

TENTH REGULAR SESSION

October 15, 2013

Johnstown, NY

Roll Call- Quorum Present

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

TOTAL: 20 Absent: 0

Chairman Waldron called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, Chairman Waldron asked if there was anyone from the public who wished to address the Board. There being no one, Chairman Waldron called for review of Communications and Reports.

COMMUNICATIONS

1. Letter from National Grid, to Chairman of the Board, dated August 29, 2013
Subj: Semi-Annual PCB Report
2. Communication from Hamilton County Board of Supervisors
Subj: Resolution in Support of the Towns of Indian Lake, Long Lake, Newcomb, Minerva and North Hudson concerning their plan for Economic Success (Supervisors Fagan, Howard and Johnson requested a copy of Communication No. 2)

LATE REPORTS

- A. Region 5 Fish and Wildlife Management Board Minutes from September 12, 2013 Meeting
- B. 2013 NYSAC Fall Seminar Resolutions

UPDATES FROM STANDING COMMITTEES

Economic Development & Environment: Chairman Gendron referenced a recent memo placed in all Supervisors' mailboxes earlier today regarding "Jumpstart Fulton County". These initiatives are specific to what Fulton County is trying to do in order to grow the taxable assessed value (TAV) of property in the County. He stated that the County needs to grow the TAV through some bold initiatives and this will cost money. He stated that there are a couple of related resolutions on the Agenda for today's meeting and he hopes that the Supervisors will support them.

Finance: Chairman Callery advised that the Committee is meeting to work on the proposed 2014 Budget. Another meeting will be held this Thursday, October 17 at 9:30 a.m.

REPORTS OF SPECIAL COMMITTEES

Inter-County Legislative Committee of the Adirondacks: Supervisor Kemper referenced three propositions that will be voted on at the November 5 election. She advised that Proposition 4 requests an amendment to Article 14 of the State Constitution for a forest preserve swap. This involves over 1300 acres. This is a 100 year old dispute that has been going on and requires a constitutional amendment. If this is approved, this would settle a dispute with the State and obsolete deed descriptions. Proposition 5 involves Mico Minerals in Essex County, which currently creates 120 jobs. This company wants to mine state land and when the mining is complete, they will turn the land back over to the State. In return, Mico Minerals would purchase 1500 acres and devote it to public use. Proposition 1 is the casino proposition. The selling point on this proposition is that it would generate revenue sharing for any region where a casino is located. She reviewed where a map showing where casinos could be located if this proposition is approved.

Supervisor Kemper also advised that a grant will become available on February 3, 2014 related to sewer/waste problems. If any municipality has an upcoming project related to this subject, they should get in contact with the Environment Facilities Corporation through NYSDEC.

Soil and Water Conservation District: Supervisor Ottalagano advised that several field work projects are ongoing. The boat launch project at Pecks Lake has been completed. He stated that a turbidity screen has been used on recent projects and now the District is looking to purchase a used one or new one. He also advised that the "Day on the Farm" was very well-attended. Over 1500 ice cream cones were served which amounted to 63 gallons of ice cream. He thanked Stewarts for their donation. He also thanked the Sir William Johnson Fire Department for their assistance with parking.

CHAIRMAN'S REPORT

Chairman Waldron advised that the NYSDOT recently provided a list of roads that would be paved in Fulton County in 2014. Originally, only three (3) miles of road was on the list. Chairman Waldron sent a letter to NYSDOT expressing his concerns and Fulton County now has thirty-three (33) miles of road on the state paving schedule. He also advised that NYSDOT has approved Fulton County in proceeding with the Fonda Connector Study from the Thruway. He stated that he is sitting in on the process of interviewing three (3) engineering companies from an initial list of nine (9) for this study.

Chairman Waldron stated that with regards to economic development that was referenced by Supervisor Gendron, he supports this 100 percent and he feels the county needs to do everything possible to bring industry into this area. It is the only way to get any tax relief.

RESOLUTIONS

No. 299 (Resolution Authorizing a Contract with Auctions International, Inc., for the Sale of a 2001 International Tandem Dump Truck with Snow Plowing Equipment in the Highway Department): Supervisor Kemper stated that her municipality uses this company, but they sign a contract for one year. Mr. Stead explained that this is the first time the County has used them for highway equipment. He stated that he believes a yearly contract can be entered into or a single item can be auctioned individually.

No. 300 (Resolution Amending the 2013 Highway Budget to Reflect Reduction in State Aid for the 2013-14 Recreational Trails Program): Supervisor Ottuso asked what this reduction is for and he asked if the State realizes that small towns rely on snowmobiling in the winter months. Mr. Stead stated that the reduction is due to a decrease in snowmobile registrations proceeds. Supervisor Ottuso stated that as a result of this decrease, the snowmobile clubs will be asking the towns for more money to fund the trail work that the clubs perform. This is just another state mandate being placed on the towns to pick up the slack. Supervisor Ottuso stated that he is opposed to this.

Supervisor Johnson asked what happens if he votes against this resolution. Mr. Stead stated that the State will still reduce the funding. Mr. Stead explained that this reduction in revenue will be reflected in the contracts with the snowmobile clubs that are contracted with to perform the snowmobile trail maintenance.

No. 321 (Resolution Setting Date of Public Hearing on Proposed 2014-2016 Capital Plan): Mr. Stead advised that an updated Capital Plan is on everyone's desk with the latest amendments as a result of this morning's Capital Projects meeting.

A motion was offered by Supervisor Callery, seconded by Supervisor Gendron and unanimously carried, to waive the Rules of Order to take action on Late Resolutions 324-326.

No. 324 (Resolution Authorizing Change Order No. 1 to Contract with Hanson Aggregates New York, LLC for Additional Paving for County Route 110 Pavement Rehabilitation Project in the Towns of Broadalbin and Northampton):- Supervisor Callery asked if this is common. Mr. Stead explained that not every job has a truing and leveling course. The State Engineer did not specify this for the project when it was initially bid. After the base course was put on a couple of weeks ago, the state engineer inspected the road and found that it did not level nor was it satisfactory to last long term. He is now recommending that this be included in the project. Mr. Stead advised that Chairman Waldron already approved this work to be completed because time was of the essence. He also noted that no local tax levy money is being used for this work because CHIPS funding is available.

Supervisor Callery asked why the Saratoga County side of County Highway 110 is so bad. Mr. Stead stated that Saratoga County performed the work themselves and did not apply for federal funding for the repairs to the road. Supervisor Howard asked if this is shifting money or is it new money. Mr. Stead stated Fulton County had originally budgeted a higher dollar amount for this project than what the actual contract with Hanson Aggregates was approved. He stated that the Highway Department was under budget on two other roads so the \$6,535.00 needed to cover the extra money for this project will be taken from the County Road 117 funds. The County's local match will come from CHIPS funds.

PROCLAMATIONS

PROCLAMATION RECOGNIZING DENISE FREDERICK FOR HER MANY YEARS OF SERVICE TO THE COUNTY OF FULTON

WHEREAS, Public Health Director Denise Frederick retired on October 5, 2013; and

WHEREAS, Ms. Frederick was a dedicated Fulton County employee for over 30 years, starting as a Public Health Nurse in the Public Health Department on April 11, 1983; and

WHEREAS, Denise was appointed as a Supervising Public Health Nurse on July 1, 1985; and

WHEREAS, Denise was appointed Public Health Director on July 14, 2003 and held that post until her retirement; and

WHEREAS, Denise distinguished herself as a hard-working and dedicated public servant, at all times committed to the best interest of the Public Health Department and County of Fulton; and

WHEREAS, Denise also built a reputation as a "no-nonsense" leader, advancing emergency preparedness initiatives, communicable disease prevention and stalwart consistency in administration of all phases of public health policy; now, therefore be it

RESOLVED, That the Board of Supervisors hereby recognizes and thanks Denise Frederick for her many years of meritorious service to the County of Fulton and offers its best wishes on the occasion of her retirement from County service.

PROCLAMATION DECLARING NOVEMBER 2013 "HOSPICE MONTH IN FULTON COUNTY"

WHEREAS, hospice and palliative care empower people to live as fully as possible, surrounded and supported by family and loved ones, despite serious and life-limiting illness; and

WHEREAS, Mountain Valley Hospice provides patients and family caregivers the highest quality care delivered by an interdisciplinary team of skilled professionals that includes physicians, nurses, social workers, therapists, counselors, health aides, spiritual care providers and others who make the wishes of each patient and family a priority; and

WHEREAS, hospice provides pain management and symptom control, caregiver training and assistance, emotional and spiritual support that allows patients to live fully up until the final moments, surrounded and supported by the faces of loved ones, friends, and committed caregivers; and

WHEREAS, every year more than 1.65 million Americans living with life-limiting illness, and their families, received care from the nation's hospice programs; and

WHEREAS, more than 450,000 trained volunteers contribute 21 million hours of service to hospice programs annually; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby proclaims November 2013, as "HOSPICE MONTH IN FULTON COUNTY", and urges everyone to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

NEW BUSINESS

Supervisor Kemper stated that she has been approached by several people as to why the Highway Department has not done any mowing of the roads until now. Supervisor Argotsinger stated that mowing of the roadways was cut back a few years ago to save money. Originally four people performed the work, but this was reduced to two and each county road is only being mowed once per summer.

Supervisor Johnson asked what is being saved by cutting back. Supervisor Argotsinger stated that two positions were eliminated to save money. Supervisor Johnson stated that he feels this has some consequences in his area and he would like to see it go back to where it was or consider paying the towns to perform the mowing. He stated that it is a safety hazard in his town because the weeds are growing out into the road.

Supervisor Handy stated that he believes Gloversville Supervisors were unfairly "picked on" by Mayor King regarding the workers compensation chargeback issue. He stated that there was a public hearing regarding this local law change and no one from the City of Gloversville attended to express their concerns.

There being no further business, the meeting adjourned at 1:55 p.m., upon a motion by Supervisor Callery, seconded by Supervisor Kemper and unanimously carried.

Certified by:

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

Resolution No. 299

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

RESOLUTION AUTHORIZING A CONTRACT WITH AUCTIONS INTERNATIONAL, INC., FOR THE SALE OF A 2001 INTERNATIONAL TANDEM DUMP TRUCK WITH SNOW PLOWING EQUIPMENT IN THE HIGHWAY DEPARTMENT

WHEREAS, Resolution 35 of 2013 authorized purchase of a 2014 Western Star Truck with Dump Body and Plow for use in the Highways and Facilities Department; and

WHEREAS, the Committee on Finance has reviewed a recommendation from the Superintendent of Highways and Facilities and Purchasing Agent to dispose of a 2001 International Tandem Dump Truck with Snow Plowing Equipment via Auctions International, Inc. Professional Auctioneer Service; and

WHEREAS, the Committees on Buildings and Grounds/Highway and Finance recommend setting a minimum bid of \$15,000.00 for said truck and equipment; now, therefore be it

RESOLVED, That the Board of Supervisors hereby declares the following excess equipment surplus for County purposes:

One (1) 2001 International Tandem Dump Truck with Snow Plowing Equipment

and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Auctions International, Inc., Professional Auctioneers, of East Aurora, NY, for auctioning services for sale of said surplus equipment, said sale being subject to a buyers' premium of 10 percent paid to the auctioneer; and, be it further

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

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

RESOLVED, That auction proceeds be deposited into Revenue Account DM-083-2665.000 Sales of Equipment; and, be it further

Resolution No. 299 (continued)

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

Seconded by Supervisor POTTER and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 300

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

RESOLUTION AMENDING THE 2013 HIGHWAY BUDGET TO REFLECT REDUCTION
IN STATE AID FOR THE 2013-14 RECREATIONAL TRAILS PROGRAM

WHEREAS, Resolution 58 of 2012 authorized Two-Year Agreements with Certain Snowmobile Clubs for Maintenance of County-Operated State Snowmobile Trails; and

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation reduced the amount of 2012-2013 funding Fulton County receives to administer snowmobile trails and maintenance grooming service programs from \$74,685.00 in 2012-13 to \$55,727.00 for 2013-14; and

WHEREAS, as a result of such action, it is necessary to amend the 2013 Budget to reflect said \$18,958.00 reduction; now, therefore be it

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

Revenue Account:

Decrease D-083-3715.000 State Aid-Reimbursement Trails \$18,958.00

Appropriation Account:

Decrease D-825-5142.413 Snow Removal/County-Trail Conts \$ 18,958.00

and, be it further

RESOLVED, That the Superintendent of Highways and Facilities 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, NYS Office of Parks Recreation and Historic Preservation, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 534 (18) Nays: 17 (2) (Supervisors Howard and Ottuso)

Resolution No. 301

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION APPOINTING JUDITH PETROSKI TO THE FULTON-MONTGOMERY-
SCHOHARIE WORKFORCE DEVELOPMENT BOARD**

WHEREAS, a vacancy currently exists on the F-M-S Workforce Development Board for a seat representing a “State Education-Vocational Training” Agency; and

WHEREAS, in accordance with federal regulations, the NYS Education Department has designated Director of Counseling Judith Petroski of NYS VESID, to represent it; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Economic Development and Environment, Judith Petroski, of Utica, NY, be and hereby is appointed to the F-M-S Workforce Development Board, as a “State Education-Vocational Training” representative effective for the term of July 1, 2013 through June 30, 2016; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Fulton County Ethics Board, Workforce Development Board, NYS Education Department, Judith Petroski and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 302

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE FULTON COUNTY DEMOLITION TEAM TO
DEMOLISH A BUILDING OWNED BY THE CITY OF JOHNSTOWN**

WHEREAS, Resolution No. 234 of 2000 supported the concept of a "Municipal Demolition Team" in Fulton County, comprised of County manpower and equipment and manpower and equipment from municipal forces, when feasible; and

WHEREAS, Resolution No. 49 of 2001 formally established a Municipal Demolition Team, with basic operating guidelines identified in the "Municipal Demolition Team Proposal", dated February 12, 2001; and

WHEREAS, the City of Johnstown has requested that the County's Municipal Demolition Team demolish a building located at 308½ S. Market Street, Johnstown owned by the City of Johnstown; now, therefore be it

RESOLVED, That the Solid Waste Director is hereby authorized to mobilize the County Demolition Team to raze a structure owned by the City of Johnstown, located at 308½ S. Market Street in the City of Johnstown (parcel I.D. 174.12-9-21); and, be it further

RESOLVED, That all environmental concerns, approvals, disposal fee, and/or permits required shall be the responsibility of the City of Johnstown; and, be it further

RESOLVED, That said project shall be completed in the most efficient and cost-effective manner possible, in accordance with the Municipal Demolition Team Proposal approved by the Board of Supervisors on February 12, 2001; and, be it further

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

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

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

Total: Ayes: 498 (19) Nays: 53 (1) (Supervisor DiGiacomo)

Resolution No. 303

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN FULTON COUNTY AND MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO HIRE NORTH STAR DESTINATION STRATEGIES TO DEVELOP A COMMUNITY BRANDPRINT FOR THE FULTON-MONTGOMERY COUNTY REGION
("JUMP START FULTON COUNTY")

WHEREAS, the Committees on Economic Development & Environment, and Finance have evaluated the need to launch initiatives to "jump start" new job development in Fulton County and the region; and

WHEREAS, the key to lowering area property taxes and promoting prosperity for county residents is creating an atmosphere that helps new businesses and existing business owners create jobs; and

WHEREAS, a recent presentation by international site selector Michael Mullis identified the need for the Fulton-Montgomery region to establish its own "brand" and identity for economic development marketing proposes; and

WHEREAS, the Montgomery County Industrial Development Agency (IDA) had already hired North Star Destination Strategies to conduct a branding exercise for Montgomery County in June 2013; and

WHEREAS, Montgomery County IDA has agreed to amend its contract with North Star Destination Strategies to expand its scope of work and include a branding exercise for the Fulton-Montgomery Region as a whole; and

WHEREAS, National Grid has agreed to pay \$23,000.00 of the cost of said branding project and the Fulton County Center for Regional Growth has agreed to contribute \$10,000.00 through proceeds of its 2013 marketing contract with Fulton County; and

WHEREAS, the local cost to Fulton County will be an additional \$13,000.00 to complete the initiative; and

WHEREAS, Montgomery County IDA will invoice National Grid, Fulton County Center for Regional Growth and Fulton County separately for the cost of said contract work; now, therefore be it

Resolution No. 303 (Continued)

RESOLVED, That upon the recommendation of the Planning Director and Committees on Economic Development & Environment and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the County of Fulton and Montgomery County Industrial Development Agency to commission a study by North Star Destination Strategies to develop a community brandprint for the Fulton-Montgomery County Region for economic development marketing purposes at a total cost of \$46,000.00 (\$13,000.00 direct cost to Fulton County); and, be further

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

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

From: A-285-1990.400 Contingent Fund Expense
To: A-705-8020.409 Planning Dept-Professional Svcs
Sum: \$13,000.00

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Department, Montgomery County Industrial Development Agency, North Star Destination Strategies, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 304

Supervisor DIGIACOMO, HOWARD AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING THE “FULTON COUNTY OFFICE FOR
AGING AND YOUTH”

WHEREAS, Resolution No. 392 of 2012 Consolidated the Youth Bureau Office Administration into the Office for Aging, and

WHEREAS, the NYS Office for Aging has requested that the Office for Aging and Youth Bureau be designated a “dual purpose agency” operated in accordance with NYS regulations and federal guidelines; now, therefore be it

RESOLVED, That upon the recommendation of the Office for Aging Director, Committees on Human Services, Personnel and Finance, the Fulton County Office for Aging, be and hereby is, designated as the “Fulton County Office for Aging and Youth”; and, be it further

RESOLVED, That the Office for Aging Director is hereby charged with management responsibility for Youth Bureau activities; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Office for Aging, Office for Aging and Youth, All Departments, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HANDY and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 305

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

**RESOLUTION APPROVING THE 2013 RESOURCE ALLOCATION PLAN
(YOUTH BUREAU)**

RESOLVED, That the Annual Resource Allocation Plan for State Aid from the NYS Office of Children and Family Services for the 2013 Special Delinquency Prevention Program (SDPP) and the 2013 Youth Development/Delinquency Prevention Program (YDDP) be and hereby is approved for various programs, at total costs not to exceed \$53,664.00; and, be it further

RESOLVED, That the Chairman of the Board be authorized to sign the necessary State Aid applications and Resource Allocation Agreement; and, be it further

RESOLVED, That the Youth Bureau Director and County Treasurer do each and every other thing necessary to obtain the appropriate State aid reimbursement from said programs; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Youth Bureau Director, NYS Office of Children and Family Services, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PONTICELLO and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 306

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

RESOLUTION AUTHORIZING WRITE-OFF OF BAD DEBT IN THE PUBLIC HEALTH DEPARTMENT FOR 2012

WHEREAS, the Public Health Department holds numerous clinics and a large portion of the clinic costs are supported by public health grant funds; and

WHEREAS, recipients are charged a co-pay based upon a sliding fee scale, and many recipients do not pay their share of the cost, as determined by said sliding fee scale; and

WHEREAS, Resolution No. 299 of 1998 adopted a policy for the write-off of bad debts in the Public Health Department; and

WHEREAS, in accordance with said Policy, the County Attorney has determined that certain accounts are uncollectible; now, therefore be it

RESOLVED, That upon the recommendation of the County Attorney, the Board of Supervisors hereby authorizes the write-off of five (5) bad debts for the year 2012 related to immunization fees in an amount of \$246.30; and, be it further

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

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

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 307

Supervisor DIGIACOMO offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING AN IMMUNIZATION FEE SCHEDULE FOR 2013
(PUBLIC HEALTH)

WHEREAS, the Public Health Department bills insurance companies for immunizations provided at the Public Health Department, and

WHEREAS, the charge for administering vaccine provided by the New York State Department of Health to Fulton County residents will be \$7.00 per vaccine, not to exceed \$14 per visit; and

WHEREAS, the NYS Department of Health has directed the Public Health Department to institute a sliding fee scale for families with incomes in excess of 200 percent of the federal poverty level; and

WHEREAS, the Public Health Director recommended instituting a sliding fee scale for immunizations administered by the Public Health Department for children/persons without insurance or underinsured; now, therefore be it

RESOLVED, That effective immediately, the sliding fee schedule for immunizations through the Public Health Department be established according to the schedule attached hereto and made a part hereof; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Fulton County Public Health
Sliding Fee Scale for Immunizations
 Effective date **10/15/2013**

PERCENT OF FEDERAL POVERTY LEVEL

| Poverty Levels Family Size | 100% | 200% | 210% | 220% | 230% | 240% | 250% | 260% | 270% | 280% | 290% | 300% |
|-------------------------------|--------|--------|--------|--------|--------|--------|--------|---------|---------|---------|---------|---------|
| 1 | 11,490 | 22,980 | 24,129 | 25,278 | 26,427 | 27,576 | 28,725 | 29,874 | 31,023 | 32,172 | 33,321 | 34,470 |
| 2 | 15,510 | 31,020 | 32,571 | 34,122 | 35,673 | 37,224 | 38,775 | 40,326 | 41,877 | 43,428 | 44,979 | 46,530 |
| 3 | 19,530 | 39,060 | 41,013 | 42,966 | 44,919 | 46,872 | 48,825 | 50,778 | 52,731 | 54,684 | 56,637 | 58,590 |
| 4 | 23,550 | 47,100 | 49,455 | 51,810 | 54,165 | 56,520 | 58,875 | 61,230 | 63,585 | 65,940 | 68,295 | 70,650 |
| 5 | 27,570 | 55,140 | 57,897 | 60,654 | 63,411 | 66,168 | 68,925 | 71,682 | 74,439 | 77,196 | 79,953 | 82,710 |
| 6 | 31,590 | 63,180 | 66,339 | 69,498 | 72,657 | 75,816 | 78,975 | 82,134 | 85,293 | 88,452 | 91,611 | 94,770 |
| 7 | 35,610 | 71,220 | 74,781 | 78,342 | 81,903 | 85,464 | 89,025 | 92,586 | 96,147 | 99,708 | 103,269 | 106,830 |
| 8 | 39,630 | 79,260 | 83,223 | 87,186 | 91,149 | 95,112 | 99,075 | 103,038 | 107,001 | 110,964 | 114,927 | 118,890 |
| % of fee CHARGE | 0% | 0% | 10% | 20% | 30% | 40% | 50% | 60% | 70% | 80% | 90% | 100% |
| | - | - | 2.10 | 4.20 | 6.30 | 8.40 | 10.50 | 12.60 | 14.70 | 16.80 | 18.90 | 21.00 |

For family units with more the 8 members, add \$4,020 for each additional member.
 Based on federal poverty guidelines published January 24, 2013

Resolution No. 308

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

RESOLUTION DESIGNATING INTERIM PUBLIC HEALTH DIRECTOR

WHEREAS, Public Health Director Denise Frederick retired effective October 5, 2013; and

WHEREAS, the Committee on Human Services recommends designating an interim Public Health Director to supervise the operation of the Public Health Department until such time as a permanent Public Health Director is recruited and hired; now, therefore be it

RESOLVED, That the Board of Supervisors hereby designates Supervising Public Health Nurse Dale Woods, of Stratford, NY, Interim Public Health Director, at an interim salary rate of \$67,618.00, effective retroactively to September 26, 2013; and, be it further

RESOLVED, That during this interim period, Ms. Woods will also be eligible for any compensation already prescribed to her role as Supervising Public Health Nurse; and, be it further

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

Seconded by Supervisor PONTICELLO and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 309

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

RESOLUTION AUTHORIZING THREE-YEAR CONTRACT WITH ROEMER, WALLENS, GOLD & MINEAUX, LLP FOR LABOR RELATIONS SERVICES (2014-2016)

WHEREAS, for several years, the County of Fulton has contracted with Roemer, Wallens & Mineaux, Labor Relations Attorneys and Consultants, for employee labor negotiation services and interest arbitration proceeds; and

WHEREAS, pursuant to Resolution 370 of 2010, said agreement will expire on December 31, 2013; and

WHEREAS, Roemer, Wallens & Mineaux has offered a new agreement that would include all negotiating services, consultation and advice in connection with Civil Service Law, Taylor Law, Fair Labor Standards Act, Human Rights, Contract Administration/Enforcement, representation with grievance procedures, management and supervisory training; now, therefore be it

RESOLVED, That upon the recommendation of the Personnel Director and Committees on Personnel and Finance, the Chairman of the Board be and hereby is authorized to sign a contract with Roemer, Wallens & Mineaux, of Albany, NY, for comprehensive collective bargaining services on behalf of the County, as follows:

| | |
|-------|----------------------|
| 2014: | \$3,750.00 per month |
| 2015: | 3,850.00 per month |
| 2016: | 3,950.00 per month |

Additional rates, as needed:

| | |
|-------------------------------------|---|
| Partner and Sr. Associate Attorney: | 2014 – hourly rate of \$210; 2015/2016 – hourly rate of \$220 |
| Associate Attorney: | 2014 – hourly rate of \$170; 2015/2016 – hourly rate of \$180 |
| Paralegal: | 2014 – hourly rate of \$110; 2015/2016 – hourly rate of \$115 |

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

RESOLVED, That said cost be a charge against A-205-1430.414 Personnel Adm-Negot/Leg Svcs; and, be it further

Resolution No. 309 (continued)

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

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 310

Supervisor KEMPER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DONATION OF DESK TO THE FULTON COUNTY
CHILD ADVOCACY CENTER OF THE MENTAL HEALTH ASSOCIATION IN
FULTON AND MONTGOMERY COUNTIES

WHEREAS, Resolution 447 of 2008 authorized the use of Crime Victim Grant funds to purchase various equipment to benefit crime victims and to support the operation of the local Child Advocacy Center; and

WHEREAS, the District Attorney recommends that said equipment be donated to the Fulton County Child Advocacy Center; now, therefore be it

RESOLVED, That the following equipment procured via Crime Victims grant funds be, and hereby is, donated to the Fulton County Child Advocacy Center:

| <u>ID Number</u> | <u>Item</u> |
|------------------|----------------------------|
| 0007650 | (1) Mahogany/Charcoal Desk |

and, be it further

RESOLVED, that said equipment be removed from the County's Fixed Assets inventory; and, be it further

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

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

Seconded by Supervisor OTTALAGANO and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 311

Supervisor KEMPER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF 2013 NYS
EMERGENCY MANAGEMENT PERFORMANCE GRANT
(CIVIL DEFENSE/FIRE COORDINATOR)

WHEREAS, Fulton County has been allocated \$24,902.00 in grant funds under the 2013 Emergency Management Performance Grant (EMPG); now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application to the NYS Division of Homeland Security and Emergency Services (DHSES) for 2013 Emergency Management Performance Grant funds, in the amount of \$24,902.00; and, be it further

RESOLVED, That the Chairman of the Board is also hereby authorized to execute appropriate documentation to accept said grant funds; 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: 20 Nays: 0

Resolution No. 312

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

RESOLUTION ABOLISHING ONE LIEUTENANT DEPUTY SHERIFF POSITION AND CREATING A DEPUTY SHERIFF POSITION (SHERIFF'S DEPARTMENT)

WHEREAS, the Sheriff has reviewed current staffing in the Sheriff's Department and has determined that a vacant Lieutenant Deputy Sheriff position should be abolished and one (1) Deputy Sheriff position should be created in its place for the efficient operation of the Department; now, therefore be it

RESOLVED, That upon the recommendations of the Sheriff and Committees on Public Safety, Personnel and Finance, effective immediately, one (1) existing vacant Lieutenant Deputy Sheriff position (Union-D-4, \$25.31 per hour) be and hereby is abolished and one (1) new Deputy Sheriff position (Union-D-1, \$18.12 per hour) be and hereby is created in the Sheriff's Department; and, be it further

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

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

Seconded by Supervisor GENDRON and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 313

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SHERIFF AND EASTERN MEDICAL SUPPORT TO PROVIDE MEDICAL SERVICES IN THE CORRECTIONAL FACILITY (2014-2015)

WHEREAS, Resolution 253 of 2013 authorized distribution of a Request for Proposals for physician services and related medical services at the Fulton County Correctional Facility and one (1) proposal was received; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committees on Public Safety and Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Sheriff and Eastern Medical Support, LLC, of Amsterdam, NY, for physician and related medical services at the Fulton County Correctional Facility, effective January 1, 2014 through December 31, 2015, in accordance with Specification 2013-34-03, as follows:

| | |
|-------|-------------|
| 2014: | \$81,640.00 |
| 2015: | 85,722.00 |

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, Sheriff, Correctional Facility, Eastern Medical Support, Budget Director/County Auditor and Administrative Officer/ Purchasing Agent.

Seconded by Supervisor HANDY and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 314

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

RESOLUTION AUTHORIZING GRANT APPLICATION TO THE NEW YORK STATE
OFFICE OF INDIGENT LEGAL SERVICES FOR AN “UPSTATE QUALITY
IMPROVEMENT AND CASELOAD REDUCTION GRANT” (PUBLIC DEFENDER)

WHEREAS, the Public Defender has received notification from the NYS Office of Indigent Legal Services that Fulton County is eligible for a grant to improve the quality of legal services provided to indigent clients in Fulton County; and

WHEREAS, said grant funds cannot be used to supplant existing local funding; and

WHEREAS, the Public Defender proposes to use the grant proceeds to convert the Third Assistant Public Defender from part-time to full-time and supplement legal services costs within the Public Defender’s Office and has submitted a tentative plan for such expenditures to the Committees on Public Safety, Personnel and Finance; now, therefore be it

RESOLVED, That the Chairman of the Board, on behalf of the Fulton County Public Defender, be and hereby is authorized to apply for an “Upstate Quality Improvement and Caseload Reduction Grant” from the NYS Office of Indigent Legal Services in the amount of \$100,000.00 per year (the three year aggregate sum of \$300,000.00), for the period 2014 through 2016; and be it further

RESOLVED, That if said grant application is approved, the Public Defender shall return to the Board of Supervisors with a detailed plan for use of the grant funds and proceeding shall be subject to the Board of Supervisors approval by resolution; and, be it further

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

Seconded by Supervisor HANDY and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 315

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

RESOLUTION PERMANENTLY APPOINTING CYNTHIA LICCIARDI
PROBATION DIRECTOR

WHEREAS, Resolution 428 of 2012 provisionally appointed Cynthia Licciardi as Probation Director effective January 3, 2013; and

WHEREAS, Ms. Licciardi has successfully passed the Civil Service examination for Probation Director; now, therefore be it

RESOLVED, That in accordance with NYS Civil Service Rules and upon the recommendation of the Committees on Public Safety, Personnel and Finance, effective immediately, Cynthia Licciardi, of Johnstown, NY, be and hereby is appointed Probation Director (Job Group D-3), at a salary consistent with the Non-Union Salary Schedule; and, be it further

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

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

Seconded by Supervisor OTTUSO and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 316

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

WHEREAS, the Purchasing Agent recommends disposal of broken equipment in certain departments; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to dispose of the following County surplus equipment, in accordance with the Fulton County Purchasing and Audit Guidelines:

Sheriff's:

Motorola Radio (0002040) (Purchased 5/29/96)
Motorola Radio (0002386) (Purchased 8/26/94)
Motorola Radio (0003120) (Purchased 8/26/94)
Motorola Radio (0004972) (Purchased 8/26/94)
Motorola Radio (0005332) (Purchased 9/2000)
Motorola Radio (0005895) (Purchased 11/2001)
Motorola Radio (0007043) (Purchased 1/2008)

Public Health:

Fridge Freeze Vacure Refrigerator (0007867) (Purchased 8/1/2008)
Baby Scale (No BC#) (Purchased 1/1997)
Adult Scale (No BC#) (Purchased 1/1997)
Eleven (11) Wall Mount 22 slot magazine racks

Highway & Facilities:

GA Radio Base (0001468) (Purchased 1/1/78)
GA Radio Base (0005373) (Purchase 1/1/86)
GA Radio & Charger (0005376) (Purchased 7/3/96)
DC Remote Base (0005939) (Purchased 1/4/02)
Maratrac Radio (0006541) (Purchased 3/19/04)
Maratrac Radio (0006543) (Purchased 3/19/04)
Maratrac Radio (0006710) (Purchased 5/16/05)
Maratrac Radio (0006855) (Purchased 1/12/06)
SP50 Handheld Radio/Charger (0005178) (Purchased 3/13/2000)
DMAI Portable Radio GP300 (0005375) (Purchased 7/3/96)
Mobile Radio (0005382) (Purchased 11/28/00)
Mobile Radio (0005384) (Purchased 11/28/00)
Mobile Radio (0005387) (Purchased 11/28/00)
Mobile Radio (0005389) (Purchased 4/10/92)
Mobile Radio (0005390) (Purchased 11/28/00)
Mobile Radio (0005392) (Purchased 11/28/00)
Mobile Radio (0005393) (Purchased 1/4/01)

Resolution No. 316 (continued)

Mobile Radio (0005391) (Purchased 1/4/01)
Mobile Radio (0005597) (Purchased 2/26/01)
Mobile Radio (0006344) (Purchased 5/5/03)
Mobile Radio (0001659) (Purchased 9/20/74)
Mobile Radio (0004640) (Purchased 1/29/98)
Mobile Radio (0004673) (Purchased 12/11/98)
Mobile Radio (0004674) (Purchased 11/12/98)
Mobile Radio (0004675) (Purchased 12/11/98)
Mobile Radio (0004831) (Purchased 4/13/99)
Mobile Radio (0004832) (Purchased 4/13/99)
Mobile Radio (0004937) (Purchased 6/17/92)
Mobile Radio (0004939) (Purchased 6/17/92)
Mobile Radio (0005173) (Purchased 3/13/00)
Mobile Radio (0005175) (Purchased 5/13/02)
Mobile Radio (0005176) (Purchased 3/13/00)
Mobile Radio (0005379) (Purchased 5/19/97)
Mobile Radio (0005380) (Purchased 11/28/00)
Radio & Charger – Portable (0001456) (Purchased 1/1/90)
Tr Radio (0001687) (Purchased 6/17/96)
SP50 Handheld Radio & Charger (0005177) (Purchased 3/13/00)
DS Radio/Charger (0005374) (1/1/96)

and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Solid Waste Director, Sheriff, 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: 20 Nays: 0

Resolution No. 317

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE PURCHASE OF REPLACEMENT ETHERNET SWITCHES (INFORMATION SERVICES DEPARTMENT)

WHEREAS, the Information Services/Printing Director is requesting the purchase of two (2) HP Procurve Ethernet Switches for use in the Information Services Department; and

WHEREAS, the Information Services/Printing Director is requesting a transfer from the Information Services-Maint Contracts account to purchase these switches due to a surplus of funds in this account; now, therefore be it

RESOLVED, That upon the recommendation of the Information Services/Printing Director and Committee on Finance, the Information Services/Printing Director is hereby authorized to purchase two (2) HP Procurve Ethernet Switches for use in the Information Services Department at cost not to exceed \$3,400.00; and be it further

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

From: A-275-1680.413 Information Services-Maint Contracts
To: A-275-1680.200 Information Services-Equipment
Sum: \$3,400.00

and, be it further

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 318

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS FOR FINANCE AND
HUMAN RESOURCES ENTERPRISE SOFTWARE SYSTEM**

WHEREAS, the proposed 2014 Capital Plan identifies a Software Replacement Project for a Finance and Human Resources Enterprise Software System; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to solicit proposals for a Finance and Human Services Enterprise Software System (and according to further specifications) which may be obtained at the Office of the Purchasing Agent, Room 203, County Building, Johnstown, NY, 12095, during usual business hours; and, be it further

RESOLVED, That such proposals must be addressed to Jon R. Stead, Purchasing Agent, Room 203, County Building, Johnstown, NY 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, 4 December 2013, at which time and place they will be publicly opened and read; and, be it further

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

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

Seconded by Supervisor HOWARD and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 319

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT BETWEEN THE INFORMATION SERVICES DEPARTMENT AND HAMILTON COUNTY TO PROVIDE WEB HOSTING SERVICES FOR THE HAMILTON COUNTY PROBATION DEPARTMENT

WHEREAS, the Hamilton County Probation Department contacted the Information Services Department to provide web hosting services for its Caseload Explorer Program on Fulton County servers; and

WHEREAS, the Information Services Director and Committee on Finance recommends contracting with Hamilton County to provide web hosting services for the Hamilton County Probation Department; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Information Services Department and Hamilton County to provide web hosting services for the Hamilton County Probation Department at a cost of \$200.00 per month (\$3,000.00 for the 15 month period October 1, 2013 through December 31, 2014) plus \$45.00 per hour for on-site service on a pilot project basis; and, be it further

RESOLVED, That the Information Services Director shall return to the Board of Supervisors for approval to continue said contract beyond 2014 and shall update the Committee on Finance periodically regarding the success of the pilot project; and, be it further

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

RESOLVED, That the proceeds shall be deposited into Revenue Account A-083-2210.000 Data Processing Charges; and, be it further

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

Seconded by Supervisor GENDRON and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 320

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING SPECIAL ONLINE AUCTION OF CERTAIN COUNTY-OWNED TAX ACQUIRED PARCELS

WHEREAS, a County-owned tax acquired property auction was held in June, 2013 and certain parcels did not sell; and

WHEREAS, in an effort to place the parcels back on the tax rolls, the County Treasurer requests that said parcels be offered on an on-line auction site arranged by Haroff Auction and Realty; now, therefore be it

RESOLVED, That the Board of Supervisors hereby authorizes a special sale of the following County-owned tax acquired parcels through Haroff Auction and Realty on-line auction, at the same terms and conditions identified in the current contract with Haroff Auction and Realty:

| <u>Municipality</u> | <u>Parcel #</u> | <u>Location</u> | <u>Description</u> |
|---------------------|-----------------|-------------------------|--------------------|
| Broadalbin | 138.1-2-8.2 | 218 Stevers Mills Road | House/Land |
| Johnstown | 116.-2-27 | State Highway 29A | Vacant Land |
| | 134.16-9-9 | Walnut Street NDS | Vacant Land |
| | 134.16-13-1 | Sixth Avenue Ext., S. | Vacant Land |
| | 148.-2-89.2 | Spring Avenue Ext., ESD | Vacant Land |
| | 149.8.-22-35 | Marvin Street E | Vacant Land |
| | 149.8-22-37 | Marvin Street E | Vacant Land |
| | 149.8-22-40 | Marvin Street E | Vacant Land |
| Mayfield (Village) | 104.13-12-7.2 | 27 Second Avenue | Vacant Land |
| Mayfield (Town) | 103.-5-61 | Cohwy. 102 | Vacant Land |
| | 119.-6-3 | 234 Riceville Road | Vacant Land |
| Oppenheim | 110.-1-29 | North Road | Vacant Land |
| | 143.-2-25 | Sthwy 29 | Vacant Land |
| Perth | 165.-2-33 | 1322 Cohwy. 107 | House/Land |
| Gloversville | 149.7-14-15 | N SD of Forest Street | Vacant Land |
| | 149.1-6-15 | 11 Eagle Street | House |

and, be it further

Resolution No. 320 (continued)

RESOLVED, That all bids are subject to final sale approval by the Board of Supervisors; and, be it further

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

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

Seconded by Supervisor KEMPER and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 321

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE OF PUBLIC HEARING ON PROPOSED 2014-2016
CAPITAL PLAN

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors' Chambers in the County Office Building, Johnstown, NY, on Tuesday, November 12, 2013, at 1:30 p.m. for the purpose of holding a public hearing on the proposed 2014 - 2016 Capital Plan for Fulton County; and, be it further

RESOLVED, That the Clerk of the Board of Supervisors give notice of said public hearing on said proposed 2014 - 2016 Capital Plan for Fulton County and that said notice shall be published once in the official newspaper of this County, at least five (5) days prior to the date of said public hearing; and, be it further

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

Seconded by Supervisor FAGAN and adopted by the following vote:

Total: Ayes: 20 Nays: 0

| DEPARTMENT / PROJECT | 2014 | 2015 | 2016 | 3 YEAR TOTAL |
|---|---------------------|---------------------|---------------------|----------------------|
| Board of Elections - A225 | | | | |
| NTS Image It Software | \$ 41,963 | | | |
| Total | \$ 41,963 | \$ - | \$ - | |
| 3 Year Total | | | | \$ 41,963 |
| Facilities A245 | | | | |
| Countywide Energy Conservation Project | \$ 1,800,000 | | | |
| Roof Project, DSS | \$ 170,000 | | | |
| Fulton County Jail/Courthouse Renovation Project | \$ 250,000 | | | |
| Roof Project, Jail Rt 29 | | \$ 250,000 | | |
| Sealing Parking Lots & Roadways, County Complex I | | \$ 68,500 | | |
| Sewer Line Repair, CR 122 | | \$ 100,000 | | |
| Pick Up Truck - 1/2 Ton | | \$ 24,000 | | |
| Total | \$ 2,220,000 | \$ 442,500 | \$ - | |
| 3 Year Total | | | | \$ 2,662,500 |
| Information Svcs/Printing A275 | | | | |
| County Server Upgrade Plan | \$ 15,600 | \$ 20,000 | \$ 20,000 | |
| Software Replacement | \$ 600,000 | \$ - | \$ - | |
| County PC Upgrade Plan | \$ 57,177 | \$ 40,000 | \$ 35,000 | |
| Wireless Upgrade | \$ 13,000 | | | |
| Total | \$ 685,777 | \$ 60,000 | \$ 55,000 | |
| 3 Year Total | | | | \$ 800,777 |
| FMCC A295 | | | | |
| Technology Upgrades - Phase I | \$ 800,000 | | | |
| Campus Upgrades - 1) Wayfinding Signage, Single Master Key System; 2) PE Bldg Renovations - Design & Engineering; Mechanical Upgrades | \$ - | \$ 800,000 | \$ - | |
| PE Bldg Renovation - Construction | | | \$ 984,000 | |
| Total | \$ 800,000 | \$ 800,000 | \$ 984,000 | |
| 3 Year Total | | | | \$ 2,584,000 |
| Sheriff A305/A345 | | | | |
| Patrol Car, 3 | \$ 90,450 | \$ 90,450 | \$ 90,450 | |
| CCTV Video System Upgrade | \$ 251,000 | | | |
| Total | \$ 341,450 | \$ 90,450 | \$ 90,450 | |
| 3 Year Total | | | | \$ 522,350 |
| Planning- A705 | | | | |
| Economic Development | | | | |
| Tryon Technology Park and Incubator Center Project | \$ 2,000,000 | | | |
| Jump Start Fulton County: Tryon Marketing | \$ 150,000 | | | |
| Jump Start Fulton County: Preparing Shovel Ready Site | \$ 150,000 | | | |
| Tryon Pump Station Project | \$ 96,000 | | | |
| Fulton County SMART Waters Project | \$ 60,000 | | | |
| FJ & G Rail Trail | \$ 50,000 | | | |
| Thruway Connector Design Study | \$ 500,000 | | | |
| Centralized Records Storage Room Expansion | | \$ 40,000 | | |
| Total | \$ 3,006,000 | \$ 40,000 | \$ - | |
| 3 Year Total | | | | \$ 3,046,000 |
| General Fund Total | \$ 7,095,190 | \$ 1,432,950 | \$ 1,129,450 | |
| General Fund 3 Year Total | | | | \$ 9,657,590 |
| Highways D825/DM825 | | | | |
| Roads | | | | |
| Pave CR 126 - Broadalbin | \$ 399,250 | | | |
| Pave CR 108 - Oppenheim | \$ 171,600 | | | |
| Pave CR 152 - Northampton | \$ 239,700 | | | |
| Pave CR 122- Johnstown | \$ 188,000 | | | |
| Pave proposed CR 117 and CR 107 - Johnstown | \$ 480,000 | | | |
| Pave CR 153 -Johnstown | | \$ 44,000 | | |
| Pave CR 103 - Johnstown | | \$ 62,500 | | |
| Pave CR 119 - Ephratah | | \$ 221,250 | | |
| Pave CR 126 - Broadalbin/Perth | | \$ 349,000 | | |
| Pave CR 112, Bleecker | | \$ 296,000 | | |
| Pave CR 142, Johnstown | | \$ 294,500 | | |
| Pave CR 106 - Mayfield/Perth | | \$ 299,000 | | |
| Pave CR 146, Johnstown | | \$ 193,500 | | |
| Pave CR 125- Bleeker | | | \$ 300,000 | |
| Pave CR 146- Mayfield | | | \$ 160,000 | |
| Pave CR 123- Mayfield | | | \$ 500,000 | |
| Pave CR 121- Johnstown | | | \$ 80,000 | |
| Pave CR 105- Johnstown | | | \$ 50,000 | |
| Pave CR 113 - Northampton | | | \$ 159,000 | |
| Subtotal | \$ 1,478,550 | \$ 1,759,750 | \$ 1,249,000 | |
| Equipment | | | | |
| Dual Drum Vibratory Blacktop Roller | \$ 42,500 | | | |
| Pickup Truck, 1/2 Ton | | \$ 24,000 | | |
| Dump Truck, 1 Ton | | \$ 40,000 | | |
| Tandem Dump Truck w/plow | | | 250,000 | |
| Subtotal | \$ 42,500 | \$ 64,000 | \$ 250,000 | |
| Highway Total | \$ 1,521,050 | \$ 1,823,750 | \$ 1,499,000 | |
| 3 Year Total | | | | \$ 4,843,800 |
| Solid Waste EW865 | | | | |
| Roll Off Hoist Frame Trailer | \$ 72,000 | | | |
| Weight Scale | \$ 65,000 | | | |
| Gas Well Work | \$ 40,000 | | | |
| Tractor Truck | | \$ 115,000 | | |
| Curbside Recycling Truck | | \$ 100,000 | | |
| Gas Well Work | | \$ 40,000 | | |
| Wheel Wash System | | \$ 50,000 | | |
| Off Road Truck | | | \$ 300,000 | |
| Bulldozer | | | \$ 300,000 | |
| Landfill Expansion Design | | | \$ 200,000 | |
| Solid Waste Total | \$ 177,000 | \$ 305,000 | \$ 800,000 | |
| 3 Year Total | | | | \$ 1,282,000 |
| GRAND TOTAL: | \$ 8,793,240 | \$ 3,561,700 | \$ 3,428,450 | \$ 15,783,390 |

Resolution No. 322

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE HIRING OF LEMIRE JOHNSON, LLC TO PROVIDE
LEGAL SERVICES FOR PENDING LITIGATION
("MICHAEL CLARK VS. COUNTY OF FULTON")

WHEREAS, Fulton County is involved in pending litigation ("Michael Clark vs. County of Fulton") that must be conducted in federal court; and

WHEREAS, the County Attorney recommends that outside legal counsel be retained to perform the legal defense work necessary for said pending litigation; and

WHEREAS, the County Attorney estimates that approximately 17-27 hours of legal work will be required; now, therefore be it

RESOLVED, That upon the recommendation of the County Attorney and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a legal retainer agreement with Lemire Johnson, LLC of Malta, NY, at a rate of \$200.00 per hour, for legal services necessary to provide legal services for pending litigation regarding "Michael Clark vs. County of Fulton"; and, be it further

RESOLVED, That said cost be a charge against A-505-6010.425 DSS-Law Svcs Exp; and, be it further

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Lemire Johnson LLC, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor FAGAN and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 323

Supervisor CALLERY 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 transfer:

From: A-085-1325.403 Co Treasurer-Repairs
To: A-085-1325.200 Co Treasurer-Equipment
Sum: \$550.00
(Counter Printer)

| | |
|--|---------------|
| From: A-285-1910.404 Unallocated Insurance Expense | \$ 457.00 |
| A-605-6610.404 Weights & Measures-Insurance Exp | <u>900.00</u> |
| | \$1,357.00 |

| | |
|---|--------------|
| To: A-245-1620.404 Co Offices & Bldgs-Insurance | \$ 561.00 |
| A-345-3150.404 Jail-Insurance | 268.00 |
| A-405-4010.404 Public Health-Insurance | 379.00 |
| A-465-5615.404 Airport-Insurance | 71.00 |
| A-505-6010.404 DSS-Insurance Expense | <u>78.00</u> |
| | \$1,357.00 |

From: A-405-4059.410 Public Health-EI (0-3) Evaluations
To: A-405-4010.410 Public Health-Advertising
Sum: \$375.00

| | |
|--|---------------|
| From: A-705-8020.200 Planning Dept-Equip | \$ 68.00 |
| A-705-8020.408 Planning Dept-Telephones | 200.00 |
| A-705-8020.456 Planning Dept-Printing | 100.00 |
| A-705-8020.460 Planning Dept-Copier Exp | <u>200.00</u> |
| | \$ 568.00 |

| | |
|--|-----------|
| To: A705-8020.402 Planning Dept-Travel | \$ 568.00 |
|--|-----------|

and, be it further

Resolution No. 323 (continued)

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

Budget Amendment:

Revenue:

(Increase) A-083-2680.000 Insurance Recoveries \$292.00

Appropriation:

(Increase) A-305-3110.403 Sheriff Dept-Repairs, Reg Tuneups \$292.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Weights & Measures, Superintendent of Highways and Facilities, Sheriff, Public Health, Planning Director, Social Services Commissioner, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 324

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO CONTRACT WITH
HANSON AGGREGATES NEW YORK, LLC FOR ADDITIONAL PAVING FOR COUNTY
ROUTE 110 PAVEMENT REHABILITATION PROJECT IN THE
TOWNS OF BROADALBIN AND NORTHAMPTON
(2013 CAPITAL PLAN)

WHEREAS, the 2013 Capital Plan identifies a County Route 110 Pavement Rehabilitation Project in the Towns of Broadalbin and Northampton; and

WHEREAS, Resolution 208 of 2013 awarded bid to Hanson Aggregates New York, LLC for the County Route 110 Pavement Rehabilitation Project in the Towns of Broadalbin and Northampton in the amount of \$1,178,701.50; and

WHEREAS, after recent inspection of the initial base course paving, the New York State Department of Transportation is recommending that a truing and leveling course be completed prior to paving the finish top course, at a cost not to exceed \$300,000.00; and

WHEREAS, the cost breakdown for the additional paving is estimated, as follows:

| | |
|--------------------------------|--------------|
| Federal Highway Administration | \$240,000.00 |
| NYS Dept. of Transportation | 45,000.00 |
| Fulton County | 15,000.00 |

and

WHEREAS, \$169,299.00 remains unspent in the Route 110 Project accounts; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the contract with Hanson Aggregates New York, LLC for additional truing and leveling pavement for County Route 110 Pavement Rehabilitation Project, and, be it further

Resolution No 324 (continued)

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

Revenue Account:

| | |
|--|-------------------|
| Increase D-083-3591.000 Highway Capital Projects | \$ 19,605.00 |
| Increase D-083-4597.000 Fed Aid-Transportation Capital Proj. | <u>104,561.00</u> |
| | \$124,166.00 |

Appropriation Account:

| | |
|--|--------------|
| Increase D-825-5112.420 Road Construction-Co Road #110 | \$124,166.00 |
|--|--------------|

and, be it further

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

From: D-825-5112.425 Road Construction-Co Road #117
To: D-825-5112.420 Road Construction-Co Road #110
Sum: \$6,535.00

and, be it further

RESOLVED, That the County Treasurer and Superintendent of Highways and Facilities 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, Hanson Aggregates, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor JOHNSON and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 325

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING RECIPROCAL AGREEMENT BETWEEN THE
DEPARTMENT OF HIGHWAYS AND FACILITIES AND THE CITY OF JOHNSTOWN
FOR SNOW AND ICE CONTROL ON COUNTY ROAD 148 AND MAPLE AVENUE**

WHEREAS, the County of Fulton owns and is responsible for the snow and ice control of County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line; and

WHEREAS, the City of Johnstown owns and is responsible for the snow and ice control of Maple Avenue from North Perry Street to the Johnstown City line; and

WHEREAS, the Superintendent of Highways and Facilities and the Johnstown City Engineer have discussed sharing services for plowing during the upcoming 2013-2014 winter season; and

WHEREAS, the City of Johnstown has agreed to provide snow and ice control on County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line in exchange for the County providing snow and ice control of Maple Avenue from North Perry Street to the Johnstown City line; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign an Agreement with the City of Johnstown to provide snow and ice control during the 2013-2014 winter season for County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line and for Maple Avenue from North Perry Street to the Johnstown City line as summarized herein; and, be it further

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

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

Seconded by Supervisor HANDY and adopted by the following vote:

Total: Ayes: 20 Nays: 0

Resolution No. 326

Supervisor GENDRON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ACCEPTANCE OF COMMUNITY DEVELOPMENT
BLOCK GRANT FROM THE NYS OFFICE OF COMMUNITY RENEWAL TO OPERATE A
FULTON COUNTY MICRO-ENTERPRISE GRANT PROGRAM**

WHEREAS, on April 30, 2013, the Fulton County Center for Regional Growth proposed that Fulton County participate in a Community Development Block Grant application to operate a Micro-Enterprise grant program to assist small businesses in growing within the region; and

WHEREAS, the intent of the Micro-Enterprise grant program is to provide grants up to \$25,000.00 to small businesses with five or less full-time employees to assist with start-up or expansion costs; and

WHEREAS, Resolution 144 of 2013 authorized a Community Development Block Grant application to the NYS Office of Community Renewal to operate a Fulton County Micro-Enterprise Grant Program; and

WHEREAS, Fulton County was notified on October 1, 2013 that it was awarded \$200,000.00 for said Micro-Enterprise Grant Program; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a Community Development Block Grant agreement with the NYS Office of Community Renewal to operate a Micro-Enterprise Grant program; and, be it further

RESOLVED, That the Fulton County Center for Regional Growth is hereby delegated responsibility to partner with the County and administer the Fulton County Micro-Enterprise Grant Program on the County's behalf; and, be it further

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

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

Seconded by Supervisor DIGIACOMO and adopted by the following vote:

Total: Ayes: 20 Nays: 0