

AGENDA

April 11, 2012 5:00 p.m.

Vice Chairman Grattidge called the meeting to order.

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, Daniel Lewza, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward D. Kinowski, Arthur J. Johnson 19. ABSENT – Anita Daly, Thomas Richardson, Preston L. Jenkins, Jr., John Lawler 4.

On a motion by Mr. Collyer seconded by Mr. Sausville, the minutes of the March 14th meeting were unanimously approved.

Spencer Hellwig, County Administrator, reviewed the following:

“Under Equalization and Assessment, there will be four resolutions going for vote next week. Three of those are tender offers. Two of which will be conveying parcels to Towns including Clifton Park and Malta including one resolution that will authorize the conveyance of the parcels sold at the March property auction.

Under Veterans’ there is one resolution that was designed to prevent the issue of military deployment from being used as a factor in the awarding of child custody.

Under Personnel we have three resolutions. One is the renewal of our excess liability coverage for the Workers’ Compensation Program. Second one is an amendment to the County’s Policy and Procedures Manual relative to the process of conducting Managerial Evaluations. And the final resolution under Personnel will be the renewal of the County’s property and liability coverage’s.

Under Economic Development there is one resolution that will authorize the County to participate and be the lead agency in a State grant application for funding of the State’s Local Government Efficiency Grant Program. It will also require a matching contribution from the County as well as the other County’s in the amount of \$2,000 and \$1,000 from the City’s that are involved.

Under Buildings we have two resolutions. The first is a home rule request which was approved by the Board in February and was sent down to Albany. It now has the bill number attached as well as a change that was made by the Assembly that needs to be re-approved by the Board and sent back down for final act by the State Legislature. The second resolution under Buildings will be authorization to settle a claim filed by J. Luk Construction for an amount of liquidated damages.

Under Public Health we have one item which is recognition of National Nursing Home Week from May 13th through the 19th.

Under Public Safety there will be five resolutions. The first one is acceptance of a Homeland Security Grant by the Sheriff’s Department. They will be using the funding to cover an assortment of equipment purchases for the Department. That is 100% Federal Aid. We will be proclaiming April 22nd through the 28th as National Crime Victims’ Rights Week. There are a number of activities planned for this week and those can be reviewed on the District Attorney’s website. We have a donation that was given by Cascade Tissue Company to the County Animal Shelter. The resolution will authorize the transfer of those funds from the Animal Shelter Trust Fund into the operating budget for the purchase of items for the facility. Last December the Board authorized the submission of a HazMat grant application on behalf of Saratoga, Rensselaer, Schenectady and Albany County’s in the amount of \$125,000. That grant has been approved and we are now asking for your approval to amend the budget to accept that money to purchase the items that were identified on the original grant application. The final item is the annual Homeland Security funding received by the Emergency Services Department which will be used to purchase an assortment of items including computer software, hardware and an update to the computer aided dispatch system at the County Sheriff’s Department.

Under Social Programs we have four resolutions going to the Board. The first one is proclaiming May 2012 as "Older Americans Month". Second resolution is authorization for the County to provide \$20,000 in funding to the Town of Moreau for the purchase of a senior transportation bus. We also have a resolution to accept \$15,187 in State aid to replace desk tops, lap tops and some work on the servers within the Aging Department. And the final resolution under Social Programs is authorization to accept an additional \$16,570 in State Aid to fund a vacant position as well as extend positions that are currently operating under the HEAP Program in the Aging Department.

Under Public Works we have four resolutions. The first two are related to authorization to enter into agreements with the NYSDOT to accept funding under the federally funded bridge projects that were included in the 2012 Capital Plan. One of the resolutions is authorization to request an easement from the State so that rehabilitation work on the Dix Bridge in the Town of Northumberland can be completed and in addition will authorize the County access to the bridge for maintenance work in the future. And the final item under Public Works is a resolution that is required under General Municipal Law that provides that a draft RFP for proposals to privatize the landfill be sent out to prospective proposers for their comments on the content of that resolution. This is a step that must be taken prior to the issuance of the final RFP. The resolution also will amend the Resolution 112-99 and remove two conditions; namely, that the landfill can only be used for solid waste generated within Saratoga County and that it has to be owned and operated by the County.

One Chairman's item is a resolution appointing Gene Fedoronko to fill the unexpired term of a Commissioner on the Saratoga Lake Protection and Improvement District Board.

Under Law and Finance there are three resolutions. One is the Board's consent for the proposed changes to the IDA's Uniform Tax Enforcement Policy and the PILOT agreements with GlobalFoundries. Those changes have already been approved by the other taxing jurisdictions; namely, the Ballston Spa School District, the Stillwater School District, and the Towns of Malta and Stillwater. The remaining two items are engineering contracts for the Sewer District. One will be with Environmental Design Partnership in the amount of \$29,300; that will cover design, contract administration and field inspection for the Sewer District Interceptor Repair in the Town of Ballston. And the second one will include engineering work relative to the replacement of six non-potable water pumps at the Sewer District's main facility."

On a motion by Ms. Wormuth, seconded by Mr. Hargrave the agenda was unanimously adopted as recited by the County Administrator.

Vice Chairman Grattidge acknowledged Mrs. Johnson. Mrs. Johnson reminded her colleagues that Friday, April 13th is Yellow Ribbon Day and is going to be held at 11a.m. at the Wilton Elks. She said the guest speaker is from the Town of Milton and is a United States Marine Corp Lieutenant Colonel.

On a motion by Mr. Peck, seconded by Mr. Johnson the meeting was unanimously adjourned.

Respectfully submitted,

Pamela Hargrave, Clerk

REGULAR SESSION
TUESDAY, APRIL 17, 2012
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, Anita Daly, Richard Lucia, Mary Ann Johnson, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Dan Lewza, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward Kinowski, Arthur J. Johnson – 23. ABSENT — Jean Raymond, Preston L. Jenkins, Jr., John Lawler, 3.

The invocation was given by Patricia Southworth, Chaplain.

PUBLIC INPUT

Nick Berardi, employee at Maplewood Manor said currently there is a 10% vacancy which is about 25 beds, at about \$300 a day if they are private pay and that works out to be \$7,500 a day with a total of \$225,000 per month. He said the employees want to know why the beds aren't being filled and expressed concern about their jobs. He said he spoke with some of the Supervisors and they are aware of it but didn't know if everybody knew. Mr. Berardi said Mrs. Brown has worked closely with the staff and said she has done a very good job but the supervisors have the final say as to who goes over there and who doesn't. He said the way it's done is so tight that it is hurting the people they are taking care of. The consultant is coming in and it's putting the employees behind the eight ball because of this loss, he worries what the loss of \$225,000 per month will say to the consulting firm. He said all of the employees at Maplewood want to keep their jobs and they want to do whatever they can to help save money but that can't happen if they are kept in the dark. He said he believes families don't want to put their loved ones in Maplewood for fear they will privatize and the new owner won't keep them. He is asking that every supervisor come on board with all the employees at Maplewood and find out what can be done to get the vacancy rate down and get more residents in there so they can help save their jobs. He said the last thing he wanted to hit on was that he has been an employee of Maplewood for fourteen years and he has never seen things this bad. Mr. Berardi said every employee over their works hard to care for the residents who have lived in this County, paid their taxes, have been voters and nobody knows what's going on and they need direction.

On a motion by Mr. Grattidge, seconded by Mr. Lucia, the minutes of the March 20th 2012 meeting were unanimously approved.

The Clerk presented the following:

Letter from CSEA regarding negotiations for a successor agreement as the current collective bargaining unit agreement expires on December 31, 2012.

Referred to the Negotiating Committee.

Resolution from Fulton County urging the United States Congress to repeal a portion of the universal service fund surcharge that provides free cellular telephone service to "income eligible" individuals.

Referred to Supervisor Sausville and County Administrator.

Letter of Judith VanPatten resigning from the Saratoga Lake Protection and Improvement District.

Received and filed.

REPORTS:

2011 Annual Report from Saratoga County Public Health Nursing Service

Print.

Mrs. Johnson thanked everyone that did attend the Yellow Ribbon Ceremony and said it was a great ceremony that was well attended. She thanked Supervisor Barrett for singing at that ceremony and said everyone is always impressed by his great voice. Carol Hotaling wanted to thank the County for all the donations that were given by the Supervisors and the Departments, she said.

A motion was made by Mr. Hargrave and seconded by Mr. Lucia to waive the reading of all the resolutions. The motion FAILED: – AYES: (12,124) Richard Lucia 6,531; George J. Hargrave 3,545; Arthur M. Wright 2,048; Paul Sausville 14,765. NO: Patricia Southworth 9,776; Alan Grattidge 4,133; Philip C. Barrett 18,352.5; Anita Daly 18,352.5; Mary Ann Johnson 856; Jean Raymond 1,214; Richard Rowland 7,775; Mindy Wormuth 21,535; Dan Lewza 18,575; Preston L. Jenkins, Jr. 14,728; Willard H. Peck 5,087; John Collyer 1,995; Thomas N. Wood, III 5,674; Matthew E. Veitch 13,293; Joanne Dittes Yepsen 13,293; Edward Kinowski 8,287; John Lawler 8,423; Arthur J. Johnson 16,173 (207,607).

Chairman Wood clarified that due to the amount of resolutions, a motion has been made to waive the reading of all resolutions. Ms. Yepsen said she thinks the public has a right to hear them and said they should be read as they always are. Mr. Kinowski said he believes it should be done as it's always done because it identifies the motions we have been doing and it gives an end result to the resolution. Mr. Sausville said his concern that the press and other people are there and as long as the list of resolutions and the resolutions are presented ahead of time he would support that. He said a line of communication is missed if the process is short cut. Mrs. Wormuth said at the very least we should be reading the titles of the resolutions and the budget impact statements. She said she understands Mr. Hargrave's view about reading through what can be very wordy language that doesn't get into what the residents, reporters and the people who have already heard this at the Committee meetings and again each resolution should be identified on its own.

A motion was made by Mrs. Daly and seconded by Mrs. Wormuth to read only the titles and budget impact statements of all resolutions. The motion PASSED: – AYES: 147,452.5 Patricia Southworth 9,776; Alan Grattidge 4,133; Anita Daly 18,352.5; Richard Lucia 6,531; George J. Hargrave 3,545; Richard Rowland 7,775; Arthur M. Wright 2,048; Mindy Wormuth 21,535; Paul Sausville 14,765; Thomas Richardson 5,196; Dan Lewza 18,575; Willard H. Peck 5,087; Thomas N. Wood, III 5,674; Edward Kinowski 8,287; Arthur J. Johnson 16,173. NO: 72,154.5 Philip C. Barrett 18,352.5; Mary Ann Johnson 856; Jean Raymond 1,214; Preston L. Jenkins, Jr. 14,728; John Collyer 1,995; Matthew E. Veitch 13,293; Joanne Dittes Yepsen 13,293; John Lawler 8,423.

On a motion by Mr. Grattidge, seconded by Mr. Barrett, with the exception of Resolution No.'s 90 & 103, the resolutions were adopted by a unanimous vote.

RESOLUTION 75 - 12

Introduced by Chairman Wood

APPOINTING A COMMISSIONER OF SARATOGA LAKE PROTECTION AND IMPROVEMENT DISTRICT

WHEREAS, pursuant to Chapter 460 of the Laws of 1986, the five Commissioners of the Saratoga Lake Protection and Improvement District are appointed by the Board of Supervisors; and

WHEREAS, there is an opening at the Saratoga Lake Protection and Improvement District due to the resignation of Judith VanPatten; now, therefore, be it

RESOLVED, that the following individual be appointed as a Commissioner of the Saratoga Lake Protection and Improvement District for the stated term:

<u>Name</u>	<u>Municipality</u>	<u>Prior</u>	<u>Term Expires</u>
Gene Fedoronko 587 Route 9P Saratoga Springs, NY 12866	Stillwater	n/a	12/31/12

RESOLUTION 76 - 12

Introduced by Supervisors M. Johnson, Hargrave, Kinowski, Lucia, Richardson, Rowland and Wright

SUPPORTING STATE LEGISLATION (S.5049/A.8550) TO PREVENT THE ISSUE OF MILITARY DEPLOYMENT FROM BEING USED AS A FACTOR IN THE AWARDING OF CHILD CUSTODY BY NEW YORK'S COURTS

WHEREAS, New York State's Domestic Relations Law currently allows New York's courts to consider the past or current deployment, or possible future deployment, of a parent serving in the armed forces of the United States as a detrimental factor when making an award of child custody involving said parent's child or children; and

WHEREAS, several states, including California and Arkansas, have adopted legislation barring their courts from considering a parent's military deployment from being considered as a factor to be weighed at a change-of-custody hearing; and

WHEREAS, bills have been proposed in the New York State Senate (S5049) and Assembly (A8550) which would prohibit New York's courts from considering a parent's past, present or future military deployment as a detrimental factor when awarding custody of a child, provided a suitable child care plan has been presented to the court by the petitioning parent; and

WHEREAS, said bills would further require that within thirty (30) days after a parent's return from military service, any child custody order in effect immediately prior to the parent's deployment shall be reinstated and be in full force and effect; and

WHEREAS, our Legislative and Research Committee and our Veterans Committee have recommended that this Board send a resolution of support for the passage of Senate Bill S5049 and Assembly Bill A8550 to the State Legislature and Governor Andrew Cuomo; and

WHEREAS, our brave men and women serving in the United States military should not have to be put in the difficult and stressful position of having to choose between serving their country and losing their family as a result of their deployment; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby strongly urges the New York State Legislature and Governor Andrew Cuomo to enact into law Senate Bill S5049 and Assembly Bill A8550 to protect the child custody rights of parents serving in the United States Armed Forces; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors forward a copy of this Resolution to our local state legislators and Governor Andrew Cuomo.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 77 - 12

Introduced by Supervisor A. Johnson, Collyer, Daly, Grattidge, M. Johnson, Kinowski and Peck

AUTHORIZING SELF-INSURANCE'S LIABILITY COVERAGE

WHEREAS, Resolution 68-11 authorized renewal of the third party employer liability insurance coverage for Worker's Compensation for our Self-Insurance Plan; and

WHEREAS, the continuation of such insurance coverage and its assumption of a \$100,000 retention is appropriate; and

WHEREAS, our Personnel and Insurance Committee has recommended that such coverage be continued through Capital Indemnity Corporation for the annual premium of \$23,048; now, therefore, be it

RESOLVED, that the Saratoga County Self-Insurance Plan renew its third party employers' liability excess coverage for Worker's Compensation through Capital Indemnity Corporation for the annual premium of \$23,048.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 78 - 12

Introduced by Supervisor A. Johnson, Collyer, Daly, Grattidge, M. Johnson, Kinowski and Peck

AMENDING THE POLICIES AND PROCEDURES MANUAL TO ESTABLISH A REVISED PROTOCOL FOR EVALUATING DEPARTMENT HEADS

WHEREAS, Resolution 330-82 adopted a manual of Policies and Procedures for the conduct of Saratoga County government; and

WHEREAS, since adoption, the Board of Supervisors has enacted several amendments to the Manual; and

WHEREAS, the annual review of the Manual, mandated by Section 104-b of the General Municipal Law, has disclosed the appropriateness of revisions proposed by the Board’s Personnel and Insurance Committee to the County’s Managerial Evaluations Program Policy to establish a revised protocol for the County Administrator to follow when evaluating Department Heads; and

WHEREAS, a copy of the Personnel and Insurance Committee’s proposed revised Managerial Evaluations Program Policy was provided to each member of this Board; and

WHEREAS, implementation of any legislative revisions to the Manual requires the approval of the Board; now, therefore, be it

RESOLVED, that the following sections of the Saratoga County Policies and Procedures Manual are amended to revise the Managerial Evaluation Program Policy as more particularly described in the Personnel and Insurance Committee’s proposal:

<u>CHAP/SECTION</u>	<u>TITLE</u>	<u>LAST AMENDED</u>	<u>RESOL.</u>
4S	Managerial Evaluations	3/20/84	95 of 1984

and, be it further

RESOLVED, that the Personnel Department distribute copies of these amendments to all County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 79 - 12

Introduced by Supervisor A. Johnson, Collyer, Daly, Grattidge, M. Johnson, Kinowski and Peck

AUTHORIZING COUNTY'S INSURANCE COVERAGES THROUGH MAY 8, 2013

WHEREAS, Resolution 69-11 authorized the award of several insurance coverages for the County through May 8, 2012; and

WHEREAS, the County solicited and received competitive quotes for comparable coverages through May 8, 2013; 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, 2013, at a cost not to exceed \$830,058:

Coverage	Company	Limits	Deductible	Premium
Property*	Argonaut	\$192,304,363	\$10,000	\$144,961.23
Boiler & Machinery	Argonaut	\$78,729,970	\$25,000	incl
Inland Marine	Argonaut	\$19,617,117	\$5,000	\$29,373.00
Crime	Argonaut	\$75,000 - various	\$2,500	\$4,656.00
General Liability	Argonaut	\$1M/\$6M	\$50,000	\$107,062.00
Public Officials Liability	Argonaut	\$1M/\$6M	\$100,000	\$37,936.00
Law Enforcement Liability	Argonaut	\$1M/\$6M	\$100,000	\$80,449.00
OCP	Argonaut	\$1M/\$3M		incl
Automobile	Argonaut	\$1,000,000	\$50,000	\$143,641.00
Umbrella	Argonaut	\$10,000,000	None	\$112,765.00
Airport Liability	Ace	\$20,000,000	None	\$7,455.00

Healthcare

Infirmary - Primary	Allied	\$1M/\$3M	\$50,000	\$32,535.60
MH & PHNS Primary	Darwin	\$1M/\$3M	\$50,000	\$39,805.75
Excess	Darwin	\$5,000,000	\$10,000 SIR	\$89,418.00

Policy Fees

incl

\$830,057.58

**Includes \$5M Flood/Earthquake*

BUDGET IMPACT STATEMENT: This renewal will require the transfer of \$170,643 from Contingency into the Insurance Division.

RESOLUTION 80 - 12

Introduced by Supervisors Daly, A. Johnson, Kinowski, Lawler, Peck, Richardson and Sausville

AUTHORIZING PARTICIPATION IN LOCAL GOVERNMENT EFFICIENCY GRANT – CAPITAL REGION PROCUREMENT COLLABORATION PROJECT AS LEAD APPLICANT AND AUTHORIZING UP TO \$2,000 IN LOCAL MATCHING FUNDS

WHEREAS, one of the ideas that resulted from the New York State Regional Economic Development Council strategic planning process was to examine collective purchasing power in the region to determine if cost savings could be achieved through more cooperative buying; and

WHEREAS, this joint initiative would explore what individual municipalities are doing in terms of purchasing, in particular shared purchasing, and what might be learned from best practices of others in the region, as well as how shared purchasing might be expanded to achieve cost savings; and

WHEREAS, the proposal includes an application for a Local Government Efficiency Grant from New York State to fund this study, with some minimal matching funds from each of the municipalities who participate; and

WHEREAS, seven (7) counties, including Saratoga County, as well as three of the largest cities in the region (Albany, Troy and Schenectady) have been invited to participate in this study and a resolution agreeing to collaborate in this initiative is required from each municipality; and

WHEREAS, Saratoga County has offered to serve as lead applicant on behalf of the seven (7) counties and three (3) cities in their application to the New York State Department of State for a Local Government Efficiency Grant; and

WHEREAS, should this grant application be successful, an Intermunicipal Agreement will then need to be enacted by those participating municipalities; and

WHEREAS, all municipalities participating in this grant application will need to provide some minimal matching funds to fund this Capital Region Procurement Project study; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby authorizes the County of Saratoga to collaborate in this Capital Region Procurement Project initiative; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to participate and serve as lead applicant in a Local Government Efficiency Grant application with six (6) other counties and three (3) cities in the Capital Region for the purposes of conducting a study consisting of spend assessments on both individual and regional levels to identify cost saving opportunities and efficiency improvements for individual municipalities as well as opportunities for collaborative buying power and additional savings potential on a regional level, and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all applications and documents necessary for the County of Saratoga to apply as lead applicant for a Local Government Efficiency Grant from the New York Department of State, including the signing of an Intermunicipal Agreement, with the form and content of same being subject to the approval of the County Attorney; and be it further

RESOLVED, this Board further authorizes the expenditure of local matching funds in an amount not to exceed \$2,000 to fund the Capital Region Procurement Project study sought to be funded with these grant funds.

BUDGET IMPACT STATEMENT: The local match will require the use of \$2,000 from contingency funding.

RESOLUTION 81 - 12

Introduced by Supervisors Rowland, Barrett, Hargrave, Jenkins, Lewza, Lucia, and Wright

REQUESTING HOME RULE LEGISLATION TO ALLOW REMOVAL OF LAND FROM REFORESTATION FOR USE BY THE TOWN OF MOREAU AS A WATER PUMP STATION UPON THE DESIGNATION OF OTHER COUNTY LANDS FOR REFORESTATION PURPOSES

WHEREAS, by Resolution 60-12 this Board of Supervisors requested Home Rule Legislation to approve the removal of .082 acres of reforestation lands in the Town of Moreau for use as the site of a water pump station to be constructed and operated by the Town of Moreau; and

WHEREAS, Senate Bill No. S6905 and Assembly Bill No. A9800 would approve the said removal and conveyance of reforested lands in the Town of Moreau upon the condition that said lands are replaced by the County by a like sized parcel of land being dedicated for reforestation; and

WHEREAS, said Bills contain a description of the parcel to be taken out of reforestation and of the parcel proposed by Saratoga County to be dedicated for reforestation; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors requests the enactment of Senate Bill No. S6905 and Assembly Bill No. A9800, entitled "An Act Authorizing the County of Saratoga To Discontinue For Reforestation Purposes The Use Of Certain Lands And To Convey Such Lands"; and, be it further

RESOLVED, that a necessity exists for the enactment of such legislation due to the fact that Section 219 of the County Law requires the approval of the New York State Legislature for the discontinuation of reforestation purposes for county reforestation lands; and be it further

RESOLVED, that the Clerk of the Board forward certified copies of this Resolution to NYS Senator Roy McDonald, Assemblywoman Teresa Sayward, the Town Supervisor for Moreau, and the Town Clerk for Moreau.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 82 - 12

Introduced by Supervisors Rowland, Barrett, Hargrave, Jenkins, Lewza, Lucia and Wright

AUTHORIZING A SETTLEMENT WITH J. LUK CONSTRUCTION CO., LLC STIPULATING AS TO THE AMOUNT OF LIQUIDATED DAMAGES OWED UNDER ANIMAL SHELTER CONSTRUCTION CONTRACT #2GC

WHEREAS, pursuant to Resolution 155-09 this Board authorized an agreement with J. Luk Construction Co. LLC of Schenectady, New York for the construction of a new Saratoga County Animal Shelter building in the Town of Milton; and

WHEREAS, various construction delays resulted in J. Luk's failure to complete the construction of the building within the time required pursuant to its contract with the County; and

WHEREAS, the County's contract with J. Luk authorizes the County to recover liquidated damages against J. Luk as a result of J. Luk's failure to complete the new building within the time limits required by the contract; and

WHEREAS, a dispute arose between the County and J. Luk as to the amount of liquidated damages the County was entitled to recover pursuant to the contract; and

WHEREAS, J. Luk Construction Co. LLC commenced an action against the County of Saratoga on December 2, 2011, in the Supreme Court, County of Schenectady, to recover sums owed it pursuant to the contract; and

WHEREAS, negotiations between the Saratoga County Attorney's Office and counsel for J. Luk have resulted in J. Luk offering to stipulate to liquidated damages being owed to the County in the amount of \$58,174.81; and

WHEREAS, our Building and Grounds Committee and the County Attorney's Office have recommended that this Board accept J. Luk's offer to establish liquidated damages owed the County in the amount of \$58,174.81; and

WHEREAS, the establishment of liquidated damages in the amount of \$58,174.81 will allow the County to begin closing out this construction contract and complete this project under budget; now, therefore, be it

RESOLVED, that this Board of Supervisors authorizes a settlement with J. Luk Construction Co., LLC stipulating to the amount of liquidated damages owed by J. Luk to the County of Saratoga, pursuant to Construction Contract #2GC for the construction of the new Saratoga County Animal Shelter building, in the amount of \$58,174.81; and be it further

RESOLVED, that the Change Order Committee for this project execute any and all change orders needed to close out this project; and be it further

RESOLVED, that the County Attorney is authorized to execute any and all stipulations, releases and agreements necessary to discontinue and conclude this litigation in accordance with stipulation as to liquidated damages authorized herein.

BUDGET IMPACT STATEMENT: No budget impact. The liquidated damages will be deducted from the balance due to J. Luk Construction Co. LLC.

RESOLUTION 83 - 12

Introduced by Supervisors Wright, Grattidge, Kinowski, Raymond, Southworth, Veitch and Yepsen

PROCLAIMING MAY 13 - MAY 19, 2012 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 13 through May 19 is National Nursing Home Week and the American Health Care Association has established this year's theme as "Celebrating the Journey"; now, therefore, be it

RESOLVED, that this Board of Supervisors declares May 13 through May 19 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 84 - 12

Introduced by Supervisors Peck, Jenkins, Lawler, Lucia, Southworth, Veitch and Wormuth

AUTHORIZING ACCEPTANCE OF A US HOMELAND SECURITY GRANT FOR THE PURCHASE OF EQUIPMENT FOR THE SHERIFF’S DEPARTMENT AND AMENDING THE 2012 COUNTY BUDGET IN RELATION THERETO

WHEREAS, a US Homeland Security Grant is available for the purchase of laptop computers, mobile license plate readers, a portable generator and two specialized vehicles for the Sheriff’s Department; and

WHEREAS, an amendment to the 2012 Saratoga County Budget is needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to apply for and accept a US Homeland Security Grant for the purchase of equipment for the Sheriff’s Department in the amount of \$128,778 , the form and content of such documents being subject to the approval of the County Attorney; and be if further

RESOLVED, that the 2012 County Budget is amended as follows:

SHERIFF’S DEPARTMENT:

Appropriations:

Increase Acct.: #1-30-000-7041 Cars & Light Trucks	\$70,478
Increase Acct.: #1-30-000-7033 Personal Computers	\$ 4,800
Increase Acct.: #1-30-000-7080 Other equipment	\$53,500

Revenues

Increase Acct.: #1-30-000-3306 Homeland Security	\$128,778
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BUDGET IMPACT STATEMENT: No budget impact. 100% Federal Aid.

RESOLUTION 85 - 12

Introduced by Supervisors Peck, Jenkins, Lawler, Lucia, Southworth, Veitch and Wormuth

PROCLAIMING APRIL 22 – APRIL 28, 2012 NATIONAL CRIME VICTIMS’ RIGHTS WEEK

WHEREAS, more than 33 million Americans are victims of crime each year; and

WHEREAS, victims may suffer emotional, physical, psychological, and financial harm as a result of crime; and

WHEREAS, victim assistance and compensation programs across the country provide vital and supportive services for victims that help individuals, families, and communities cope with the impact of crime; and

WHEREAS, the Victims of Crime Act (VOCA), passed by Congress in 1984, affirmed a national commitment to helping victims rebuild their lives by establishing the Crime Victims Fund, a major source of funding for services and compensation to victims of crime throughout the United States; and

WHEREAS, more than 4,400 state and local victim assistance programs, including rape crisis centers, domestic violence shelters, victim assistants in law enforcement and prosecutor offices, and other direct service providers help millions of victims every year; and

WHEREAS, treating victims with dignity serves the public interest by engaging victims in the justice system, inspiring respect for public authorities and promoting confidence in law enforcement and our justice system; and

WHEREAS, National Crime Victims’ Rights Week, which is being observed nationwide from April 22 – April 28, 2012, provides an opportunity for our country to recognize the Victims of Crime Act as a major bedrock of support for victim services and to reaffirm our nation’s commitment to addressing the needs of victims of crime; and

WHEREAS, the theme of this year’s National Crimes Victims’ Rights Week is “Extending the Vision: Reaching Every Victim”; and

RESOLVED, that the Saratoga County Board of Supervisors hereby designates the week of April 22 to April 28, 2012, as National Crime Victims' Rights Week in Saratoga County, and it is further hereby

RESOLVED, that the Saratoga County Board of Supervisors reaffirms its commitment to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year, and it is further hereby

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to the New York State Crime Victims' Task Force, Saratoga County Domestic Violence and Rape Crisis Services and Parents of Murdered Children.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 86 - 12

Introduced by Supervisors Peck, Jenkins, Lawler, Lucia, Southworth, Veitch and Wormuth

AUTHORIZING ACCEPTANCE OF A DONATION FROM CASCADE TISSUE COMPANY TO THE ANIMAL SHELTER TRUST TTA57A FUND, AND AMENDING THE 2012 COUNTY BUDGET TO TRANSFER THESE FUNDS FROM THE TRUST FUND ACCOUNT INTO THE OPERATING BUDGET

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, Cascade Tissue Company has made a generous donation of \$8,000 to the Animal Shelter Trust Fund; and

WHEREAS, the staff of the Animal Shelter wish to purchase a gurney to transport large dogs to and from surgery within the Shelter; and

WHEREAS, the staff of the Animal Shelter also wish to facilitate and expedite the adoption of over 100 cats recently rescued in the Town of Halfmoon by using the donated funds to lower the adoption costs for said cats; and

WHEREAS, the staff of the Animal Shelter further wish to use a portion of the donated funds to offset the additional costs of the medical care needed to treat the large number of the rescued cats that were in poor health; and

WHEREAS, the foregoing are appropriate uses of the funds from the Animal Shelter Trust Fund; and

WHEREAS, an amendment to the 2012 Saratoga County Animal Shelter Budget is necessary to implement the acceptance of this donation and authorize the disbursement of funds from the Animal Shelter Trust Fund for the purposes requested by the Animal Shelter's staff; now, therefore, be it

RESOLVED, that this Board of Supervisors acknowledges and accepts the generous donation of Cascade Tissue Company in the amount of \$8,000 to the Animal Shelter Trust Fund; and be it further

RESOLVED, that this Board expresses its sincere gratitude and appreciation to the Cascades Tissue Company for its thoughtfulness and generosity; and be it further

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disburse a sum not to exceed \$8,000 from the Animal Shelter Trust Fund for the purchase of a gurney to transport large dogs to and from surgery within the Animal Shelter, to reduce the adoption expenses for the large number of recently rescued cats, and to offset the costs of the medical care needed for the large number of said rescued cats in poor health; and be it further

RESOLVED, that the 2012 Saratoga County Budget is amended as follows:

ANIMAL SHELTER:

Appropriations:

Increase Acct. #1-35-000-7053 Medical Equipment	\$2,250
Increase Acct. #1-35-000-8241 Prescription Drugs	<u>\$ 750</u>
	\$3,000

Revenues:

Increase Acct. #1-35-1554 Donations	\$8,000
Decrease Acct. #1-35-1551 Adoption Expenses	\$5,000

BUDGET IMPACT STATEMENT: This transfer will leave a balance of \$225,121 in the Trust fund account.

RESOLUTION 87 - 12

Introduced by Supervisors Peck, Jenkins, Lawler, Lucia, Southworth, Veitch and Wormuth

ACCEPTING \$125,000 IN REGIONAL HAZMAT FUNDING FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND AMENDING THE 2012 BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 216-11, the Chair of this Board was authorized to execute a grant application to the New York State Division of Homeland Security and Emergency Services for a regional Hazardous Materials (Hazmat) grant in an amount up to \$125,000 on behalf of the regional HazMat partnership of Saratoga, Albany, Rensselaer and Schenectady Counties, for the purchase of HazMat equipment and software for the four counties; and

WHEREAS, the Saratoga County Office of Emergency Services has been notified by the NYS Division of Homeland Security and Emergency Services that said grant application has been approved, and funding in the amount of \$125,000 is available for the purchase by Saratoga County of HazMat equipment and software that must be equally distributed by Saratoga County among the four counties participating in the HazMat regional partnership; and

WHEREAS, an amendment to the 2012 Saratoga County Budget is needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all agreements and documents necessary to accept from the New York State Division of Homeland Security and Emergency Services a regional HazMat grant in an amount up to \$125,000 on behalf of the regional HazMat partnership of Saratoga, Albany, Rensselaer and Schenectady Counties for the purchase of HazMat equipment and software, the form and content of such agreements and documents being subject to the approval of the County Attorney; and be it further

RESOLVED, that the Saratoga County Office of Emergency Services is authorized to distribute the HazMat equipment and software purchased with said regional HazMat grant funds equally among Saratoga, Albany, Rensselaer and Schenectady Counties in accordance with and pursuant to the terms of Saratoga County's grant application to the NYS Division of Homeland Security and Emergency Services for said regional HazMat grant funding; and be it further

RESOLVED, that the 2012 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES/FIRE:

Appropriations:

Increase Acct.: #1-36-363-7080 Other Equip \$125,000

Revenues:

Increase Acct.: #1-36-3306 Homeland Security \$125,000

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 88 - 12

Introduced by Supervisors Peck, Jenkins, Lawler, Lucia, Southworth, Veitch and Wormuth

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY TO ACCEPT A 2011 HOMELAND SECURITY GRANT AND AMENDING THE 2012 COUNTY BUDGET IN RELATION THERETO

WHEREAS, 2011 funds are available from the New York State Office of Homeland Security for a State Homeland Security Program (SHSP) Grant in the amount of \$252,222; and

WHEREAS, said funds are available for the purchase of various emergency response and other homeland security equipment, including but not limited to, computer software and hardware equipment to upgrade the Computer Aided Dispatch System at the Sheriff's Department, and the repair or replacement of equipment and meters purchased through previous grants; and

WHEREAS, an amendment to the 2012 Saratoga County Budget is needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all agreements and documents necessary to apply for and accept a New York State Homeland Security State Homeland Security Program (SHSP) grant in the amount of \$252,222, the form and content of said agreements and documents being subject to the approval of the County Attorney; and be it further

RESOLVED, that the 2012 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES

Appropriations:

Increase Acct.: #1-36-363-7041 Cars/Light Trucks	\$ 55,000
Increase Acct.: #1-36-363-7080 Other Equipment	\$ 25,042
Increase Acct.: #1-36-363-8200 Department Supplies	\$ 7,500
Increase Acct.: #1-36-363-8520 Software	\$160,000
Increase Acct.: #1-36-363-8533 Central Telephone	\$ 4,680

EST. REVENUES

Revenues:

Increase Acct.: #1-36-3306 Homeland Security	\$252,222
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 89 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

PROCLAIMING MAY 2012 AS "OLDER AMERICANS MONTH IN THE COUNTY OF SARATOGA"

WHEREAS, our President and our Governor have proclaimed May as "Older Americans Month"; and

WHEREAS, this year's theme, "Never Too Old to Play", encourages older Americans to stay engaged, active and involved in their own lives and in their communities; and

WHEREAS, our County is fortunate that its residents include more than 40,000 individuals 60 years of age or over; and

WHEREAS, the older adults in Saratoga County are the roots from which our community grows, who bestow gifts of wisdom and insight upon younger generations, and strengthen the bonds between neighbors to create a better place to live; and

WHEREAS, the older adults in Saratoga County should be commended for their role in creating and bolstering the fiber of our community and nation; and

WHEREAS, each of these citizens has been an important contributor to our County as it has progressed to its present fiscal strength and its status as the most populous rural County in the State; now, therefore, be it

RESOLVED, that this Board of Supervisors proudly proclaims the month of May 2012 as "OLDER AMERICANS MONTH IN THE COUNTY OF SARATOGA", and urges every citizen to take the time this month to honor our older adults and the professionals, family members, and volunteers who care for them.

Mrs. Wormuth asked for clarification purposes is this purchase a van or a bus. Mrs. Cross said this is for the purchase of a small bus not a mini-van.

On a motion by Mr. Grattidge, seconded by Mrs. Wormuth Resolution No. 90 PASSED with a unanimous vote.

RESOLUTION 90 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

AUTHORIZING AN AGREEMENT WITH THE TOWN OF MOREAU TO PROVIDE \$20,000 IN FUNDING FOR A SENIOR TRANSPORTATION VAN

WHEREAS, the County Office for the Aging administers funds for transportation of the County's elderly citizens; and

WHEREAS, the Town of Moreau is purchasing a van for transportation of its senior citizens to local senior programs, and requests partial County reimbursement of the costs of purchasing such van; and

WHEREAS, the Director of the Office for the Aging recommends approval of this request; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors execute an agreement with the Town of Moreau providing for the County's reimbursement to the Town of an amount not to exceed \$20,000 for the Town's purchase of a van for use in the transportation of local senior citizens to seniors' programs, the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 91 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

AMENDING THE 2012 SARATOGA COUNTY BUDGET TO ACCEPT ADDITIONAL STATE AID FOR THE MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT/AGING AND DISABILITY RESOURCE CENTER PROGRAM

WHEREAS, our Office for the Aging administers programs for the benefit of elderly persons in Saratoga County including the Medicare Improvements For Patients and Providers Act/Aging and Disability Resource Center (MIPPA/ADRC) Program which provides insurance counseling services to senior citizens; and

WHEREAS, additional state funding is available which will enable the Office for the Aging to upgrade its computer equipment needed to provide and administer such insurance counseling services to the elderly in Saratoga County, and the 2012 Budget must be amended to accept these funds; now, therefore, be it

RESOLVED, that the 2012 Saratoga County Budget is amended as follows:

OFFICE FOR THE AGING

Appropriations:

Increase Acct.: #1-76-000-7033 Personal Computers	\$15,187
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Revenues:

Increase Acct.: #1-76-3778 SA Health Ins Counseling	\$15,187
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 92 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

AMENDING THE 2012 SARATOGA COUNTY BUDGET TO ACCEPT ADDITIONAL STATE AID FOR THE COMMUNITY SERVICES FOR THE ELDERLY, AND EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAMS

WHEREAS, our Office for the Aging administers programs for the benefit of elderly persons in Saratoga County including the Community Services for the Elderly (CSE) Program, which provides senior citizens services which includes transportation services, and the Expanded In Home Services for the Elderly Program (EISEP); and

WHEREAS, additional state funding is available which will enable the Saratoga County Office for the Aging to enhance these programs for the elderly in the Saratoga County, and the 2012 County Budget must be amended to accept these funds; now, therefore, be it

RESOLVED, that the 2012 Saratoga County Budget is amended as follows:

OFFICE FOR THE AGING

Appropriations:

Increase Acct.: #1-76-000-6693 Account Clerk Typist	\$33,459
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Increase Acct.: #1-76-000-6696 Clerk	\$16,111
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Increase Acct.: #1-76-000-8492 Local Assistance	\$20,000
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Revenues:

Increase Acct.: #1-76-3772 Program for Aging S.A.	\$56,155
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Increase Acct.: #1-76-3773 S/A In-Home Services

\$13,415

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 93 - 12

Introduced by Supervisors Grattidge, Hargrave, Jenkins, A. Johnson, Peck and Southworth

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the rehabilitation of the Mott Road Bridge over the Snook Kill in the Town of Moreau (BIN 330470), P.I.N. 1758.96 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering/Design work;

NOW, THEREFORE, the Saratoga County Board of Supervisors, duly convened does hereby

RESOLVE, that the Saratoga County Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering/Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$100,000.00 (one hundred thousand dollars and no cents) is hereby appropriated from the Saratoga County General Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County of Saratoga shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Department of Transportation thereof, and it is further

RESOLVED, that the Chair of the Board of Supervisors of Saratoga County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately

BUDGET IMPACT STATEMENT: None. The 5% County match is included in the 2012 budget.

RESOLUTION 94 - 12

Introduced by Supervisors Grattidge, Hargrave, Jenkins, A. Johnson, Peck and Southworth

AUTHORIZING THE IMPLEMENTATION AND FUNDING OF A STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE TRANSPORTATION FEDERAL-AID PROJECT, TO FULLY FUND THE LOCAL SHARE OF FEDERAL- AND STATE-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project for the rehabilitation of the Staffords Bridge Road-Quaker Springs Road/CR67 Bridge over the Fish Creek in the Town of Saratoga (BIN 3304440), P.I.N. 1759.00.121 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such

program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering/design work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement; and it is further

NOW, THEREFORE, the Saratoga County Board of Supervisors, duly convened does hereby

RESOLVE, that the Saratoga County Board Supervisors hereby approves the Project; and it is hereby further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance the full non-federal share of the cost of preliminary engineering/design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$198,000.00 (One hundred ninety-eight thousand dollars and no cents) is hereby appropriated from the Saratoga County General Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the non-federal share of the costs of the project exceed the amount appropriated above, the County of Saratoga shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairman of the Saratoga County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

RESOLVED, this Resolution shall take effect immediately.

RESOLUTION 95 – 12

Introduced by Supervisors: Grattidge, Hargrave, Jenkins, Johnson, Peck and Southworth

REQUESTING A PERMANENT EASEMENT FROM THE NEW YORK STATE OFFICE OF GENERAL SERVICES FOR THE OCCUPATION OF NEW YORK STATE OWNED WATERS OF THE HUDSON RIVER FOR THE REHABILITATION AND FUTURE MAINTENANCE OF THE JOINTLY OWNED "DIX BRIDGE", SARATOGA COUNTY ROAD 42 (CLARK'S MILLS ROAD) AND WASHINGTON COUNTY ROAD 70 OVER THE HUDSON RIVER

WHEREAS, Saratoga County is the lead agency for the rehabilitation of the jointly owned and maintained "Dix Bridge" over the Hudson River in Saratoga County, Town of Northumberland and Washington County, Town of Greenwich, and

WHEREAS, the rehabilitation and future maintenance of the "Dix Bridge" will require the occupation of New York State owned waters of the Hudson River within both the County of Saratoga and the County of Washington; and

WHEREAS, the occupation of New York State waters of the Hudson River requires a permanent easement from the New York State Office of General Services; and

WHEREAS, The New York State Office of General Services is desirous of granting a permanent easement across the Hudson River to The County of Saratoga for the rehabilitation and future joint county maintenance of the "Dix Bridge", and

WHEREAS, a permanent easement from The New York State Office of General Services to The County of Saratoga County will enable Saratoga County to complete the rehabilitation and allow both Saratoga and Washington Counties to jointly maintain the "Dix Bridge", and

WHEREAS, the boundaries of such permanent easement will be defined in an easement map approved by the New York State Office of General Services; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Saratoga hereby requests that the New York State Office of General Services grant a permanent easement to the County of Saratoga for the purposes of both

rehabilitation and future joint county maintenance of the "Dix Bridge", the form and content of such permanent easement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 96 - 12

Introduced by Supervisors Grattidge, Hargrave, Jenkins, A. Johnson, Peck and Southworth

APPROVING THE ISSUANCE OF A DRAFT REQUEST FOR PROPOSALS TO PRIVATIZE THE COUNTY LANDFILL AND RESCINDING RESOLUTION 112-99 IN PART

WHEREAS, the Saratoga County Board of Supervisors has provided environmental infrastructure to serve the needs of residents, businesses, industries, and institutions of the County in order to protect public health and the environment, enhance the quality of life, and promote economic development; and

WHEREAS, part of the environmental infrastructure was the development of a landfill facility in the Town of Northumberland in 2001 following a decade of County investment in the identification of alternative sites, evaluation of impacts through the State Environmental Quality Review Act, and adjudicatory hearings and permitting through the State Department of Environmental Conservation, and

WHEREAS, the landfill was constructed to meet all the highest standards for protection of groundwater and surface water to preserve public health and the environment, and

WHEREAS, upon completion of the landfill facility this Board decided not to open the facility and instead to hold it as an insurance policy for future use; the County has maintained the facility since that time while regularly evaluating the potential for opening the facility, most recently through the process to update the County Local Solid Waste Management Plan; that planning process identified several options for the landfill facility, and

WHEREAS, this Board decided by Resolution #30-12 to initiate a request for proposal [RFP] process to identify potential interest by private companies in the landfill facility to provide a means for the safe and financially sound disposal of non-recyclable waste which will in turn provide stability for residents, businesses and industries to prosper in Saratoga County, and to recover the significant investment made by the County which will help the County continue to stabilize property taxes, and

WHEREAS, the Board has received from its consultant Gerhardt LLC a draft RFP which is attached to this resolution and made part of the record, and

WHEREAS, this Board recognizes that the RFP process does not commit the County to a course of action with respect to the future disposition of the landfill facility, but rather the process will definitely determine if there is interest by private companies in the landfill facility and if so whether the terms they offer meet the County's goals and are acceptable to the Board; and

WHEREAS, the Board further recognizes that this resolution to issue a draft RFP must be followed by a Board resolution to issue a final RFP at which time final proposals will be received; and the Board recognizes that following negotiations on the final proposals the Board will be presented with a report and recommendation for their consideration and, at that time, the Board will decide whether or not to proceed with a proposal to privatize the landfill, and

WHEREAS, Resolution 112-99 reiterated the previously expressed policies of this Board that the Saratoga County Solid Waste Facility: 1) will be used for disposal of solid waste generated in Saratoga County only, and 2) will be owned and operated by Saratoga County only; and

WHEREAS, it is necessary to rescind Resolution 112-99, in part, in order to allow for the consideration of proposals received under this RFP process; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors directs the issuance of a Draft Request For Proposals for the potential privatization of the Saratoga County landfill facility pursuant to the procedures established in Section 120-w of General Municipal Law including all requirements for public notice and receipt of comments from qualified respondents, and be it further

RESOLVED, that in order to provide for the consideration of proposals under this RFP process, Resolution 112-99 is rescinded to the extent that its RESOLVED paragraph is amended to delete the stated policies of this Board requiring that the Saratoga County Solid Waste Facility : 1) will be used for disposal of Solid Waste generated within Saratoga County only; and 2) will be owned and operated by Saratoga County only.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 97 - 12

Introduced by Supervisors Grattidge, Daly, Rowland, Sausville, Veitch, Wormuth and Wright

CONSENTING TO PROPOSED AMENDMENT TO THE IDA UNIFORM TAX EXEMPTION POLICY FOR THE GLOBALFOUNDRIES FACILITY AND TO THE IDA'S EXECUTION OF AN AMENDED PILOT AGREEMENT WITH GLOBALFOUNDRIES

WHEREAS, pursuant to Resolution 118-04, this Board previously consented to an amendment to the Saratoga County Industrial Development Agency's (IDA) Uniform Tax Exemption Policy (UTEP) with respect to the IDA's disbursement of Payment In Lieu Of Tax (PILOT) payments made to the IDA for the Luther Forest Technology Campus project, later identified as the GlobalFoundries semiconductor manufacturing facility; and

WHEREAS, GlobalFoundries U.S. Inc. brought an action pursuant to Article 7 of the Real Property Tax Law against the Town of Malta, its Assessor and Board of Assessment Review challenging the assessments on the 2010 and 2011 rolls for the tax years 2010-2011 and 2011-2012 for the real property and improvements it owns in the Luther Forest Technology Campus, known as Tax Parcel 230.-1-72.12; and

WHEREAS, the Town of Stillwater, the Ballston Spa School District, and the Stillwater Central School District were successfully granted intervenor status in said RPTL Article 7 proceeding; and

WHEREAS, after extensive negotiations, the parties to said proceeding are prepared to enter into a stipulation in settlement of the action; and

WHEREAS, the IDA's current UTEP for the Luther Forest Technology Campus states that the calculation of the PILOT for anything constructed on the Tech Campus will be based upon the assessment as determined by the Towns of Malta and Stillwater; and

WHEREAS, the settlement agreed to by the parties in the RPTL Article 7 proceeding proposes to amend the IDA's UTEP to provide that the valuation of the existing semiconductor manufacturing facility and any new construction will instead be determined in accordance with schedules agreed to by the parties, rather than by the Town assessors, which schedules are to be included in an amended PILOT agreement; and

WHEREAS, the proposed amendments to the IDA's UTEP relative to the GlobalFoundries facility in the Luther Forest Technology Campus must be consented to by all affected taxing jurisdictions, including Saratoga County; and

WHEREAS, it is estimated that the proposed modifications to the IDA's UTEP will result in an additional PILOT to the County in the amount of \$544,835 in 2012; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors consents to the proposed amendments to the Saratoga County Industrial Development Agency's Uniform Tax Exemption Policy with respect to the assessment of the GlobalFoundries facility in the Luther Forest Technology Campus; with said consent being subject to the consent of all other affected taxing jurisdictions; and be it further

RESOLVED, that this Board of Supervisors further consents to the Saratoga County Industrial Development Agency entering into an amended PILOT agreement with GlobalFoundries providing for the valuation of the existing semiconductor facility and any new construction in accordance with the schedules jointly agreed to by GlobalFoundries, the Town of Malta, the Town of Stillwater, the Ballston Spa Central School District, and the Stillwater Central School District in disposition of the pending RPTL Article 7 proceeding commenced by GlobalFoundries.

BUDGET IMPACT STATEMENT: The amended PILOT Agreement will result in \$544,835 in additional revenue in 2012.

RESOLUTION 98 - 12

Introduced by Supervisors Grattidge, Daly, Rowland, Sausville, Veitch, Wormuth and Wright

AUTHORIZING AN AGREEMENT WITH ENVIRONMENTAL DESIGN PARTNERSHIP, LLP FOR THE DESIGN, CONTRACT ADMINISTRATION AND FIELD INSPECTION OF PHASE 4 OF SARATOGA COUNTY SEWER DISTRICT'S INTERCEPTOR RELINING 2012 CAPITAL PROJECT

WHEREAS, the Saratoga County Sewer District Commission has solicited and entertained proposals for design, contract administration and field inspection services for Phase 4 of the Sewer District's Interceptor Relining 2012 Capital project, and

WHEREAS, the Sewer District Commission has recommended that a contract for such services be awarded to Environmental Design Partnership, LLP, the lowest bidder; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Environmental Design Partnership, LLP of Clifton Park, New York for design, contract administration and field inspection services for the relining of approximately 2,500 feet interceptor sewer in the Town of Ballston, at a cost not to exceed \$29,300, the form and content of said contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. Funding is included in the Sewer District's 2012 budget.

RESOLUTION 99 - 12

Introduced by Supervisors Grattidge, Daly, Rowland, Sausville, Veitch, Wormuth and Wright

AUTHORIZING AN AGREEMENT WITH McDONALD ENGINEERING

WHEREAS, the Saratoga County Sewer District Commission has solicited and entertained proposals for engineering services to include design, contract administration, and field inspection services for the replacement of six non-potable water pumps at the Saratoga County Sewer District Wastewater Treatment Plant in the Town of Halfmoon; and

WHEREAS, the Sewer District Commission has recommended that a contract for such services be awarded to John M. McDonald Engineering, P.C., the lowest bidder; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with John M. McDonald Engineering, P.C. of Schenectady, New York for engineering services to include design, contract administration, and field inspection services for the replacement of six non-potable water pumps at the Saratoga County Sewer District's Wastewater Treatment Plant at a cost not to exceed \$21,960, the form and content of said contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. Funding is included in the Sewer District's 2012 budget.

RESOLUTION 100 - 12

Introduced by Supervisors Raymond, Collyer, Hargrave, Jenkins, M. Johnson, Lewza and Sausville

AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE TOWN OF CLIFTON PARK

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

WHEREAS, the said lands were scheduled to be sold at the County auction of tax acquired properties on March 13, 2012; and

WHEREAS, the Town of Clifton Park has requested pursuant to Resolution No. 62 of 2012 of the Clifton Park Town Board to buy said lands for access to municipal sanitary sewer infrastructure, for an amount equal to the unpaid taxes, penalties and interest; and

WHEREAS, the owner of these lands has not made any indication that he wishes 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 Clifton Park; now, therefore, be it

RESOLVED, that the Chair execute and deliver a quit claim deed to the Town of Clifton Park 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 Clifton Park One Town Hall Plaza Clifton Park, NY 12065	2009, 2010 & 2011	Clifton Park	258.12-1-41.2	\$529.90

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

RESOLUTION 101 - 12

Introduced by Supervisors Raymond, Collyer, Hargrave, Jenkins, M. Johnson, Lewza and Sausville

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

WHEREAS, a former owner has 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 this request; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors convey by quitclaim deed to the following party or her designee, the lands set opposite her name, upon payment of the indicated amount, which includes penalties, interest and charges,

CONVEY TO:	YEAR	TOWN	S/B/L	AMOUNT
Yukiko Sumiya 4306 Foxwood Dr. S. Clifton Park, NY 12065	2009, 2010 & 2011	Clifton Park	288.34-1-218	\$9,299.66

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

RESOLUTION 102 - 12

Introduced by Supervisors Raymond, Collyer, Hargrave, Jenkins, M. Johnson, Lewza and Sausville

AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE TOWN OF MALTA

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

WHEREAS, the said lands were scheduled to be sold at the County auction of tax acquired properties on March 13, 2012; and

WHEREAS, the Town of Malta has requested pursuant to Resolution No. 94 – March 5, 2012 of the Malta Town Board to buy said lands for town road purposes for an amount equal to the unpaid taxes, penalties and interest; 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 Malta; now, therefore, be it

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

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Town of Malta Malta Town Hall 2540 Route 9 Malta, NY 12020	2009 & 2010	Malta	230.-1-99	\$704.65

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

On a motion by Mr. Grattidge, seconded by Mrs. Wormuth, Resolution No. 103 PASSED with a unanimous vote.

RESOLUTION 103 - 12

Introduced by Supervisors Raymond, Collyer, Hargrave, Jenkins, M. Johnson, Lewza and Sausville

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 13, 2012, at auction sale, certain parcels of land in several Towns and Villages 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 13, 2012 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:

<u>HIGH BIDDER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>FORMER OWNER</u>	<u>AMOUNT</u>
Peter P. Rezey 37 Maple Lane Stillwater, NY 12170	Ballston	214.-1-3.12	Richard J. Nowak	\$2,000.00
Peter P. Rezey 37 Maple Lane Stillwater, NY 12170	Ballston	228.5-1-79.2	Rose A. Emery	\$3,700.00
Peter P. Rezey 37 Maple Lane Stillwater, NY 12170	Charlton	226.-1-29	Michael J. Palma	\$1,200.00
Joshua L. Briggs 15 Male Drive Clifton Park, NY 12065	Clifton Park	258.12-2-59	Thomas P. Deveno	\$1,000.00
Allan Gandler 1430 Lakemist Lane Clermont, FL 34711	Clifton Park	271.17-2-11.1	Robert VanPatten	\$100.00
Stephen Kramer 15 Juniper Drive Clifton Park, NY 12065	Clifton Park	271.18-3-14.52	Country Club Acres	\$25.00

Traci S. Matterese 13 Pine Hill Bend Ballston Lake, NY 12019	Clifton Park	277.9-1-33	Michael P. Smith	\$100,000.00
Samuel E. Paquin, II P.O. Box 675, 430 Rt. 146 Clifton Park, NY 12065	Clifton Park	278.-1-26.123	Edward D. Cammarota	\$150.00
Michael Morseman 30 Male Drive Clifton Park, NY 12065	Clifton Park	288.-2-42.11	Charlew Cons. Co, Inc.	\$8,250.00
Thomas Reifenheiser 193 Dowmont Road Argyle, NY 12809	Corinth	86.-1-8.11	Thomas W. DeLorica	\$25,000.00
Robert Van Liew 26 Stony Pt. Road Ballston Spa, NY 12020	Corinth	86.2-3-21	Priscilla E. Barry	\$800.00
Kenneth S. Herd 659 Draper Avenue Schenectady, NY 12306	Day	42.8-2-40	Peggy Sue Riley	\$850.00
Debbie Bell 1168 Pattens Mills Road Queensbury, NY 12804	Day	42.12-1-4.1	Amelia Ashline	\$2,200.00
Donna Chesney 706 Curry Road Rotterdam, NY 12306	Day	42.12-1-7	Amelia Ashline	\$900.00
James Cox 227 Easton Station Road Greenwich, NY 12834	Day	42.12-2-43	Louis R. Rosen	\$3,750.00
James Cox 227 Easton Station Road Greenwich, NY 12834	Day	42.12-2-65	Louis R. Rosen	\$6,250.00
Lisa A. Keicher 7526 Wileytown Road Middle Grove, NY 12850	Day	43.16-1-20	David Cameron	\$7,500.00
Thomas J. Plummer 417 Middle Grove Rd. Middle Grove, NY 12850	Edinburg	54.17-1-74	Frances Weaver	\$75.00
Cynthia Robertson 65 Meadow Drive Queensbury, NY 12804	Galway	185.-2-13.11	Clifford G. Down	\$25.00
Fred Fisk 298 Wilton Gansevoort Road Gansevoort, NY 12831	Greenfield	126.-1-24.2	Ann B. Goldsmith	\$200.00
Michael Klimkewicz 857 Rte. 146A Clifton Park, NY 12065	Halfmoon	278.4-2-23	Marilyn Snyder	\$75,000.00
Joanna M. Rockwood 110 Thimbleberry Road Ballston Spa, NY 12020	Malta V/Round Lake	250.34-1-35	Helen G. Smith	\$52,500.00
Christine Patricia Van Patten 46 Washington Avenue Round Lake, NY 12151	Malta V/Round Lake	250.41-1-10	Patricia K. Brown	\$100.00
Louis Philip Faraone	Malta	192.-1-1.111	James Paddock	\$400.00

4226 Route 50
Saratoga Springs, NY 12866

Louis Philip Faraone 4226 Route 50 Saratoga Springs, NY 12866	Malta	217.-2-47	Keeley Motto	\$2,500.00
Mark Schafer 4928 Western Turnpike Altamont, NY 12009	Malta	230.-1-58	Mary Sandra Cramer Little	\$40,000.00
Richard Crandall 449 Maple Avenue Ballston Spa, NY 12020	Milton V/Ballston Spa	203.13-2-3.2	Nancy Tedeschi	\$650.00
Michelle Barker 235 Northline Road Ballston Spa, NY 12020	Milton V/Ballston Spa	216.32-1-7	Bowling Partners	\$1,900.00
Antonio Ballestero 3700 Galway Road Ballston Spa, NY 12020	Milton	175.-2-29.3	Joseph F. Sherman	\$13,500.00
Joseph W. Mitchell, Jr. 10 Conans Run Ballston Spa, NY 12020	Milton	188.20-1-44	Upstate Waste Reduction	\$850.00
Samuel E. Paquin, II P.O. Box 675, 430 Rte. 146 Clifton Park, NY 12065	Moreau	65.-1-15.41	William J. Rourke	\$550.00
Samuel E. Paquin, II P.O. Box 675, 430 Rte. 146 Clifton Park, NY 12065	Moreau	65.-1-37.1 with Parcel #65.-1-15.41	William J. Rourke, Sr.	Sold Jointly
James Cummings 114 Lake Nancy Road Middle Grove, NY 12850	Providence	119.18-1-85	Ernest Davenport, Jr.	\$1,900.00
William Connors 34 Purdy Lane Mechanicville, NY 12118	Saratoga V/Schuylerville	157.56-2-22	John M. Cunningham	\$1,500.00
William Peck 285 West River Road Schuylerville, NY 12871	Saratoga	170.-1-14.3	Robert E. Wood	\$1,350.00
William Connors 34 Purdy Lane Mechanicville, NY 12118	Stillwater V/Stillwater	253.33-3-7	Peggy Sue Riley	\$50.00
James P. Crawford, Jr. 19 Anna Lane Ballston Lake, NY 12019	Stillwater	253.17-1-66.2	James Paddock	\$100.00
Frank W. Lewandusky, III 96 Myrtle Avenue Cohoes, NY 12047	Stillwater	253.41.-1-1.2	Peggy Sue Riley	\$25.00
Henry Schweikert 22 Tabor Road Mechanicville, NY 12118	Waterford V/Waterford	291.79-3-9	Julia L. Peterson	\$51,000.00
F.A. Willetts, Sr. 166 Upper 3 Street Waterford, NY 12188	Waterford	291.48-1-9.11	Wilfred Trembley, Jr.	\$75.00

BUDGET IMPACT STATEMENT: The gross proceeds of \$425,125 represent a profit of \$301,877.62 over the foreclosed delinquent taxes. Additionally, since January 1, 2012, the County Treasurer has collected \$553,694.22 in delinquent taxes for properties that would otherwise have been included in the auction.

Chairman Wood announced the following appointments:

Youth Advisory Board

Ethan Connor, Youth Representative (term expires 12/31/2012)

Public Works Committee

Jean Raymond, Chairman

Mr. Grattidge reminded everyone that the Budget Committee would be meeting on Wednesday, April 18th at 3pm for the first time and encouraged all to attend. He said the information that is handed out at the meeting will be sent electronically to all Supervisors.

Mrs. Southworth thanked Mr. Lucia for filling in for her at last month's meeting as Chaplain.

Mr. Sausville said that everyone knows that Scott Ferron has been interning in the Town of Malta and he has taken him through the process at the County and thanked all his colleagues for their indulgence and hospitality with Scott. He said Scott was very impressed by the collegiate atmosphere that is here and the warm welcome he received.

Mr. Rowland reminded all fellow Supervisors and staff that the 4H Walkathon is May 5th at the Spa Park again this year. He said he will be again be walking and challenged his fellow supervisors to walk with him,

On a motion by Mr. Hargrave, seconded by Mr. Grattidge, the meeting was unanimously adjourned.

Respectfully submitted,

Pamela A. Hargrave, Clerk