

AGENDA

April 13, 2011 5:00 p.m.

Vice Chairman Thompson called the meeting to order.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, John Lawler, Arthur J. Johnson 21. ABSENT –Willard H. Peck, Edward D. Kinowski 2.

On a motion by George Hargrave, seconded by Tom Wood the minutes of the March 15, 2011 meeting were approved unanimously.

Spencer Hellwig, County Administrator, stated the agenda everyone has does not include the late resolution that came out of Law and Finance’s Executive Session but will be part of the package next week.

Mr. Hellwig reviewed the following items:

EQUALIZATION AND ASSESSMENT

The first two items are tender offers and are related to properties that were set to be auctioned off in March, Mr. Hellwig explained. He said that the first is for parcels in the Towns of Moreau, Saratoga and Waterford and the second is for a parcel purchased by the Town of Stillwater. He said that the third resolution under E&A is for conveyance of the properties sold at the March auction which the County realized a profit of \$160,179 over the taxes that were owed from those auction proceeds.

Mr. Hellwig said that the next item is a correction of a 2011 tax on a Saratoga Springs parcel and that’s due to an incorrect issuance of a building permit on that parcel which is actually vacant. He said there will also be a refund in the Town of Milton for sewer charges paid in 2009 and 2010 because they were incorrectly billed for 17 sewer units when the correct number was 6 sewer units. The next two are credits to parcels in the Town of Providence and the City of Saratoga Springs; similar to the earlier resolutions the credit in Saratoga Springs was for vacant land incorrectly being tied to a building permit and in the Town of Providence there was an incorrect value listed on the file Mr. Hellwig stated. He said that the final item will be a correction to the 2011 tax roll for a parcel in the Town of Waterford. He stated that the Town of Waterford had already passed a resolution to decrease the amount owed by the property owner retroactively to coincide with the owner’s passing and the County is going to recognize that same adjustment.

LEGISLATIVE AND RESEARCH

Mr. Hellwig said that under Legislative and Research there will be two resolutions. He said the first one is urging the Governor to decommission the Mohawk Valley Heritage Corridor Commission and the second one is supporting the County’s participation with the Adirondack Partnership to support various economic initiatives for the northern part of Saratoga County.

PERSONNEL

Mr. Hellwig said that there will be two resolutions. He said that one is the renewal of the Excess Liability Coverage under workman’s comp and that is for claims that may be made against manufacturers of equipment that have potential to injure an employee who can’t sue the County for those injuries and in the event that the manufacturer files a notice against the County we have coverage. He said the second resolution is a renewal of the County’s Liability Coverage which is set to expire on May 8th.

BUILDINGS AND GROUNDS

Mr. Hellwig advised that there will be a resolution amending the contract with Bishop-Beaudry Construction for additional services at the Saratoga County Animal Shelter that are above and beyond the contract amount and the 10% contingency on that contract.

PUBLIC HEALTH

The County will be recognizing National Nursing Home Week from May 8th through May 14th and also acknowledging the vital role that our nursing homes and the employees provide to the people they care for. Mr. Hellwig stated.

PUBLIC SAFETY

Mr. Hellwig said there will be one resolution to transfer out of the Animal Shelter Trust Fund to purchase a van and an adoption trailer as well as to authorize additional payments to a veterinarian to provide spaying and neutering services in-house when the staff veterinarian is unavailable.

LAW AND FINANCE

Mr. Hellwig said that there will be three resolutions. He said that the first is a contract with Delaware Engineering for engineering to conduct inspections, evaluation, design, bid work and contract administration for the rehabilitation for the sewer plant's sludge incinerator. The second one is to authorize a contract with Delaware to conduct a feasibility study to identify suitable location to divert flows from Saratoga Springs to a new location north of the plant in Mechanicville he stated. Mr. Hellwig said the final resolution will be to authorize Miller, Mannix, Schachner & Hafner to take all appropriate action necessary to pursue an appeal of Judge Ferradino's recent decision in the Hudson River/Black River Regulating District litigation. He said that this will be done at a cost not to exceed \$6,000 and is contingent upon the participation of the five (5) counties that have been involved in the lawsuit up to this point.

Vice Chairman Thompson acknowledged Mary Ann Johnson. Mrs. Johnson said she wanted to remind all the supervisors that next Wednesday at 11:00 a.m. at the Wesley Health Center there will be a special ceremony for Captain Clarence Dart who retired from the Army and that he was part of the Tuskegee Airman in WWII. She asked supervisors to notify Jen if attending.

Vice Chairman Thompson acknowledged Patti Southworth. Mrs. Southworth said she placed a flyer at the supervisors' seats reminding them that PYX106 will be hosting a fundraiser for the Guardian House which costs \$10 a person and will be held at Vapor Night Club on April 15th.

Vice Chairman Thompson acknowledged Alan Grattidge. Mr. Grattidge said on behalf of the Public Works Committee he would like to thank the crew and staff of the Public Works Department for the work they did on North Shore Road. He said that the original estimate had the road closed for 5 or 6 weeks and they were able to get the road back open in 15 days from when the wash-out happened. He stated it was a critical section of highway for that end of the county and the three supervisors from that area appreciated the hard work that the County staff put in. Mr. Grattidge wanted to publicly thank Joe Ritchey and his whole staff for handling the situation. Mr. Thompson said Mrs. Johnson was going to do that at the Board Meeting. Mrs. Johnson said that she was but sent out her kudos and said it saves her a lot of time and fuel.

On a motion by Art Johnson, seconded by Preston Jenkins the meeting was adjourned.

Respectfully submitted,

Pamela Hargrave, Clerk

REGULAR SESSION
Tuesday, April 19, 2011
At 4:00 P.M., E.S.T.

Board called to order by Chairman Wood.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 21. ABSENT – Anita Daly, Preston L. Jenkins, Jr. – 2.

The invocation was given by Patti Southworth, Chaplain.

PRESENTATIONS:

Chairman Wood introduced Congressman Chris Gibson. Congressman Gibson thanked the Board of Supervisors the opportunity to address them. He commended the Board on their leadership. He then told those in attendance what he had been doing since being elected and gave updates on Medicare, Agriculture and other issues important in NYS.

Chairman Wood presented a proclamation to Ms. Petra Acker. Ms. Acker and her family are residents of the Town of Halfmoon. Ms. Acker has become an accomplished speed skater which the Board commended her on.

Chairman Wood presented the Wellness Committee's STEP Program Awards along with members from Blue Shield, Jack Kalinkewicz, Marcy McNamara and Art Johnson. Third Place award went to Joe Ritchey and Tom Speziale from DPW, second place went to Laurie Fregeau and Andrea Burton from DSS, and the first place prize went to Scott Near from Weights and Measures and Cindy Crowell from DSS.

On a motion by Frank Thompson, seconded by Thomas Richardson the minutes of the March 15, 2011 meeting were approved unanimously.

The Clerk presented the following:

A Special Note of Thanks

Thank you so much for your thoughtfulness

“A Simple Act of Kindness has a Beauty All it's Own”

Thank you so much for your thoughtfulness and the lovely flowers sent to me during my recovery from hip surgery. –Mary Ann Johnson

Received and filed.

Letter from Stephen Dorsey appointing Hugh Burke as First Assistant County Attorney effective March 18th of 2011 until December 31st of 2011.

Received and filed.

Letter from Stephen Dorsey appointing George Conway as Assistant County Attorney full time effective April 1st of 2011 through December 31st of 2011.

Received and filed.

Letter from Robert Christopher advising the Supervisors that a second HEAP emergency benefit was made available effective March 28th, 2011.

Received and filed.

Letter from the New York State Department of Environmental Conservation regarding the status of the Local Solid Waste Management Plan.

Received and filed.

Letter from the New York State Department of Labor providing the Local Workforce Investment Area National Emergency Grant funding.

Received and filed.

Letter from the New York State Department of Health thanking Chairman Wood for his letter regarding the commitment and timeline for establishing an Environmental Health Program and Plan.

Received and filed.

Resolutions from Fulton County and Tioga County urging Governor Cuomo to reject the 2011 NYS Mandate Relief Redesign Team Report.

Referred to Supervisor Veitch and the County Administrator.

Resolution from Hamilton County opposing to fee purchase of former Finch and Follensby Pond lands.

Referred to Supervisor Veitch and the County Administrator.

REPORTS

2010 Saratoga County Historian Report. - Received and filed.

Chairman Wood acknowledged Mary Ann Johnson. Mrs. Johnson took this time to remind supervisors that April 20th is the ceremony for Clarence Dart at Wesley Health Center at 11:00 a.m. She said there were 80+ people who responded.

On a motion by Alan Grattidge, seconded by Frank Thompson, all resolutions were adopted by a unanimous vote.

RESOLUTION 66 - 11

Introduced by Supervisors Veitch, A. Johnson, Raymond, Rowland, Wormuth, Wright and Yepsen

URGING GOVERNOR CUOMO AND THE STATE LEGISLATURE TO DECOMMISSION THE MOHAWK VALLEY HERITAGE CORRIDOR COMMISSION AND DIRECTING THE RESIGNATION OF SARATOGA COUNTY'S REPRESENTATIVE ON THE COMMISSION

WHEREAS, the Mohawk Valley Heritage Corridor Commission (MVHCC) was created by the State Legislature in 1995 to facilitate and encourage historical tourism and recreation along the central portion of Mohawk River Valley from Saratoga County to Oneida County; and

WHEREAS, although the Commission was somewhat active in its early years, it has suffered from a lack of State funding and support, and has actually incurred mounting monetary liabilities without any ongoing revenue capabilities; and

WHEREAS, MVHCC has laid off staff and currently employs only two part-time staff people; and

WHEREAS, MVHCC has effectively ceased holding meetings, having held only one meeting in 2010, and has only 8 members left out of its original 26 members; and

WHEREAS, MVHCC is incapable of fulfilling its mission to enhance and promote the historic and scenic Mohawk Valley, and it is appropriate that MVHCC be decommissioned by the State Legislature and the Governor; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby urges the New York State Legislature and Governor Andrew Cuomo to decommission the Mohawk Valley Heritage Corridor Commission; and be it further

RESOLVED, this Board of Supervisors hereby directs Saratoga County's appointed representative to the Mohawk Valley Heritage Corridor Commission to immediately resign from the Commission, and declares that the County of Saratoga hereby resigns and releases any and all membership rights it has on and to the Commission; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors forward a copy of this Resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Senator Roy J. McDonald, Senator Hugh T. Farley, Assemblyman James Tedisco, Assemblyman Bob Reilly, Assemblyman Tony Jordan, Assemblyman Ronald Canestrari, Assemblywoman Teresa R. Sayward, Assembly Speaker Sheldon Silver and the Chairman of the Mohawk Valley Heritage Corridor Commission.

BUDGET IMPACT STATEMENT: No impact statement.

RESOLUTION 67 - 11

Introduced by Supervisors Veitch, A. Johnson, Raymond, Rowland, Wormuth, Wright and Yepsen

AUTHORIZING SARATOGA COUNTY TO JOIN THE ADIRONDACK PARTNERSHIP, THE BOARD CHAIR TO APPOINT A REPRESENTATIVE THERETO, AND THE ISSUANCE OF A LETTER OF SUPPORT IN FAVOR OF THE PARTNERSHIP'S SMART GROWTH APPLICATION

WHEREAS, maintaining and enhancing the strength of Adirondack communities is essential to the economic well-being and quality of life of residents of the Adirondack Park and the experience of visitors to the Adirondack Park; and

WHEREAS, the Adirondack Partnership was created in 2010 through a Memorandum of Agreement signed by local governments, state agencies, non-profit organizations, and other institutions as authorized by a majority vote of Partnership signatories, in the Adirondack Park who share a common goal of enhancing and benefiting communities, their economies, and the environment within the Adirondack Park; and

WHEREAS, the members of the Adirondack Partnership desire to work together on a cooperative basis in order to maintain communication among the members and to establish a forum where local governments, state agencies, and non-profit organizations can coordinate public-private efforts to advance Adirondack priorities; and

WHEREAS, the Adirondack Partnership intends to finance its activities through the Environmental Protection Fund, private endowments, and other grants from various funding sources as well as in-kind/volunteer services and materials from its members; and

WHEREAS, the Partnership has submitted a Smart Growth grant application to the NYS Department of Environmental Conservation seeking funding in the amount of \$190,000; and

WHEREAS, the Towns of Edinburg and Hadley have joined the Adirondack Partnership; and

WHEREAS, the counties of Warren, Hamilton and Essex have joined the Partnership, and the counties of Saratoga, Herkimer, Washington, Franklin, St. Lawrence and Fulton have been invited to join; and

WHEREAS, this Board supports the goals and priorities of the Adirondack Partnership, and believes that it would be in the best interests of Saratoga County and its residents to join the Partnership; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Saratoga hereby accepts the Adirondack Partnership's invitation to the County of Saratoga to join the Partnership; and be it further

RESOLVED, that the Chair of the Board is authorized to enter into a Memorandum of Understanding with the Adirondack Partnership, with the form and content of such MOU being subject to the approval of the County Attorney; and be it further

RESOLVED, that the Chair of the Board is authorized to appoint a representative from Saratoga County to the Adirondack Partnership, with such member to serve for a term of three years, with the current term to expire on December 31, 2013; and be it further

RESOLVED, that this Board of Supervisors hereby expresses its strong support for the \$190,000 Smart Growth grant application filed by the Adirondack Partnership, and urges the Department of Environmental Conservation to approve such grant application; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors forward a certified copy of this Resolution to the Adirondack Partnership.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 68 - 11

Introduced by Supervisor A. Johnson, Peck, Collyer, Daly, Hargrave, Richardson and Rowland

AUTHORIZING SELF-INSURANCE’S LIABILITY COVERAGE

WHEREAS, Resolution 79-10 authorized renewal of the third party liability insurance for our Self-Insurance Plan; and

WHEREAS, renewal of the policy and its assumption of a \$100,000 retention is appropriate; now, therefore, be it

RESOLVED, that the Saratoga County Self-Insurance renew its employers’ liability excess coverage with Russell Bond and Company for the annual premium of \$22,938.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 69 - 11

Introduced by Supervisor A. Johnson, Peck, Collyer, Daly, Hargrave, Richardson and Rowland

AUTHORIZING COUNTY'S INSURANCE COVERAGES THROUGH MAY 8, 2012

WHEREAS, Resolution 80-10 authorized the award of several insurance coverages for the County through May 8, 2011; and

WHEREAS, the County received competitive quotes for comparable coverages; now, therefore, be it

RESOLVED, that the Chairman of the Board accept the proposals of Cool Insuring for the County's insurance coverages by the carriers listed below, through May 8, 2012:

Coverage	Company	Limits	Ddbl.	Premium
Property/ Boiler and Machinery	AXIS		\$10,000	
	AXIS	\$192,032,863	\$25,000	\$126,043
Inland Marine	AXIS	\$17,803,984	\$5,000	\$26,951
Crime	AXIS	\$75k to \$1.3M	\$2,500	\$2,649
Excess Crime Bond	TRAVELERS	750,000	\$250,000	\$1,742
General Liability	ARGONAUT	\$1,000,000	\$50,000	\$76,321
Public Officials Liability	ARGONAUT	\$2,000,000	\$100,000	\$34,752
Law Enforcement Liability	ARGONAUT	\$2,000,000	\$100,000	\$39,193
OCP (2)	ARGONAUT	\$1,000,000		\$200
Automobile	ARGONAUT	\$2,000,000	\$50,000	\$81,718
Umbrella	ARGONAUT	\$10,000,000	NONE	\$60,560
Airport Liability	ACE	\$20,000,000	NONE	\$8,299
Healthcare				
Infirmery - Primary	DARWIN	\$1M/\$3M	\$50,000	\$33,366
MH & PHNS Primary	DARWIN	\$1M/\$3M	\$50,000	\$42,736
Excess Coverage	DARWIN	\$5M/\$5M	NONE	\$92,350
TOTAL OF ALL COVERAGES				\$626,880

RESOLUTION 70 - 11

Introduced by Supervisors Rowland, Hargrave, Jenkins, M. Johnson, Raymond, Thompson and Wright

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH BISHOP BEAUDRY CONSTRUCTION, LLC FOR ADDITIONAL MANAGEMENT SERVICES AT THE SARATOGA COUNTY ANIMAL SHELTER

WHEREAS, Resolution 66 of 2009 authorized an agreement with Bishop Beaudry Construction, LLC for the construction of the Saratoga County Animal Shelter; and

WHEREAS, change orders to such agreement for additional work necessitated by such items as builders risk insurance, Pavilion work, roof overspray repairs, and the Contractor's failure to complete the project within the time required by the Contractor's contract, have exceeded the 10% ceiling authorized for change orders pursuant to the agreement; and

WHEREAS, it is necessary to amend the County's agreement with Bishop Beaudry Construction, LLC to authorize Bishop Beaudry's provision of additional construction management services for the Animal Shelter project at a cost not to exceed \$22,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Bishop Beaudry Construction, LLC of Colonie, New York for additional construction management services at the Saratoga County Animal Shelter, at a cost not to exceed \$22,000, with the form and content of such amendment agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 71 - 11

Introduced by Supervisors Wright, Daly, Kinowski, Lucia, Raymond, Richardson and Southworth

PROCLAIMING MAY 8 - MAY 14, 2011 AS NATIONAL NURSING HOME WEEK

WHEREAS, as the citizens of our nation, state and county age, more and more of them reach a condition where they are no longer able to fully care for themselves or be cared for within their homes; and

WHEREAS, these individuals seek the care, assistance and comfort that is afforded to them in our nursing homes; and

WHEREAS, within the walls of our nursing homes can be found a wealth of individuals who collectively represent the energy, initiative, hard work, determination, knowledge and courage that have made our nation, state and county what they are today; and

WHEREAS, these residents of our nursing homes are deserving of the high level of care and concern that is so capably and caringly delivered by the staffs of nursing homes, twenty four hours a day, seven days a week, fifty-two weeks a year; and

WHEREAS, Saratoga County has four nursing homes, including our own Maplewood Manor, as well as the Saratoga Hospital Nursing Home, Schuyler Ridge Nursing Home, and Wesley Health Care Center, the staffs of which all deliver care of the highest quality to their residents; and

WHEREAS, May 8 through May 14 is National Nursing Home Week and the American Health Care Association has established this year's theme as "Fulfilling the Promise"; now, therefore, be it

RESOLVED, that this Board of Supervisors declares May 8 through May 14 as National Nursing Home Week in Saratoga County, and be it further

RESOLVED, that on this occasion this Board of Supervisors recognizes and expresses its gratitude and appreciation to the residents of Maplewood Manor, Saratoga Hospital Nursing Home, Schuyler Ridge Nursing Home and Wesley Health Care Center, for their many accomplishments which have created the world we live in and the quality of life we enjoy; and be it further

RESOLVED, that this Board of Supervisors recognizes and expresses its gratitude for the hard work, dedication and gentle care given by the staffs of our nursing homes for the comfort and safety of our valued nursing home residents.

RESOLUTION 72 - 11

Introduced by Supervisors Wormuth, Barrett, Grattidge, Hargrave, Jenkins, Kinowski and Veitch

AUTHORIZING TRANSFER OF FUNDS FROM THE ANIMAL SHELTER TRUST TTA57A FUND AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, Resolution 147-07 of this Board established the Animal Shelter Trust Fund to receive funds received from donors as gifts for the benefit and use of the Saratoga County Animal Shelter; and

WHEREAS, the staff of the Animal Shelter wish to purchase an animal adoption trailer to transport animals to adoption clinics, and a cargo van to pull the adoption and CART trailers; and

WHEREAS, the staff of the Animal Shelter also wish to retain the professional services of a relief veterinarian to fill in for the Shelter’s staff veterinarian when he or she is unavailable; and

WHEREAS, the purchase of these items and services are appropriate uses of funds from the Animal Shelter Trust Fund; now, therefore, be it

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disperse a sum not to exceed \$83,000 from the Animal Shelter Trust Fund for purchase of an animal adoption trailer, and a cargo van to pull the adoption and CART trailers, and for the procurement of the services of a relief veterinarian for the Animal Shelter; and be it further

RESOLVED, that the 2011 Saratoga County Budget is amended as follows:

ANIMAL SHELTER:

Appropriations:

Increase Acct # 1-35-000-7041 Cars & Light Trucks	\$20,000
Increase Acct # 1-35-000-7042 Rolling Stock – Highway Use	\$38,000
Increase Acct # 1-35-000-8343 Doctors’ Fees	<u>\$25,000</u>
	\$83,000

Revenues:

Increase Acct # 1-35-1554 Donations	\$83,000
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BUDGET IMPACT STATEMENT: This transfer will leave a balance of \$235,699 in the Trust Fund account.

RESOLUTION 73 - 11

Introduced by Supervisors Thompson, Daly, Grattidge, Peck, Sausville, Veitch and Wormuth

AUTHORIZING AN AGREEMENT WITH DELAWARE ENGINEERING, P.C. FOR ENGINEERING SERVICES FOR THE REHABILITATION OF THE SEWER DISTRICT’S SLUDGE INCINERATOR

WHEREAS, the sludge incinerator at the Saratoga County Sewer District Wastewater Treatment Plant is in need of rehabilitation; and

WHEREAS, the Saratoga County Sewer District Commission has solicited and entertained competitive proposals for engineering work for the rehabilitation of the sludge incinerator at the District’s Wastewater Treatment Plant, and

WHEREAS, the Sewer District’s Executive Director and the Sewer Commission have recommended that a contract for such services be awarded to Delaware Engineering, P.C., the lowest bidder on the contract; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute an agreement with Delaware Engineering, P.C. of 28 Madison Avenue Extension, Albany, New York 12203 for its engineering services relative to the rehabilitation of the sludge incinerator at Saratoga County Sewer District’s

Wastewater Treatment Plant, at a cost not to exceed \$164,500, the form and content of said agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. Funding is included in the Sewer District’s 2011 budget.

RESOLUTION 74 - 11

Introduced by Supervisors Thompson, Daly, Grattidge, Peck, Sausville, Veitch and Wormuth

AUTHORIZING AN AGREEMENT WITH DELAWARE ENGINEERING, P.C. FOR THE PRELIMINARY DESIGN OF A NORTHERN TIER SEWER TREATMENT PLANT

WHEREAS, despite the recent expansion of Saratoga County Sewer District’s Wastewater Treatment Plant, Sewer District officials project that the Treatment Plant will reach capacity in approximately fourteen years due to anticipated residential and commercial growth resulting from the opening of the Global Foundries chip manufacturing plant and other related businesses; and

WHEREAS, the parcel upon which the Sewer District’s Treatment Plant is situated in the Town of Halfmoon contains no further buildable land into which the Treatment Plant can be expanded; and

WHEREAS, the Saratoga County Sewer District Commission has recommended that a second wastewater treatment plant be sited and constructed in the northern tier of Saratoga County to accommodate projected flows after the current plant reaches capacity; and

WHEREAS, the Sewer District Commission has solicited and entertained competitive proposals for engineering services for the conceptual/preliminary design of a Northern Wastewater Treatment Plant; and

WHEREAS, the Sewer District’s Executive Director and the Sewer District Commission have recommended that a contract for such engineering services be awarded to Delaware Engineering, P.C., the lowest bidder on the contract; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute an agreement with Delaware Engineering, P.C. of 28 Madison Avenue Extension, Albany, New York 12203 for its engineering services relative to the conceptual/preliminary design of a second wastewater treatment plant to be sited in the northern tier of Saratoga County, at a cost not to exceed \$61,600, the form and content of said agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. Funding is included in the Sewer District’s 2011 budget.

RESOLUTION 75 - 11

Introduced by Supervisors Thompson, Daly, Grattidge, Peck, Sausville, Veitch and Wormuth

AUTHORIZING AN APPEAL OF SUPREME COURT DECISION IN ACTION AGAINST THE HUDSON RIVER-BLACK RIVER REGULATING DISTRICT AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, in accordance with Resolution 51-10 Saratoga County, in conjunction with the counties of Albany, Rensselaer, Warren and Washington, commenced litigation to challenge and appeal the Hudson River-Black River Regulating District’s apportionment of its operating expenses to the five counties; and

WHEREAS, HRBRRD apportioned to Saratoga County 28.5% of its costs, with said costs being in the amount of \$1,270,897 for its fiscal year July, 2009 – June, 2010, and in the amount of \$1,542,089 for its fiscal year July, 2010 – June 2011; and

WHEREAS, the five counties jointly retained the services of the law firm of Miller, Mannix, Schachner and Hafner, LLC as special counsel to prosecute their legal challenge to HRBRRD’s apportionment scheme; and

WHEREAS, the Supreme Court has granted summary judgment against the counties, thereby dismissing the counties' Complaint and denying the counties' request for an order and judgment invalidating and declaring unenforceable and void HRBRRD's apportionment plan; and

WHEREAS, special counsel for the counties has advised that they believe there are meritorious grounds for an appeal of the Supreme Court decision to the Appellate Division, Third Judicial Department; and

WHEREAS, special counsel has agreed to prosecute an appeal of the Supreme Court's decision at a total cost not to exceed \$30,000, which cost will be proportionately shared by all counties participating in such appeal; and

WHEREAS, this Board strongly believes that it is in the best interests of Saratoga County and its residents to join with the counties of Albany, Rensselaer, Warren and Washington to perfect an appeal to the Appellate Division; now, therefore, be it

RESOLVED, that special counsel Miller, Mannix, Schachner & Hafner, LLC is authorized to take all appropriate legal action necessary to prosecute an appeal of the Decision and Judgment of the Supreme Court, Honorable Stephan A. Ferradino, J.S.C., dismissing the action filed by the counties of Saratoga, Albany, Rensselaer, Warren and Washington against the Hudson River-Black River Regulating District and the New York State Department of Environmental Conservation, at a cost not to exceed the County's proportionate share with the other counties participating in the appeal of the total appellate cost of \$30,000.

BUDGET IMPACT STATEMENT: No budget impact. The County's share of the total costs for this appeal will not exceed \$6,000, or one-fifth of the total anticipated cost.

RESOLUTION 76 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

WHEREAS, unpaid taxes resulted in the County's acquisition of certain lands in various towns; and

WHEREAS, certain former owners have requested the pre-auction conveyance of one of the said parcels in consideration of the payment of an amount equal to the unpaid taxes, penalties, interests and charges; and

WHEREAS, our Equalization and Assessment Committee recommends approval of these requests; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors convey by quitclaim deed to the following parties or their designees, the lands set opposite their names, upon payment of the indicated amount, which includes penalties, interest and charges,

CONVEY TO:	YEAR	TOWN	S/B/L	AMOUNT
Elliott Heyman 38 Horicon Avenue Glens Falls, NY 12801	2008, 2009 & 2010	Moreau	37.45-2-37	\$21,021.22
Matthew Mittelmark 30 Kilsyth Road, Apt. 2 Brookline, MA 02445	2008, 2009 & 2010	Saratoga	170.38-2-1	\$ 4,215.44
Daniel Cheng PO Box 544 110 Third Street Waterford, NY 12188	2008, 2009 & 2010	Waterford	291.63-2-50	\$16,272.43

BUDGET IMPACT STATEMENT: These amounts include all appropriate penalties and interest.

RESOLUTION 77 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE TOWN OF STILLWATER

WHEREAS, unpaid taxes resulted in the County's acquisition of certain lands in the Town of Stillwater; and

WHEREAS, the said lands were scheduled to be sold at the County auction of tax acquired properties on March 15, 2011; and

WHEREAS, the Town of Stillwater has requested pursuant to Resolution No. 4 of 2011 of the Stillwater Town Board to buy said lands for its municipal park purposes for an amount equal to the unpaid taxes, penalties, interest and other charges; and

WHEREAS, the owners of these lands have not made any indication that they wish to reacquire said lands; and

WHEREAS, Board policy and the Real Property Tax Law allow the sale of lands to a municipality under these circumstances; and

WHEREAS, the Equalization and Assessment Committee recommends the approval of the request of the Town of Stillwater; now, therefore, be it

RESOLVED, that the Chair execute and deliver a quit claim deed to the Town of Stillwater conveying the following lands to the Town, upon payment of all delinquent taxes, penalties and interest in the amount set forth below:

CONVEY TO:	YEAR	TOWN	S/B/L	AMOUNT
Town of Stillwater	2008, 2009, 2010 & 2011	Stillwater	261.8-2-24	\$5,209.35
Town Hall, 66 East Street Stillwater, NY 12170	2010/2011 Mechanicville School			

BUDGET IMPACT STATEMENT: This amount includes all appropriate penalties and interest.

RESOLUTION 78 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

AUTHORIZING AUCTION SALE OF COUNTY-OWNED LANDS ACQUIRED FOR UNPAID TAXES

WHEREAS, pursuant to Resolution 166-96, this Board, by its Equalization and Assessment Committee, did offer on March 15, 2011, at auction sale, certain parcels of land in several Towns within the County, which parcels are more particularly described below; and

WHEREAS, the persons named below were the highest responsible bidders for each parcel; and

WHEREAS, the Committee finds that the return of these properties to the tax rolls is in the best interest of County residents; and

WHEREAS, all proposed conveyances of County lands require approval of this Board; now, therefore, be it

RESOLVED, that the following proposed conveyances of County lands to the following bidders or their designee at the auction of March 15, 2011 are approved; and, be it further

RESOLVED, that the Chairman of the Board or, if appropriate, the Commissioner of Social Services, convey the following lands to the following parties or their designee upon their payments of the indicated amount and certain administrative fees to the County Treasurer:

HIGH BIDDER	TOWN	S/B/L	FORMER OWNER	AMOUNT.
Anthony D. Vaccarielli 547 Myrtle Avenue Albany, NY 12208	Ballston	214.-1-3.12	Richard J. Nowak	\$500.00
James R. Votraw 30A Sylvan Trail Ballston Lake, NY 12019	Clifton Park	265.20-5-11	Country Club Acres, Inc.	\$1,400.00

Anthony D. Vaccarielli 547 Myrtle Avenue Albany, NY 12208	Clifton Park	276.-1-69	Wallace M. Ostrom	\$18,500.00
Anthony D. Vaccarielli 547 Myrtle Avenue Albany, NY 12208	Corinth	87.-1-2	Glenice Winslow	\$18,000.00
Mark Schafer 4928 Western Turnpike Altamont, NY 12009	Corinth	98.-2-64	Deutsche Bank Trust Co. America	\$17,000.00
Mark Schafer 4928 Western Turnpike Altamont, NY 12009	Corinth	98.-2-65	Deutsche Bank Trust Co. America	\$32,000.00
James R. Brenner 17 Bluestone Ridge Clifton Park, NY 12065	Day	42.12-1-4.2	Amelia Ashline	\$275.00
John Grady 170 West Circular Street Saratoga Springs, NY 12866	Edinburg	54.17-1-74	Frances Weaver	\$85.00
Thomas C. Spencer 124 East Prospect Street P.O. Box 838 Northville, NY 12134	Edinburg	80.-1-65	Donald W. Morgan	\$12,250.00
James P. Crawford, Jr. 19 Anna Lane Ballston Lake, NY 12019	Galway	186.-1-64	Fouad Tawad (Fouad Tawab)	\$750.00
Anthony D. Vaccarielli 547 Myrtle Avenue Albany, NY 12208	Galway	199.-1-61	Paul R. Close	\$11,000.00
Erin Imgruth 209 Agostino Avenue Niskayuna, NY 12309	Galway	212.-1-37	Thomas Grimes	\$7,100.00
John J. Schaff 20 Walter Maxfield Road Hadley, NY 12835	Greenfield	126.-1-24.2	Ann B. Goldsmith	\$900.00
Thomas A. Nestler 5207 Fairground Avenue Ballston Spa, NY 12020	Greenfield	135.7-2-12	Michael W. Csontos	\$10,500.00
John H. VanderHorn 107 Regent Street Saratoga Springs, NY 12866	Greenfield	135.8-1-35	George R. Garrison	\$11,500.00
Dave Blair 16 Yorktown Lane Stillwater, NY 12170	Malta	250.34-1-11.1	Citi Mortgage, Inc.	\$41,000.00

Samuel F. Paquin, II P.O. Box 675 Clifton Park, NY 12065	Malta	250.41-1-10	Patricia K. Brown	\$ 750.00
Peter B. Jones 15 Buell Avenue Ballston Lake, NY 12019	Milton	203.80-1-36	Everlyn M. Vickery	\$10,000.00
Anthony D. Vaccarielli 547 Myrtle Avenue Albany, NY 12208	Milton	189.10-1-7	Minnie Wright	\$6,000.00
Robert Van Liew 26 Stony Point Road Malta, NY 12020	Milton	189.15-1-1	Martha E. Wells	\$33,000.00
Matthew Keicher, Sr. 7526 Wiley Town Road Middle Grove, NY 12850	Providence	145.-1-58	Lori Griffin	\$3,700.00
Michael Riggio 216 Cherry Hill Road Carmel, NY 10512	Saratoga	157.49-1-4	M & H Development, LLC	\$1,100.00
Michael Riggio 216 Cherry Hill Road Carmel, NY 10512	Saratoga	156.-1-3.2	Dianne C. Wurster	\$25,000.00
Samuel E. Paquin, II P.O. Box 675 Clifton Park, NY 12065	Stillwater	253.33-3-7	Peggy Sue Riley	\$450.00
Mark Anthony Calicchia 12 Reddy Lane Loudonville, NY 12211	Stillwater	253.-2-40.1	Nancy K. Tedeschi	\$1,500.00
Paul J. Pinkans 8 Kallen Avenue Schenectady, NY 12304	Waterford	290.-1-33.12	NRLL East A Florida, LLC	\$4,500.00
Stephen Bourdages 67 Sichio Road Poestenkill, NY 12140	Waterford	291.7-1-8	John Cipkowski	\$300.00
Benjamin E. Cohen 16 Empire Avenue Glens Falls, NY 12801	Wilton	127.19-1-1	John J. Kondenar, Jr.	\$1,600.00

BUDGET IMPACT STATEMENT: The gross proceeds of \$561,783.83 represent a profit of \$160,179.00 over the foreclosed delinquent taxes. Additionally, since January 1, 2011, the County Treasurer has collected \$279,098.83 in delinquent taxes for properties that would otherwise have been included in the auction.

RESOLUTION 79 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on tax rolls; and

WHEREAS, the owner of the following land has timely submitted proof of error in its 2011 tax bill; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected; now, therefore, be it

RESOLVED, that the application of the following property owner for correction of the 2011 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNER</u>	<u>CITY</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Meadowbrook IV, LLC	Saratoga Springs	167.-7-22	\$ 1,919.47

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 80 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

APPROVING A SEWER CHARGE REFUND OF \$2,970.00 ON A PARCEL IN THE TOWN OF MILTON

WHEREAS, the 2009 & 2010 tax bills for a certain tax parcel in the Town of Milton included erroneous sewer charges by Saratoga County Sewer District No. 1 for eleven sewer units; and

WHEREAS, said erroneous sewer charges were paid and a refund has been requested by the property owner; now, therefore, be it

RESOLVED, that the County Treasurer refund the following overpayment of sewer charges, penalties and interest in the amount of \$2,970.00:

Refund			
<u>TOWN OF MILTON</u>	<u>Tax Parcel</u>	<u>Year</u>	<u>Amount</u>
Daniel Grennan and Janne Grennan	190.6-1-20	2009	\$1,320.00
Daniel Grennan and Janne Grennan	190.6-1-20	2010	\$1,650.00

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 81 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

CORRECTING 2011 TAX BILL AND AUTHORIZING A TAX CREDIT

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on tax roll, and Real Property Tax Law §556 authorizes the provision of a credit against outstanding tax owed on a corrected tax bill; and

WHEREAS, the owners of the following property have timely submitted proof of errors in their 2011 tax bill; and

WHEREAS, our Director of Real Property Tax Services recommends that the errors be corrected and a credit be authorized; now, therefore, be it

RESOLVED, that the applications of the following individuals for correction of the 2011 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNERS</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Joseph Morse and Bridget Dempsey Morse	Providence	171.-1-14.2	\$90.04

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in the amount of \$307.56 to the outstanding 2011 tax bill of the property owners Joseph Morse and Bridget Dempsey Morse.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 82 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

CORRECTING 2010 TAX BILL AND AUTHORIZING A TAX CREDIT

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on tax roll, and Real Property Tax Law §556 authorizes the provision of a credit against outstanding tax owed on a corrected tax bill; and

WHEREAS, the owner of the following property has timely submitted proof of errors in its 2010 tax bill; and

WHEREAS, our Director of Real Property Tax Services recommends that the errors be corrected and a credit be authorized; now, therefore, be it

RESOLVED, that the applications of the following property owner for correction of the 2010 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNER</u>	<u>CITY</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Laguna Homes, Inc.	Saratoga Springs	165.78-1-12.11	\$562.58

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in the amount of \$2,163.79 to the outstanding 2010 tax bill of the property owner Laguna Homes, Inc.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 83 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

CORRECTING 2011 TAX BILL AND AUTHORIZING A TAX CREDIT

WHEREAS, the Town of Waterford imposed a special assessment upon the 2011 tax bill for Tax Parcel #290.-1-5 for a monetary penalty for code violation committed by the property’s owners; and

WHEREAS, the property’s owners challenged the amount of said special assessment; and

WHEREAS, the Town of Waterford and representatives of the property’s owners entered into negotiations concerning the amount of said special assessment; and

WHEREAS, the Town Board of Waterford adopted Resolutions No. 6 of 2011 and No. 24 of 2011 adjusting the amount owed for the special assessment from \$103,180 to \$76,120 subject to approval/adjustment by this Board of Supervisors; and

WHEREAS, our Director of Real Property Tax Services recommends that this Board authorize a correction to the 2011 tax roll, and the generation of a new tax bill, by reducing the special assessment on said tax parcel from \$103,180 to \$76,120; now, therefore, be it

RESOLVED, that the 2011 tax roll is hereby adjusted to lower the special assessment on Tax Parcel 290.-1-5 in the Town of Waterford from \$103,180 to \$76,120; and be it further

RESOLVED, that 2011 tax roll is hereby corrected as follows:

<u>PROPERTY OWNERS</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Hebert Coleman and Mary I. Hebert Coleman	Waterford	290.-1-5	\$85,288.24

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in the amount of \$27,060 to the outstanding 2011 tax bill of the property owners of Tax Parcel #290.-1-5.

BUDGET IMPACT STATEMENT: No budget impact.

Chairman Wood announced the following appointment:

Saratoga County MEGA Corporate Member
Supervisor Alan Grattidge

REAPPORTIONMENT COMMITTEE

Anita Daly
Jean Raymond
Frank Thompson
Tom Wood
Mindy Wormuth

ADIRONDACK PARTNERSHIP

Jason Kemper, Planning Director

Chairman Wood gave an update on the "Saratoga County Test" that was handed out last month. He announced the results and presented awards.

Chairman Wood then introduced Saratoga County Jeopardy. The Supervisors then played a shortened version of the game with the right side of the room winning.

Chairman Wood acknowledged Dick Rowland. Mr. Rowland said that in light of the competitive nature of the day, he wanted to remind the Board that April 30th is the 4H Walkathon at the Spa Park. He pointed out that Supervisor Veitch is being honored. Mr. Rowland said that he is the Board Representative to Cooperative Extension and he has committed to walking in the Walkathon and said he is taking pledges.

On a motion by John Collyer, seconded by Thomas Richardson the meeting was adjourned.

Respectfully submitted,

Pamela A. Hargrave, Clerk