it has been determined that it would be in the best interest of the County of Fulton that any and all creditors who have sold goods, wares and merchandise or have provided personal services in 2016 submit their bills or claims in proper form to the respective department heads of the County on or before the 1st day of December 2016; now, therefore be it

RESOLVED, That a copy of this Resolution shall be filed with each department head so that they may notify any and all creditors of Fulton County to submit, in proper form, any and all claims for payment for the year 2016; and, be it further

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

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 400

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING REPORT OF COMMITTEE ON MORTGAGE TAX
DISTRIBUTION

RESOLVED, That the Report of the Committee on Mortgage Tax (Finance) dated November 3, 2016, be adopted as the act and determination of the Board and that the County Treasurer be and hereby is authorized and directed to issue checks payable to the proper village, town or city officers thereto; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 401

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ENDORSING THE CONCEPT OF REQUIRING PILOT PAYMENTS FROM OWNERS OF SOLAR, WIND, OR FARM WASTE ENERGY SYSTEMS ELIGIBLE FOR SECTION 487 REAL PROPERTY TAX EXEMPTIONS

WHEREAS, Section 487 of NYS Real Property Tax Law allows a 15-year real property tax exemption for New York Research and Development Authority (NYSERDA) – approved solar, wind or farm waste energy systems applicable to the value of any increase in assessed value due to the system; and

WHEREAS, local taxing jurisdictions may opt out of allowing the Section 487 Exemption, or, if allowing the Exemption, may require Payment in Lieu of Taxes (PILOT) Agreements from the property owners; and

WHEREAS, due to the popularity of such energy projects, particularly solar system projects, it is advisable to establish an inter-municipal process to implement required PILOT payments for commercial solar, wind or farm waste energy system project applications submitted to taxing jurisdictions within Fulton County; now, therefore be it

RESOLVED, That the Board of Supervisors hereby endorses the concept and expresses its intent to cooperate with other local taxing jurisdictions within Fulton County to require annual PILOT payments from owners of solar, wind or farm waste energy systems eligible for Section 487 Real Property Tax Exemptions; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, All Cities, Towns, Villages and School Districts within Fulton County, Local Assessors, RPTSA Director, Planning Director, County Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 514 (18) Nays: 25 (1) (Supervisor Young) Vacant: 12 (1) (Caroga)

Resolution No. 402

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING A VACANCY REVIEW PROCESS FOR 2017

WHEREAS, the Committee on Finance has begun preparation of the 2017 County Budget and has also been evaluating the impacts of burdensome State mandates on future County finances; and

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

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

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

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

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

and, be it further

RESOLVED, That this policy shall commence and apply to all vacancies occurring on or after January 1, 2017, and shall end December 31, 2017; and, be it further

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

Resolution No. 402 (Continued)

RESOLVED, That the Personnel Director and all involved Department Heads do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, All Department Heads, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 393 (15) Nays: 146 (4) (Supervisors Greene, Groff, Wilson and Young) Vacant: 12 (1) (Caroga)

Resolution No. 403

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER

RESOLVED, That the Board of Supervisors hereby designates The Leader Herald, a daily newspaper, published in Gloversville, NY pursuant to the provision of Section 214 of County Law, as the newspaper to publish all local laws and notices of other matters required by Law to be published in the year 2017.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 404

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS

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

Board of Supervisors

From: A.1000.1990-4907 – EXP – Contingent Fund Expense
To: A.1010.1010-1000 – EXP – Payroll
Sum: \$6,500.00

Community Services

From: A.1000.1990-4907 – EXP – Contingent Fund Expense
To: A.4310.4310-4090 – EXP – Professional Services
Sum: \$42,483.00

Real Property

From: A.1355.1355-4030 – EXP - Repairs
To: A.1355.1355-1100 – EXP - Overtime
Sum: \$100.00

Personnel

From: A.1430.1430-4210 – EXP – Training and Conference
To: A.1430.1430-1100 – EXP – Overtime
Sum: \$1,000.00

Facilities

From: A.1620.1621-4150.1100 – EXP – Utilities – Natural Gas/Propane	\$2,000.00	
A.1620.1623-4150.1300 – EXP – Utilities – Fuel Oil	2,000.00	
A.1620.1625-4150.1100 – EXP – Utilities – Natural Gas/Propane	1,500.00	
A.1620.1630-4150.1000 – EXP – Utilities – Electric	1,500.00	
A.1620.1631-4150.1300 – EXP – Utilities – Fuel Oil	1,000.00	
To: A.1620.1624-4150.1000 – EXP – Utilities – Electric		\$8,000.00

Resolution No. 404 (Continued)

Sheriff

From: A.3110.3110-1100 – EXP – Overtime
To: A.3110.3111-1000 – EXP – Special Deputies
Sum: \$5,000.00

From: A.3110.3112-1100 – EXP – Overtime
To: A.3110.3112-1000 – EXP – Payroll
Sum: \$100.00

From: A.3110.3113-1000 – EXP – Payroll \$15,000.00
To: A.3110.3113-1110 – EXP – Supplemental \$ 5,000.00
A.3110.3113-1100 – EXP – Overtime \$10,000.00

Corrections

From: A.3110.3150-1000 – EXP – Payroll \$50,000.00
To: A.3110.3150-1100 – EXP – Overtime \$25,000.00
A.3110.3151-1000 – EXP – Payroll \$25,000.00

From: A.3110.3110-1000 – EXP – Payroll
To: A.3110.3150-1100 – EXP – Overtime
Sum: \$20,000.00

From: A.3110.3150-4931 – EXP – Inmate Supplies \$ 3,500.00
A.3110.3150-4630 – EXP – Restraint-Rescue-Riot \$ 1,500.00
To: A.3110.3160-4130 – EXP – Contractual (Penitentiary) \$ 5,000.00

Solid Waste

From: CL.8160.8163-1000 – EXP – Payroll \$38,000.00
CL.8160.8163-1110 – EXP – Supplemental 8,000.00
CL.8160.8162-8200 – EXP – Workers Compensation 13,350.00
To: CL.8160.8163-8200 – EXP - Workers Compensation \$59,350.00

Highway

From: D.5010.5110-4620 – EXP – Cement-Concrete-Etc.
To: D.5010.5120-4030 – EXP - Repairs
Sum: \$5,000.00

Resolution No. 404 (Continued)

Budget Transfer

From: MS.9040.1710-4090 – EXP – Professional Services

To: MS.9040.1720-4921 – EXP – Benefits and Awards

Sum: \$50,000.00

and, be it further

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

General Government

Decrease A.1000.0599-0599 – REV - Appropriated Fund Balance \$519,750.00

Revenue

Increase A.1000.1051-1051 – REV – Gain from Sales of Tax Acq Prop \$206,000.00

Increase A.1000.3089-3089 - REV - State Aid – Other \$313,750.00

Decrease A.1000.0599-0599 – REV - Appropriated Fund Balance \$ 22,500.00

Revenue

Increase A.1000.3405-3405 – REV – State Aid, Compassionate Care Act \$22,500.00

Revenue

Increase A.1000.5630-3594 – REV – State Aid-Buses and Oth Mass Trans. Proj \$50,000.00

Appropriation

Increase A.1000.5630-4130 – EXP – Contractual \$ 50,000.00

Sheriff's Department

Budget Amendment

Increase A.1000.0599-0599 – REV – Appropriated Fund Balance \$60,000.00

Revenue

Decrease A.3110.3150-2260 – REV – Public Safety Services – Other Govts \$ 60,000.00

Public Health

Decrease A.1000.0599-0599 REV – Appropriated Fund Balance \$300,000.00

Appropriation

Decrease A.4010.2960-4918 EXP – Education of PHC (3-5)
Tuition and Other Expenses \$300,000.00

Social Services

Decrease A.1000.0599-0599 - REV - Appropriated Fund Balance \$1,129,750.00

Revenue:

Decrease A.6010.6055-3655 REV - DSS - Daycare \$ 200,000.00

Decrease A.6010.6109-4609 REV - DSS - Family Assistance \$ 465,000.00

Decrease A.6010.6119-1819 REV - DSS - Child Care \$ 76,000.00

Decrease A.6010.6123-3623 REV - DSS - Juvenile Delinquents \$ 4,800.00

Decrease A.6010.6140-3640 REV - DSS - Safety Net Assistance \$ 82,070.00

\$1,957,620.00

Resolution No. 404 (Continued)

Appropriation:

Decrease A.6010.6055-4170 - EXP - Programs (Daycare)	\$ 200,000.00
Decrease A.6010.6102-4910 - EXP - Programs (Medicaid - Local Share)	\$ 300,000.00
Decrease A.6010.6109-4911.0000 - EXP - Programs (Family Assistance)	\$ 723,000.00
Decrease A.6010.6119-4170 - EXP - Programs (Child Care)	\$ 200,000.00
Decrease A.6010.6123-4170 - EXP - Programs (Juvenile Delinquents)	\$ 85,000.00
Decrease A.6010.6140-4170 - EXP - Programs (Safety Net Assistance)	\$ 283,000.00
Decrease A.6010.6010-1810 - REV - DSS-Administrative Repayments	<u>\$ 166,620.00</u>
	\$1,957,620.00

Workers Compensation

Budget Amendment

Increase MS.9040.1710-2683 – REV - Self Insurance Recoveries	\$80,000.00
Increase MS.9040.1720-4921 – EXP – Benefits and Awards	\$80,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, RPTSA, Superintendent of Highways and Facilities, Community Services Director, Personnel Director, Interim Solid Waste Director, Public Health Director, Sheriff, Corrections, Commissioner of Social Services, 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 Vacant: 1 (Caroga)

Resolution No. 405

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING STATE CRIMINAL ALIEN ASSISTANCE
PROGRAM (SCAAP) GRANT FUNDS

WHEREAS, Resolution 393 of 2015 authorized a contract between the Sheriff and Justice Benefits, Inc. for preparation of grant applications; and

WHEREAS, the Sheriff has been notified by Justice Benefits, Inc. that Fulton County has been awarded NYS Criminal Alien Assistance Program (SCAAP) funds to offset operating costs in the Correctional Facility, in an amount of \$2,003.00; and

WHEREAS, the Sheriff has requested that said recoveries be re-appropriated to cover anticipated Department costs for the balance of the year; now, therefore be it

RESOLVED, That the 2016 Adopted Budget be and hereby is amended to accept additional SCAAP funds, as follows:

Revenue Account:

Increase A.3110.3150-4320 REV-Federal Aid-Crime Control	\$2,003.00
---	------------

Appropriation Accounts:

Increase A.3110.3150-1100 EXP-Overtime	\$1,562.00
Increase A.3110.3150-4130 EXP-Contractual	441.00

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)

Resolution No. 406

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION IN MEMORY OF FORMER SUPERVISOR BRUCE H. BUSCH

WHEREAS, former Supervisor Bruce Busch passed away on Saturday, November 12, 2016; and

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

WHEREAS, Mr. Busch served the people of Fulton County as a member of this Board of Supervisors from 1984 through 1993 and served as Chairman of the Board in 1990; and

WHEREAS, Supervisor Busch always approached his public service duties with a caring attitude, earning a reputation as a respected gentleman legislator; and

WHEREAS, Bruce served his country as an Infantryman in the United States Arm from 1951 to 1953; and

WHEREAS, Bruce was an avid hunter and outdoorsman who supported environmental stewardship and outdoor recreation at all times; now, therefore be it

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

RESOLVED, That the Board of Supervisors hereby conveys its expression of deepest sympathy to his entire family, including his wife Mildred, his daughter Joan and son Harold, grandchildren and great-grandchildren; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to Bruce Busch's family and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by SILENT STANDING and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Vacant: 1 (Caroga)