

AGENDA

July 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, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Arthur J. Johnson - 19. ABSENT – Anita Daly, Mindy Wormuth, Edward D. Kinowski, John Lawler - 4.

On a motion by Art Johnson, seconded by Dick Lucia the minutes of the June 15, 2011 meeting were approved unanimously.

Spencer Hellwig reviewed the following items:

PERSONNEL

Mr. Hellwig said there will be one item which is an amendment to the compensation plan to add an additional part time driver for the Veterans Agency.

ECONOMIC DEVELOPMENT

Mr. Hellwig said there will be two resolutions: one is to authorize a revenue contract for the harvesting of a forestry lot in the Town of Moreau and the second is to authorize an agreement with Forest Solutions for a forestry analysis and to update the County's Forest Management Plan.

EQUALIZATION AND ASSESSMENT

Mr. Hellwig said there will be four resolutions: the first is a tender offer in the Village of Ballston Spa, the second is a tax refund in the Town of Halfmoon, third is a credit to a 2011 tax bill in the Town of Clifton Park, and the fourth is a waiver of interest on a delinquent sewer payment by the City of Mechanicville.

SOCIAL PROGRAMS

Mr. Hellwig said there will be three resolutions: one is authorization for a lease agreement for the Aging Department's transportation program for seniors and the agreement will be with Saratoga Honda for a van, second is for a contract with Saratoga County Transportation Company for transportation services for pre-kindergarten handicapped children and their aides, and the final item is an agreement to provide the Town of Corinth with \$15,000 in funding for the purchase of a senior transportation van.

PUBLIC SAFETY

Mr. Hellwig said there are four items: first is a State grant to provide supervision and treatment services for the juvenile treatment program that will be administered through contracts with Berkshire Farms and KMG Monitoring, second will be an Aide to Defense Grant in the Public Defender's Office, the third is the appointing of a new Deputy Coroner, Susan Hays-Masa and the final item will be an agreement with Cingular Wireless for the placement of an antenna on the Lake Luzerne tower site with a one time payment to the County in the amount of \$25,000.

PUBLIC WORKS

Mr. Hellwig said there will be three resolutions: one is an agreement with Barton & Loguidice to prepare the County's Local Solid Waste Management Plan, the second will be an amendment to the budget to recognize the insurance claim payment for the collapse of the County barn at the landfill in Northumberland and the final is authorization for the County to accept additional funding for the right-of-way incidental costs in the design of the Northline Road over the Kayderosseras Creek Bridge project.

LAW AND FINANCE

Mr. Hellwig said that under Law and Finance we'll have a resolution for the sewer district to prepare maps and plans related to the proposed extension of the district's boundaries. He said there will also be a local law proposed and a public hearing set to increase the population threshold from 20,000 to 25,000 for a second supervisor. There will also be a resolution to authorize insurance for the official undertaking for County

Officers that are required to handle property and County money in accordance with County Law he said. He said there will also be four resolutions to address some of the budget overages and revenue shortfalls that were projected in the report that was given to the Board in June. The first of those four, he stated, will be a hiring freeze and the remaining three resolutions will be to closeout the Water Project Capital Fund, the Solid Waste Capital Fund and the Public Safety Building Capital Fund.

Vice Chairman Thompson acknowledged Bill Peck's attendance as he came in after attendance was taken.

Vice Chairman Thompson acknowledged Dick Rowland. Mr. Rowland said he has a couple of things to announce with the first being a reminder that the Saratoga County Fair will run from July 19th through July 24th and the press conference is being held on Monday, July 18th at 5pm and all Supervisors are invited to that. He went on to remind the Supervisors that on Thursday, July 21st there will be a reception at the Fair Office at 5pm at which time the 4H Chicken Barbeque tickets will be given out for the barbeque that will be immediately following the reception. Mrs. Southworth asked Mr. Rowland if the rumor was true that there will be fried Kool-aid at the fair this year. Mr. Rowland responded that that's what he heard as well.

Mr. Rowland said that he is very pleased to announce that all the Supervisors need to bring their best smiles to the meeting on Tuesday because prior to the meeting they will be going over to the Personnel Office to receive the first batch of photo ID's for County Employees. He said Bob Hartman will be available to take photos of the Supervisors and this is the first group that will be going through the process. He said this is has been a long hard battle but we will finally be able to give ID's to employees.

Vice Chairman Thompson acknowledged Mary Ann Johnson. Mrs. Johnson said with regards to the Return the Favor Program, there have been 650 Veterans that have signed up for the program and the County Clerk's office was open last Saturday and will be open again this Saturday from 9 until Noon for any Veterans that can't make it during the week. Mrs. Johnson said she would just like to thank Kathy for her effort in establishing extra hours for helping some of our veterans and Andy Davis has someone on site that can sign on the computer and help those people who do not have a certified copy of their DD-214 and went on to say things are going really well with the program. She said the last count she had was over 150 businesses had also signed up.

On a motion by George Hargrave, seconded by Tom Richardson the meeting was adjourned.

Respectfully submitted,

Pamela Hargrave, Clerk

REGULAR SESSION
Tuesday, July 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, Anita Daly, Richard Lucia, Jean Raymond, George J. Hargrave, Richard Rowland, 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 – 20. ABSENT – Mary Ann Johnson, Arthur M. Wright, Preston L. Jenkins, Jr. – 3.

The invocation was given by Patti Southworth, Chaplain.

PRESENTATION:

Chairman Wood called upon Pam Morin and Shelly Spendiff to talk about the New Scenic Train Operator: Saratoga-North Creek Railway. Ms. Morin thanked the Board for the opportunity and said she works for Warren County Planning and Community Development. She gave a brief history of this railway as well as providing handouts for the Supervisors. Ms. Morin introduced Shelly Spendiff who is a recent addition to the railway. Ms. Spendiff introduced herself and spoke about the new Saratoga-North Creek Railway, the schedule of the train, what is available on the train and what this new service has to offer.

On a motion by Dick Lucia, seconded Bill Peck the minutes of the June 21st meeting were approved unanimously.

Correspondence

A Very Special Thank You....With Sincere Appreciation. The Family of Benjamin Canfield
To All My Friends & Colleagues at the Board of Supervisors – I want to take this moment to say Thank you for all you have done to ease my sorrow with Dad’s passing. For me, it was a surprise but what wasn’t a surprise was the out pour of support and friendship you have shown me – from visits to my home, the wake, the funeral to food that you cooked and delivered – your support and kindness gave me the strength to move forward. My father always looked with pride on this Board and I will forever look upon you all with the same pride and honor to know how valuable friendship is – again my sincere thank you – Anita Daly

To the Saratoga County Board of Supervisors:
Thank you so very much for your generous donation to the Veterans Trust Fund in memory of our father Benjamin Canfield. We deeply appreciate your thoughtfulness. Anita & Bob Daly, Susan & John Barber, Chris Ouderlask, Ben & Chris Canfield

Letter of resignation from Greg Dixon, Vice President Tourism of the Saratoga County Chamber of Commerce from the Tourism Advisory Board.

Received and filed.

Letter from David Howard, Chairman of the Fulton County Board of Supervisors regarding Fulton County’s Truth in Taxation Local Law.

Referred to Supervisor Veitch and County Administrator.

Letter from the New York State Office of Children & Family Services acknowledged receipt of Saratoga County’s Resource Allocation Plan for 2011.

Referred to the Youth Bureau.

Resolution from the Town of Ballston urging the Saratoga County Board of Supervisors to increase Farmland/Open Space Protection funding and establish a dedicated account for said funding.

Received and filed.

Memorandum from Charlton Heights Elementary School regarding the end of the DARE program.

Copy to all Supervisors.

Memorandum from Burnt Hills Ballston Lake Central Schools regarding the end of the DARE Program.

Copy to all Supervisors.REPORTS OF COMMITTEE:

Chairman Wood acknowledged Anita Daly. Mrs. Daly said she wanted to make everyone aware that the August Economic Development Committee meeting that was scheduled for August 3rd has changed and is now August 2nd at 4pm.

Chairman Wood acknowledged Bill Peck. Mr. Peck said from the Racing Committee he wanted to reiterate that the opening day of the track is this Friday and Charles Hayward was at the July Racing meeting and told the Committee that there were a lot of upgrades to help make this an exciting race meet. He also reminded supervisors that the Saratoga County Fair opened that day and runs through Sunday.

Chairman Wood acknowledged Jack Lawler. Mr. Lawler asked for clarification on the budget impact on Resolution No. 114 which states "this will result in approximately \$40,000 in additional timber revenue". He asked if the word additional means it is beyond what was budgeted. Chairman Wood said he would believe that to be the case and asked Jason Kemper if that was the case. Mr. Kemper stated that that was the case. Mr. Lawler said that he would then ask if it would be appropriate in the budget impact statement for it to reflect the increase in forest lands in the amount of \$40,000 and also it will be used to further increase the unappropriated fund balance by \$40,000. He said that wording is in a few of the other resolutions so is that something that needs to be passed because it is amending the budget. Mr. Hellwig said there is \$40,000 in the timber contract estimated additional revenue and \$12,000 of that is going towards the forestry analysis. Mr. Hellwig asked Mr. Lawler if his point was that only \$28,000 should be recognized. Mr. Lawler said his point is the other \$28,000 has to be accounted for and wouldn't that be accounted by increasing the revenue in that same account. Mr. Hellwig said it is a positive variance at the end of the year and will be recognized then. He then asked Sam Pitcherelle to comment. Mr. Pitcherelle said when the \$40,000 is received it will be recorded as a revenue and the unappropriated fund balance will be increased by that amount. Mr. Lawler said when the \$40,000 is received it needs to be recorded in a revenue line somewhere. Mr. Pitcherelle said that was correct. Mr. Lawler said when that \$40,000 check comes in, wouldn't it be recorded in the sale of forest land account. Mr. Pitcherelle said without amending the budget you can record that as revenue. Mr. Lawler asked why Resolution No. 115 didn't have the \$40,000 revenue recorded in it. Mr. Hellwig said with that resolution it is the money that is going against the contract for the vendor to do the work so there is an expense. Mr. Peck said to clarify this, there is a revenue line for forestry that is around \$35,000 so the \$40,000 is estimated revenue depending on the harvest and this is an additional contract. He said we have already gotten or in the midst of getting the \$35,000 that was budgeted so this will go in under additional revenue and will take that line to \$75,000. Mr. Lawler said he was just asking where the additional revenue was going to be recorded, that's all. Mr. Peck said forestry revenues. Mr. Lawler said that was his original question and thanked Mr. Peck for the clarification.

Mr. Lawler said with regards to Resolution No. 129 for the \$971,793 transfer from the Saratoga County Water Capital Account, that account was set up prior to the Saratoga County Water Authority and has no impact, no relationship and in fact was not even aware of that capital account. He said as member of the authority, we never had that money, did know the money was there, glad it was found and knows the County can use it and wanted to be clear on that.

On a motion by Mrs. Southworth, seconded by Mr. Peck, Resolution Nos. 112 through 136 were adopted by a unanimous vote, with the exception of Resolutions 115, 121 and 135.

RESOLUTION 112 - 11

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

APPOINTING SUSAN HAYES-MASA AS THE DEPUTY CORONER (Temporary)

WHEREAS, a vacancy exists in the position of Deputy Coroner (Temporary); and

WHEREAS, Susan Hayes-Masa of the City of Saratoga Springs, New York, has been recommended for this position; now, therefore, be it

RESOLVED, that Susan Hayes-Masa is appointed as Deputy Coroner (Temporary) for the County of Saratoga at a rate of \$100/case plus mileage, effective immediately.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 113 - 11

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

AMENDING THE 2011 COMPENSATION SCHEDULE

WHEREAS, the Personnel Committee and the Director of the Veterans' Services Agency have recommended that the 2011 Saratoga County Compensation Schedule be amended to add one additional Veterans Services Agency Driver (PT) effective July 22, 2011; now, therefore, be it

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

UNDER VETERANS' SERVICES AGENCY

CREATE ONE (1) position of Veterans Services Agency Driver (PT), increasing total number of authorized positions to 4

BUDGET IMPACT STATEMENT: Funding available within 2011 budget.

RESOLUTION 114 - 11

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

AUTHORIZING LOGGING REVENUE AGREEMENT WITH DANIEL GALUSHA D/B/A G&T ENTERPRISES FOR TIMBER HARVEST IN THE TOWN OF MOREAU

WHEREAS, the County owns forest land located within the Town of Moreau, known and designated as tax parcel #62.00-1-14 (117 acres of harvest area) which has been inventoried and selected for harvest; and

WHEREAS, bids were solicited and Daniel Galusha, d/b/a G & T Enterprises is the only responsible bidder for that harvest; and

WHEREAS, acceptance of this bid requires Board of Supervisors approval; now, therefore, be it

RESOLVED, that the Chairman of the Board execute an agreement with Daniel Galusha, d/b/a G & T Enterprises of Johnsburg, New York for its selective harvesting of timber on a 117 acres parcel of County forest land in the Town of Moreau known as tax parcel #62.00-1-14 whereby the contractor will pay the County for harvested timber at rates of \$5.00 per cord for Pine Pulpwood, \$142.00 per thousand board feet for White Pine Saw Timber and \$144.00 per thousand board feet for Red Pine Saw Timber/Poles, the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: This will result in approximately \$40,000 in additional timber revenue.

Mr. Lawler said he would like to first compliment Jason Kemper for the concept and initiative that he has shown in managing the County's forest land and putting the plan together. He said it is a fine concept and his concern should in no way reflect on the efforts of Mr. Kemper. He said he has a problem with the timing of it. He said that today we have acknowledged the County has a multi-million dollar deficit and many of us are having conversations about the possibilities about increasing tax rates which may be a necessary evil and it's unfortunate if it comes to that and he's sure that's the last consideration this Board will take. He said that today the Board has also enacted a hiring freeze and applauds his colleagues and the Saratoga County workforce which may find them doing more with fewer people. The proposed agreement is not a lot of money but that is not the issue but what is the issue today is that the Board will enact a hiring freeze and we're about to vote to spend \$12,000 on unbudgeted money to count trees, and finds that illogical and the trees will be there next year to count, he stated. He said to spend any money that is not budgeted unless there is a true emergency shouldn't happen and went on to say that the argument could be made that there will be more revenue than anticipated and that's great. Mr. Lawler said that doesn't mean it needs to be spent and should instead be put towards the multi-million deficit at the end of the year. He said he would be more comfortable if it was included in the 2012 budget so it can compete with all the other good ideas that will more than likely be submitted at that time.

Mr. Kinowski said he was at the national park that morning and was looking at a number of trees and there were a broad species of trees. He said he is privy to the same site in his yard. He said there are a number of infestations going on due to the importing of beetles and bugs that are attacking all species of trees. Mr. Kinowski said if we lacked a plan at this time, which could be classified as an emergency, we could be selecting a forest or an area to be cut down next year and may be too late or not the right one because of this. He said that's why this plan should be passed and it is giving us real revenue and will be needed for the 2012 budget.

On a motion by Ms. Wormuth, seconded by Mr. Veitch, Resolution 115 was adopted by the following vote: AYES - Mr. Barrett 16,555; Mr. Collyer 1,841; Ms. Daly 16,555; Mr. Grattidge 3,954; Mr. Hargrave 3,589; Mr. Johnson 12,541; Mr. Kinowski 7,522; Mr. Lucia 6,259; Mr. Peck 4,603; Ms. Raymond 1,384; Mr. Richardson 5,019; Mr. Rowland 7,362; Mr. Sausville 13,005; Ms. Southworth 8,729; Mr. Veitch 13,093; Mr. Wood 5,114; Ms. Wormuth 18,359; Ms. Yepsen 13,093. NOES - Mr. Lawler 8,515; Mr. Thompson 17,103. ABSENT - Mr. Jenkins 13,549; Mrs. Johnson 920; Mr. Wright 1,971.

RESOLUTION 115 - 11

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

AUTHORIZING AN AGREEMENT WITH FOREST SOLUTIONS TO PROVIDE FORESTRY ANALYSIS AND UPDATE THE COUNTY'S FORESTRY MANAGEMENT PLAN AND AMENDING THE 2011 BUDGET IN RELATION THERETO

WHEREAS, the County owns and manages over 3,000 acres of forest land; and

WHEREAS, General Municipal Law §72-b authorizes this Board to adopt a county forestry management plan; and

WHEREAS, it has been over 20 years since the County last updated its forestry management plan; and

WHEREAS, it is anticipated that updating the County's forestry management plan will have the benefit of generating additional revenue for the County through the creation of a coordinated logging program for the County's forest parcels; and

WHEREAS, pursuant to Resolution 102-06, the County has an existing contract with Forest Solutions, a division of Saratoga Land Management Corp, to provide forestry management services for County-owned forest lands; and

WHEREAS, our Economic Development Committee has recommended that the proposal of Forest Solutions to update the County's forestry management plan at a cost not to exceed \$12,000 be accepted; and

WHEREAS, this Board's approval of that recommendation is necessary for its implementation; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized and directed to execute a contract with Forest Solutions, a division of Saratoga Land Management Corporation of Malta, New York, for its provision of forestry management services to update the County's forestry management plan at a cost not to

exceed \$12,000, the form and content of said contract being subject to the approval of the County Attorney; and be it further

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

PLANNING DEPARTMENT:

Appropriations:

Increase Acct.: 1-80-000-8190 Other Professional Services \$12,000

Revenues:

Increase Acct.: #1-80-2652 Sale of Forest Products \$12,000

BUDGET IMPACT STATEMENT: The \$12,000 cost of this study will be paid for out of unanticipated revenue projected to be earned as a result of this year's timber harvests.

RESOLUTION 116 - 11

Introduced by Supervisors Lucia, Collyer, Grattidge, Jenkins, Richardson, Rowland and Sausville

AUTHORIZING LEASE AGREEMENT WITH SARATOGA HONDA FOR A VAN FOR SENIOR TRANSPORTATION

WHEREAS, there is a recognized need among our senior citizens within Saratoga County for transportation to medical facilities which are located outside of the County; and

WHEREAS, there are available funds under the Retired and Senior Volunteer Program for the purpose of transporting Saratoga County's senior citizens to out of county medical facilities; and

WHEREAS, our Office for the Aging has obtained qualified volunteer drivers to operate a vehicle utilized for such transportation purposes; and

WHEREAS, the Director of the Office for the Aging has obtained competitive bids for a lease agreement for a medical transport vehicle, and Saratoga Honda was the lowest responsible bidder; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to enter into a 3 year agreement with Saratoga Honda to lease a 2011 Honda Odyssey van for the sum of \$421 per month, for the period of July 21, 2011 through July 21, 2014, said vehicle to be used for the transportation of senior citizens to out of county medical facilities with mileage not to exceed 15,000 miles per year; the form and content of such lease agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. State RSVP grant funds will cover the entire cost of the lease.

RESOLUTION 117 - 11

Introduced by Supervisors Lucia, Collyer, Grattidge, Jenkins, Richardson, Rowland and Sausville

AUTHORIZING THE CHAIRMAN TO ENTER INTO A CONTRACT WITH SARATOGA COUNTY TRANSPORTATION CO. LTD. TO PROVIDE TRANSPORTATION SERVICES FOR PRESCHOOL CHILDREN WITH SPECIAL NEEDS

WHEREAS, proposals have been solicited for a contract for the transportation of children with special needs in our Pre-School Special Education and Early Intervention Programs; and

WHEREAS, our Director of the Youth Bureau recommends that the bid of Saratoga County Transportation Co. Ltd. be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized and directed to execute an agreement with Saratoga County Transportation Co. Ltd. of Scotia, New York for the transportation of children with special needs, at an average price of \$42.00 per child per day and \$50 per aide per day, the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The total cost of the contract will not exceed the \$1.86 million budgeted for transportation services for children with special needs.

RESOLUTION 118 - 11

Introduced by Supervisors Lucia, Collyer, Grattidge, Jenkins, Richardson, Rowland and Sausville

AUTHORIZING AN AGREEMENT WITH THE TOWN OF CORINTH TO PROVIDE \$15,000 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 Corinth will purchase 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 Corinth for a County reimbursement not to exceed \$15,000 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 119 - 11

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

AUTHORIZING ACCEPTANCE OF A NEW YORK STATE SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM (STSJP) GRANT, AUTHORIZING A CONTRACT WITH BERKSHIRE FARMS CENTER AND SERVICES FOR YOUTH, INC. AND AMENDING THE 2011 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the County's Department of Social Services and Probation Department are eligible for a new grant from the New York State Office of Children and Family Services directed to reduce juvenile detention usage and encourage alternatives to detention and placement, known as the Supervision and Treatment Services for Juveniles Program (STSJP) grant; and

WHEREAS, the County has made an application for an STSJP grant in the amount of \$66,294; and

WHEREAS, said grant funds, if received, would be accepted by the Department of Social Services and passed through to the Probation Department; and

WHEREAS, the Probation Department proposes to utilize said STSJP grant funds to contract with Berkshire Farms Center and Services for Youth, Inc. to provide intensive family-based programming to reduce and prevent juvenile detention through Berkshire Farms' Stepping Stones Program at a cost not to exceed \$57,811; and

WHEREAS, the Probation Department proposes to utilize the remainder of said STSJP grant funds to enter into a minor contract with KMG Monitoring Service to provide electronic monitoring of youth diverted from secure detention at cost not to exceed \$8,483; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the County Commissioner of Social Services execute any and all documents necessary to apply for and accept a Supervision and Treatment Services for Juvenile Program (STSJP) grant in the amount of \$66,294 to reduce juvenile detention usage and encourage alternatives to detention and placement; and it is further

RESOLVED, that the Chair of the Board is further authorized to execute a contract with Berkshire Farms Center and Services for Youth, Inc. of Canaan, New York, for the provision of intensive family-based programming to reduce and prevent juvenile detention at a sum not to exceed \$57,811, the form and substance of said contract being subject to the approval of the County Attorney; and be it further

RESOLVED, that the 2011 County budget be amended as follows:

PROBATION:

Appropriations:

Increase Acct.: #1-31-000-7734 Delinquency Prevention \$41,434

Revenues:

Increase Acct.: #1-31-3312 Detention Prevention \$41,434

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 120 - 11

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

ACCEPTING AN AID TO DEFENSE GRANT FOR THE PUBLIC DEFENDER'S OFFICE

WHEREAS, the State has offered an Aid to Defense Grant for the Public Defenders Office; and

WHEREAS, the State requests County approval of their grant for the 2011-2012 fiscal year; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors and/or the County Administrator is authorized, on behalf of the office of the Public Defender, to execute all necessary documents with the State Division of Criminal Justice Services for the acceptance of the Aid to Defense grant in the amount of \$15,500, the form and content of such documents being subject to the approval of both the County Attorney and the Public Defender.

BUDGET IMPACT STATEMENT: None 100% State Aid.

On a motion by Mrs. Southworth, seconded by Mr. Peck, Resolution 121 was adopted by the following vote: AYES - Mr. Barrett 16,555; Mr. Collyer 1,841; Ms. Daly 16,555; Mr. Grattidge 3,954; Mr. Hargrave 3,589; Mr. Johnson 12,541; Mr. Kinowski 7,522; Mr. Lawler 8,515; Mr. Lucia 6,259; Mr. Peck 4,603; Ms. Raymond 1,384; Mr. Richardson 5,019; Mr. Rowland 7,362; Mr. Sausville 13,005; Ms. Southworth 8,729; Mr. Thompson 17,103; Mr. Wood 5,114; Ms. Wormuth 18,359; Ms. Yepsen 13,093. ABSTAIN - Mr. Veitch 13,093. ABSENT – Mr. Jenkins 13,549; Mrs. Johnson 920; Mr. Wright 1,971.

RESOLUTION 121 - 11

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

AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE A LICENSE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC FOR THE PLACEMENT AND OPERATION OF PANEL ANTENNAS ON THE COUNTY'S RADIO TOWER IN THE TOWN OF LAKE LUZERNE

WHEREAS, as part of the County's Emergency Radio System, the County has constructed a radio tower on land owned by the Town of Lake Luzerne identified as Tax Map Parcel No. 292-1-51 in the Town of Luzerne, County of Warren; and

WHEREAS, New Cingular Wireless PCS, LLC is interested in licensing space on the County's Lake Luzerne Radio Tower for the placement, operation and maintenance of panel antennas and related equipment in support of the operation of its telecommunications network; and

WHEREAS, pursuant to the County's agreement with the Town of Lake Luzerne authorized pursuant to Resolution 28-10, license payments made by the first licensee of space on the County's Lake Luzerne Radio Tower are to be paid to the Town of Lake Luzerne as compensation for the easements acquired by the County from the Town of Lake Luzerne for the County's construction and operation of said Radio Tower; and

WHEREAS, New Cingular Wireless PCS, LLC is willing to make a one-time payment in the amount of \$25,000 to the County as a capital contribution towards the construction costs of the County's Radio Tower in the Town of Lake Luzerne; and

WHEREAS, the County's Office of Emergency Services and our Public Safety Committee have recommended that the County enter into a license agreement with New Cingular Wireless PSC, LLC for the placement of panel antennas and related telecommunications equipment on the County's Lake Luzerne Radio Tower in return for a one-time capital contribution in the amount of \$25,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a license agreement with New Cingular Wireless PCS, LLC of Alpharetta, Georgia, for the placement of panel antennas and related telecommunications equipment on the County's Radio Tower situated in the Town of Lake Luzerne, in return for a one-time capital contribution to the County in the amount of \$25,000, with the form and content of such license agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 122 - 11

Introduced by Supervisors Grattidge, Barrett, Jenkins, A. Johnson, M. Johnson, Southworth and Wormuth

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BARTON & LOGUIDICE, P.C. TO PREPARE THE COUNTY'S LOCAL SOLID WASTE MANAGEMENT PLAN

WHEREAS, New York State Department of Environmental Conservation regulations require the County to maintain a Local Solid Waste Management Plan; and

WHEREAS, the County's ten year Solid Waste Management Plan recently expired; and

WHEREAS, our Department of Public Works did request proposals from competent engineering consultants relative to the preparation of a new 10 year County Solid Waste Management Plan; and

WHEREAS, our Public Works Committee has reviewed the proposals received for such engineering services and has recommended that the County enter into a contract with Barton & Loguidice, P.C. for such work at a cost not to exceed \$29,850; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Barton & Loguidice, P.C. of Syracuse, New York, to provide professional engineering services relative to the preparation of Saratoga County's Local Solid Waste Management Plan at a cost not to exceed \$29,850, with the form and content of such contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: Funding is available in the 2011 budget.

RESOLUTION 123 - 11

Introduced by Supervisors Grattidge, Barrett, Jenkins, A. Johnson, M. Johnson, Southworth and Wormuth

AMENDING THE 2011 COUNTY BUDGET TO APPROPRIATE EXPENSES AND REVENUES RELATIVE TO AN INSURANCE RECOVERY RECEIVED FOR DAMAGES TO THE PUBLIC WORKS' STORAGE BUILDING AND AUTHORIZING THE CONSTRUCTION OF A REPLACEMENT STORAGE BUILDING

WHEREAS, due to a heavy snow load the roof of the County Department of Public Work's cold storage building located at the Saratoga County Landfill collapsed during the weekend beginning on February 4, 2011, causing irreparable damage to the building; and

WHEREAS, the County made a proper and timely claim to the insurance company for the irreparably damaged building; and

WHEREAS, the County has received an insurance recovery in the amount of \$161,859 to date for the collapsed building, and is eligible to receive an additional \$33,636 if it constructs a replacement storage building; and

WHEREAS, the County Department of Public Works has recommended that the County construct a replacement cold storage building at a site more conveniently located to County employees at the County Farm complex in the Town of Milton; and

WHEREAS, the Department of Public Works is willing to provide all labor needed to construct the replacement storage building; and

WHEREAS, our Public Works Committee recommends that a replacement cold storage building be constructed at the proposed County Farm location, provided all labor for the project is to be done by the County Department of Public Works; now, therefore, be it

RESOLVED, the 2011 Saratoga County budget is hereby amended as follows:

DEPARTMENT OF PUBLIC WORKS

Appropriations:

Increase Acct.: #3-50-000-8221 Building Materials \$195,495

Revenues:

Increase Acct.: #3-50-2680 Insurance Recoveries \$195,495

and, be it further

RESOLVED, that the County Department of Public Works be, and hereby is, authorized to construct a replacement storage building at the County Farm Complex with all labor provided in the construction of such storage building to be provided by the Department of Public Works.

BUDGET IMPACT STATEMENT: No budget impact. All replacement costs for this storage building will be covered by the County's insurance carrier.

RESOLUTION 124 - 11

Introduced by Supervisors Grattidge, Barrett, Jenkins, A. Johnson, M. Johnson, Southworth and Wormuth

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

WHEREAS, a Project for the BIN 3304460; CR45 (Northline Road over Kayderosseras Creek Bridge Replacement, Town of Malta, Saratoga County, P.I.N. 1757.09 (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.

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 \$230,298.00 (Two hundred thirty thousand, two hundred ninety eight dollars and no cents) has already been appropriated from 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 the additional sum of \$4,905.00 (Four thousand, nine hundred five dollars and no cents) is hereby appropriated from the County's Highway 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 Saratoga County Board of Supervisors 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 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. Funding for the 5% County share is available in the 2011 budget.

RESOLUTION 125 - 11

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

DIRECTING THE SARATOGA COUNTY SEWER DISTRICT COMMISSION TO PREPARE MAPS, PLANS AND A REPORT RELATIVE TO THE PROPOSED EXTENSION OF THE BOUNDARIES OF SARATOGA COUNTY SEWER DISTRICT NO. 1 AND DIRECTING THE COMMENCEMENT OF SEQR REVIEW

WHEREAS, the Saratoga County Sewer District Commission has conducted a survey of municipalities with Saratoga County that are located either partially or wholly outside the boundaries of Saratoga County Sewer District No. 1 in order to ascertain which, if any, of said municipalities are interested in being included wholly within the boundaries of Saratoga County Sewer District No. 1; and

WHEREAS, several municipalities responded that they were interested in being included within the Sewer District's boundaries provided that any extension of the District's boundaries did not result in the County imposing ad valorem taxes on properties within their municipal boundaries; and

WHEREAS, based on the results of said survey, the Sewer District Commission has recommended to this Board that the boundaries of Saratoga County be extended to include the municipalities interested in being wholly included within the boundaries of Saratoga County Sewer District No. 1; and

WHEREAS, pursuant to County Law Section 253, this Board is authorized, on its own motion, to direct the Saratoga County Sewer District Commission to cause to be prepared maps and plans detailing any proposed extension of the boundaries of Saratoga County Sewer District No. 1; and

WHEREAS, pursuant to County Law Section 254, following its preparation and review of said maps and plans, the Sewer District Commission is required to submit its report and recommendations to this Board regarding any proposed extension of the Sewer District's boundaries; and

WHEREAS, compliance with the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law and Part 617 of the New York State Code of Rules and Regulations) is required for this action; now, therefore, be it

RESOLVED, that on its own motion, this Board hereby directs the Saratoga County Sewer District Commission to prepare maps and plans relative to the proposed extension of the boundaries of Saratoga Sewer District No. 1 to include all Saratoga County municipalities requesting inclusion wholly within the Sewer District's boundaries; and, be it further

RESOLVED, that the Saratoga County Sewer District Commission is hereby directed to submit its report and recommendations regarding any proposed extension of the Sewer District's boundaries to this Board by December 1, 2011, which report and recommendations shall include, but not be limited to, proposed changes to the user rates to be charged sewer users within any extended area; proposed changes, if any, to the user rates of sewer users within the Sewer District's current boundaries; and whether sewer users within any extended area should contribute to the cost of the Sewer District's existing infrastructure, and if so, to what extent; and it is further

RESOLVED, that the Saratoga County Sewer District Commission is hereby directed to initiate SEQR review in connection with the proposed extension of the Sewer District's boundaries; and it is further

RESOLVED, that any municipality's inclusion wholly within the Sewer District's boundaries is contingent upon this Board not authorizing the imposition of ad valorem taxes on properties within the municipality's boundaries.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 126 - 11

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

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 3, PRINT NO. 1 OF 2011 TO AMEND LOCAL LAW NO. 2 OF 1968 TO INCREASE THE POPULATION THRESHOLD FOR AN ADDITIONAL COUNTY SUPERVISOR AND SCHEDULING A PUBLIC HEARING THEREON

WHEREAS, Local Law 2 of 1968, as amended by Local Law No. 6 of 1991, provides that each town or city in the County of Saratoga will elect an additional County Supervisor for every 20,000 residents and that that municipality's weighted vote on the County's Board of Supervisors will be divided equally between or among all of its Supervisors; and

WHEREAS, the number of County Supervisors has remained unchanged at twenty-three since 1971; and

WHEREAS, the 1991 amendment to Local Law No. 2 of 1968 ensured that the number of members of the Boards remained constant during the 1990's and to the present; and

WHEREAS, the preliminary 2010 Federal Census raises the possibility of an additional County Supervisor during this decade and the probability of several more thereafter; and

WHEREAS, the fiscal strength and demonstrable progressive performance of the County of Saratoga and its Boards of Supervisors during these past two decades are partially attributable to the fact that the Boards' size has proven to be workable and an effective balance between the respective majority and minority positions on the many major, and minor, issues confronted during these past forty years; and

WHEREAS, an increase in the population threshold is appropriate to ensure that future Boards of Supervisors retain the demonstrated deliberative capability of their predecessors; and

WHEREAS, consistent with the opinion of the New York State Court of Appeals in Iannucci v. Board of Supervisors, 20 NY2 244, a computerized analysis of the impact of the increased weighted votes for each individual Supervisor, attributable to the preliminary 2010 Federal Census, upon the power of that Supervisor to affect passage of legislation was performed by Camoin Associates, a professional services consulting firm that provides public sector clients with advanced analytic services to solve complex matters of policy; and

WHEREAS, that computerized analysis also demonstrated that the gross disparity between increased weighted votes and a Supervisor's power to affect the passage of legislation was smaller with twenty-four members, at 4.66%, than with twenty-three members, at 5.71%, but that these gross disparity values are both less than the 6.46% gross disparity value accepted by the court in the 1967 judicial proceeding; and

WHEREAS, an amendment to Local Law No. 2 of 1968 is necessary to increase the population threshold and maintain the existing membership number; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 3, Print No. 1 of 2011, entitled "A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1968, AS LAST AMENDED BY LOCAL LAW NO. 6 OF 1991, TO INCREASE THE POPULATION THRESHOLD TO 25,000 FOR AN ADDITIONAL COUNTY SUPERVISOR", is hereby introduced before this Board of Supervisors; and, be it further

RESOLVED, that this Board of Supervisors shall hold a Public Hearing on August 10, 2011 at 4:45 P.M. at its Meeting Room at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law; and, be it further

RESOLVED, that the Clerk of this Board of Supervisors is directed to give notice of this Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 127 - 11

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

AUTHORIZING BLANKET OFFICIAL UNDERTAKING FOR COUNTY OFFICERS REQUIRED BY LAW TO EXECUTE AND FILE OFFICIAL UNDERTAKINGS

WHEREAS, certain County Officers are required to execute and file undertakings by reason of certain provisions of the County Law; and

WHEREAS, Public Officers Law §11 allows for the substitution of a blanket undertaking for such individual undertakings; and

WHEREAS, the County of Saratoga has in effect a blanket undertaking for all County Officers required by law to execute and file undertakings; and

WHEREAS, said blanket undertaking provides coverage for the failure of said officers to faithfully perform their duties or to account for all moneys or property received by them by virtue of their positions, and for their fraudulent or dishonest acts; and

WHEREAS, Public Officers Law §11 requires this Board to approve the blanket undertaking as to form and sufficiency of coverage; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves Policy Number CRX-4601724-08 issued by AXIS Insurance Company to Saratoga County as a blanket undertaking in the amount of \$300,000 of coverage pursuant to Public Officers Law §11(2)(a) for all County Officers required to execute and file undertakings including but not limited to the Chairman of the Saratoga County Board of Supervisors, the County Clerk, County Treasurer, District Attorney and County Sheriff, and be it further

RESOLVED, that the Board approves an additional blanket undertaking issued as Policy Number 104097632 by Travelers Insurance Company with an additional \$750,000.00 (Seven Hundred Fifty Thousand and 00/100) coverage for the Chairman of the Board, the County Clerk, the County Sheriff, the District Attorney, and the County Treasurer and providing employee dishonesty coverage and faithful performance of duty coverage for said officers as required by Public Officers Law §11(2)(b), with an appropriate deductible established at the time of the purchase of the policy in accordance with the usual practice of the County, and be it further

RESOLVED, that a certified copy of this Resolution be attached to said blanket undertaking and a copy thereof be filed in the Office of the County Clerk.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 128 - 11

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

ENACTING A TEMPORARY HIRING FREEZE EFFECTIVE JULY 20, 2011 THROUGH DECEMBER 31, 2011

WHEREAS, budget shortfalls in such areas as the Highway Fund and Maplewood Manor have led to a projected \$9 million shortfall in the County's 2011 budget; and

WHEREAS, the County will need to make a significant multi-million dollar appropriation from the General Fund balance to cover this year's budgetary shortfall; and

WHEREAS, the County Administrator submitted a list of options to our Law and Finance Committee for reducing both short-term and long term operating costs of the County in an effort to decrease the amount that needs to be appropriated from the General Fund to balance the County's 2011 budget, as well as future years' budgets; and

WHEREAS, our Law and Finance Committee has recommended, among other things, that the County institute a hiring freeze to reduce County payroll and benefit costs effective July 20, 2011 through the end of the year, subject to certain exceptions, now, therefore, be it

RESOLVED, this Board hereby enacts a temporary freeze on the hiring of new employees to fill vacant positions in the County effective July 20, 2011 through December 31, 2011, subject to the exceptions set forth hereinafter; and, be it further

RESOLVED, that consistent with County's Vacancy Review Policy, the following County positions are deemed to be of a critical nature and are hereby determined to be exempt from the hiring freeze instituted herein:

- 1) All Deputy Sheriff and Correction Officer positions in the Sheriff's Department; and
- 2) All Nursing positions in the Public Health Nursing Department; and
- 3) All Nursing and support staff positions, excluding clerical positions, at Maplewood Manor;

and, be it further

RESOLVED, any requests for further exemptions from this temporary hiring freeze must be submitted to the County Personnel Director to be brought before the Vacancy Review Committee for approval.

BUDGET IMPACT STATEMENT: The savings provided by this action will be used to reduce the impact of negative variances on the 2011 budget.

RESOLUTION 129 - 11

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

DIRECTING THE TREASURER'S OFFICE TO CLOSE OUT THE WATER PROJECT CAPITAL FUND (HB-50) AND TRANSFER ALL UNSPENT FUNDS BACK TO THE GENERAL FUND

WHEREAS, Saratoga County maintains a Water Project Capital Fund for the construction of a County-wide water system; and

WHEREAS, budget shortfalls in such areas as the Highway Fund and Maplewood Manor have led to a projected \$9 million shortfall in the County's 2011 budget; and

WHEREAS, the County will need to make a significant multi-million dollar appropriation from the General Fund balance to cover this year's budgetary shortfall; and

WHEREAS, pursuant to various Resolutions adopted by this Board in 2007, including Resolutions 128-07, 201-07, 202-7 and 203-07, and a Memorandum of Understanding executed between the County and the Saratoga County Water Authority on July 27, 2007, Saratoga County transferred its contracts, assets, permits, real property, grants, loans and other interests in the county-wide water project to the Saratoga County Water Authority; and

WHEREAS, our Law and Finance Committee has recommended that the County's efforts to construct a County Wide Water System be deemed complete, and that the Water Project Capital Fund be closed out and all its unspent funds be transferred back to the General Fund; now, therefore, be it

RESOLVED, that Saratoga County's plans to construct a county-wide water system be, and hereby are, deemed complete; and be it further

RESOLVED, that the Saratoga County Treasurer is hereby directed to close out the Water Project Capital Fund for the reason that Saratoga County has completed its plans to construct a county-wide water system and transferred the County's contracts, assets, permits, real property, grants, loans and other interests to the Saratoga County Water Authority; and be it further

RESOLVED, that the Saratoga County Treasurer is hereby directed to transfer all unspent funds in the Water Project Capital Fund back to the General Fund.

BUDGET IMPACT STATEMENT: This action will increase the general fund unappropriated balance by \$971,793.

RESOLUTION 130 - 11

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

DIRECTING THE TREASURER'S OFFICE TO CLOSE OUT THE SOLID WASTE CAPITAL FUND (HC-50) AND TRANSFER ALL UNSPENT FUNDS BACK TO THE GENERAL FUND

WHEREAS, Saratoga County maintains a Solid Waste Capital Fund created for the siting, design, permitting and construction of a County landfill in the Town of Northumberland; and

WHEREAS, budget shortfalls in such areas as the Highway Fund and Maplewood Manor have led to a projected \$9 million shortfall in the County's 2011 budget; and

WHEREAS, the County will need to make a significant multi-million dollar appropriation from the General Fund balance to cover this year's budgetary shortfall; and

WHEREAS, the County has completed the siting design, permitting and construction of a County landfill in the Town of Northumberland; and

WHEREAS, the County has no plans to open and operate the County Landfill in the foreseeable future; and

WHEREAS, our Law and Finance Committee has recommended that the County's efforts to construct a County landfill be deemed complete, and that the Solid Waste Capital Fund be closed out and all its unspent funds be transferred back to the General Fund; now, therefore, be it

RESOLVED, that Saratoga County's plans to construct a County landfill in the Town of Northumberland be, and hereby are, deemed complete; and be it further

RESOLVED, that the Saratoga County Treasurer is hereby directed to close out the Solid Waste Capital Fund for the reason that Saratoga County has completed its plans to site, design, permit and construct a County landfill in the Town of Northumberland; and be it further

RESOLVED, that the Saratoga County Treasurer is hereby directed to transfer all unspent funds in the Solid Waste Capital Fund back to the General Fund.

BUDGET IMPACT STATEMENT: This action will increase the general fund unappropriated fund balance by \$627,363.

RESOLUTION 131 - 11

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

DIRECTING THE TREASURER'S OFFICE TO CLOSE OUT THE PUBLIC SAFETY BUILDING CAPITAL FUND (HJ-50) AND TRANSFER ALL UNSPENT FUNDS BACK TO THE GENERAL FUND

WHEREAS, Resolution 256-08 directed the establishment of a Public Safety Building Capital Fund for the construction of a new Saratoga County Public Safety Building; and

WHEREAS, budget shortfalls in such areas as the Highway Fund and Maplewood Manor have led to a projected \$9 million shortfall in the County's 2011 budget; and

WHEREAS, the County will need to make a significant multi-million dollar appropriation from the General Fund balance to cover this year's budgetary shortfall; and

WHEREAS, due to the County's budgetary difficulties, work on a new Public Safety Building has not progressed beyond a preliminary design; and

WHEREAS, our Law and Finance Committee has recommended that the County's efforts to construct a new Public Safety Building be abandoned, and that the Public Safety Building Fund be closed out and all its unspent funds be transferred back to the General Fund; now, therefore, be it

RESOLVED, that Saratoga County's plans to construct a new Public Safety Building be, and hereby are, deemed abandoned; and be it further

RESOLVED, that the Saratoga County Treasurer is hereby directed to close out the Public Safety Building Capital Fund for the reason that Saratoga County is presently abandoning its efforts to construct a new County Public Safety Building; and be it further

RESOLVED, that the Saratoga County Treasurer is hereby directed to transfer all unspent funds in the Public Safety Building Capital Fund back to the General Fund.

BUDGET IMPACT STATEMENT: This action will increase the General Fund unappropriated fund balance by \$885,168.

RESOLUTION 132 - 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, the heirs of Warren C. Knuth, a deceased former owner, 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, the Policies and Procedures of the Equalization and Assessment Committee require that tender offers must be acted on within 30 days of request or they are deemed refused; and

WHEREAS, while this tender offer was made on September 10, 2010, unexpected delays caused by difficulties in locating the heirs of Warren C. Knuth, their addresses, and Social Security numbers resulted in this tender offer not be accepted within 30 days of its making; and

WHEREAS, consistent with this Board's policy of collecting delinquent taxes and keeping property under the ownership of taxpayers, our Equalization and Assessment Committee recommends that the requirement that

tender offers be accepted within 30 days of their making be waived in this instance, and that this request be approved; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors convey by quitclaim deed to the following heirs of Warren C. Knuth, the lands set opposite their names, upon payment of the indicated amount, which includes penalties, interest and charges,

| <u>CONVEY TO:</u> | <u>YEAR</u> | <u>TOWN</u> | <u>S/B/L</u> | <u>AMOUNT</u> |
|---|-------------|-------------|--------------|---------------|
| Warren Knuth, Jr. 123 Laurel Drive Sanford, Florida 32773 | 2007 & 2008 | Milton | 203.13-2-2 | \$8,413.06 |

Barbara Laube
70 Maple Avenue
Ballston Spa, New York 12020

Carl Knuth
161 Maple Avenue
Ballston Spa, New York 12020

Darlene Fitzgerald
P.O. Box 113
432B Middle Grove Road
Middle Grove, New York 12850

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

RESOLUTION 133 - 11

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

APPROVING A TAX REFUND OF \$5,562.66 ON A PARCEL IN THE TOWN OF HALFMOON

WHEREAS, the 2009, 2010 and 2011 tax bills for a certain tax parcel in the Town of Halfmoon were paid and a refund has been requested based upon the fact the property is wholly exempt from the payment of all taxes, including special district taxes, and

WHEREAS, the property was incorrectly coded which resulted in a library tax being erroneously imposed on the property in 2009, 2010 and 2011; now, therefore, be it

RESOLVED, that the County Treasurer refund the following overpayment of library taxes in the total amount of \$5,562.66:

| <u>TOWN OF HALFMOON</u> | <u>TAX PARCEL</u> | <u>YEAR</u> | <u>AMOUNT</u> |
|--------------------------------------|-------------------|-------------|---------------|
| Shenendehowa Central School District | 272.1-1-5 | 2009 | \$1,835.99 |
| Shenendehowa Central School District | 272.1-1-5 | 2010 | \$1,855.84 |
| Shenendehowa Central School District | 272.1-1-5 | 2011 | \$1,870.83 |

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 134 - 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 both a clerical error and an error in essential fact that erroneously increased the assessed valuation of their property, thereby resulting in an error 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> |
|--|--------------|--------------|------------------|
| Donald W. Montgomery and Terry Montgomery | Clifton Park | 284.69-3-12 | \$2,656.61 |

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in the amount of \$704.34 to the outstanding 2011 tax bill of the property owners Donald W. Montgomery and Terry Montgomery.

BUDGET IMPACT STATEMENT: No budget impact.

On a motion by Mrs. Southworth, seconded by Mr. Peck, Resolution 135 was adopted by the following vote: AYES - Mr. Barrett 16,555; Mr. Collyer 1,841; Ms. Daly 16,555; Mr. Hargrave 3,589; Mr. Grattidge 3,954; Mr. Johnson 12,541; Mr. Kinowski 7,522; Mr. Lawler 8,515; Mr. Lucia 6,259; Mr. Peck 4,603; Ms. Raymond 1,384; Mr. Rowland 7,362; Mr. Sausville 13,005; Ms. Southworth 8,729; Mr. Thompson 17,103; Mr. Veitch 13,093; Mr. Wood 5,114; Ms. Wormuth 18,359; Ms. Yepsen 13,093. ABSTAIN - Mr. Richardson 5,019. ABSENT – Mr. Jenkins 13,549; Mrs. Johnson 920; Mr. Wright 1,971.

RESOLUTION 135 - 11

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

AUTHORIZING A PARTIAL CANCELLATION OF INTEREST OWED BY THE CITY OF MECHANICVILLE ON A DELINQUENT SEWER PAYMENT AND DIRECTING A REFUND IN RELATION THERETO

WHEREAS, as a result of clerical error the City of Mechanicville was 60 days delinquent in its payment of Saratoga County’s 2011 sewer warrant in the amount of \$482,932; and

WHEREAS, as a result of such delinquency, the City of Mechanicville incurred and paid to the County a 1% per month interest penalty in the amount of \$9,658.64; and

WHEREAS, the City of Mechanicville has requested that the County waive the interest incurred on its delinquent sewer payment; and

WHEREAS, our Equalization and Assessment Committee recommends that the interest penalty paid by the City of Mechanicville be partially cancelled to the extent of \$9,358.64, with the County retaining \$300 of the interest paid to recoup interest that the County would have earned had the City paid its sewer warrant on time; now, therefore, be it

RESOLVED, that the interest penalty accrued and paid by the City of Mechanicville in the amount of \$9,658.64 on the City’s delinquent payment of Saratoga County’s 2011 sewer tax warrant is hereby partially cancelled to the extent of \$9,358.64; and be it further

RESOLVED, that the County Treasurer shall refund said amount of \$9,358.64 to the City of Mechanicville.

BUDGET IMPACT STATEMENT: The revised interest payment is \$300.00.

RESOLUTION 136 - 11

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

AUTHORIZING ACCEPTANCE OF A GRANT FROM THE SARATOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AUTHORIZING A CONTRACT WITH CHICATELLI LEITCH LLC FOR ECONOMIC DEVELOPMENT CONSULTING SERVICES AND AMENDING THE 2011 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Saratoga County has made a significant financial investment in the development of sewer and water infrastructure intended to service and promote the Luther Forest Technology Campus; and

WHEREAS, the County’s efforts to develop and promote the Luther Forest Technology Campus (LFTC) contributed to Global Foundaries’ decision to locate in the LFTC; and

WHEREAS, the LFTC has an additional 1,100 acres available for sale or lease to commercial entities interested in locating there; and

WHEREAS, there are a number of entities involved in the economic development of the LFTC, including the Empire State Development Corporation (ESDC), the Luther Forest Technology Campus Economic Development Corporation (LFTCEDC), the Saratoga Economic Development Corporation (SEDC), the Saratoga County Industrial Development Agency, the Town of Malta and the Town of Stillwater; and

WHEREAS, in spite of its substantial financial investment in the LFTC, the County does not have a direct role in the day to day economic decisions being made concerning the LFTC; and

WHEREAS, this Board believes that there is a critical need to coordinate the efforts of all state and local entities involved in promoting the economic development of LFTC and to develop an economic development plan for the LFTC that assures the County a proper role in the future growth of the LFTC; and

WHEREAS, the County has applied to the Saratoga County Industrial Development Agency (IDA) for an economic development grant in the amount of \$50,000 for the purpose of developing an appropriate economic development plan for the LFTC, and the IDA has approved said grant request; and

WHEREAS, our Law and Finance Committee has recommended that the County enter into a contract with Chicatelli Leitch LLC, an economic development and government relations consulting firm whose founders were directly involved at the State level in attracting Global Foundries to the LFTC, to develop an economic development plan for the LFTC that is consistent with the County’s economic development goals; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all documents and agreements necessary to apply for and accept an economic development grant in the amount of \$50,000 from the Saratoga County Industrial Development Agency; with the form and content of such documents being subject to the approval of the County Attorney; and be it further

RESOLVED, that the Chair of the Board is authorized to execute a contract with Chicatelli Leitch LLC of Schenectady, New York, to develop an economic development plan for the Luther Forest Technology Campus that coordinates the County’s economic development role with the roles of all other state and local economic development entities, at a cost not to exceed \$50,000, with the form and content of such contract being subject to the approval of the County Attorney; and

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

COUNTY ADMINISTRATOR

Appropriations:

Increase Acct.: #1-14-114-8190 Professional Services \$50,000

Revenues:

Increase Acct.: #1-14-2770 Unclassified Revenues \$50,000

BUDGET IMPACT STATEMENT: None. All costs related to this contract will be covered under the IDA grant.

Chairman Wood acknowledged Patti Southworth. Mrs. Southworth said the fried Kool Aid at the Fair has lived up to its expectation and there was a close call near the fence where cars are parked with the traffic going up Fairground Avenue she advised everyone if they are going that way to proceed with caution through that area.

Chairman Wood acknowledged Dick Rowland. Mr. Rowland said as a reminder to his colleagues that the Personnel Office is set up to do ID’s if they have not already done so.

Chairman Wood said at the County Fair there is a department tent and invited everyone to take a look at the display County Historian Lauren Roberts and the municipal historians put together on the Civil War and its impact. He reminded Supervisors to sign up for the barbeque at the Fair and also reminded Supervisors that NYSAC was approaching and to contact Pam if you are interested in attending.

Chairman Wood acknowledged Alan Grattidge. Mr. Grattidge said that as we all received the information on the railway that's going to be open up, he wanted to take a minute to acknowledge the hard work of Supervisor Lucia. He said he was the lone voice pushing this project for a number of years, long before he got on the Board and added it is truly a remarkable project that is coming to fruition and asked for a round of applause for his efforts on this venture. Mr. Lucia thanked Mr. Grattidge and went on to say that it was a long hard struggle for about 12 years and this is going to be fantastic!

Chairman Wood acknowledged Patti Southworth. Mrs. Southworth said the new appointee to the Coroner's Office is in the room and then introduced Susan Hayes-Masa. Mrs. Hayes-Masa thanked the Board and said she has been with the office for 15 years as a morgue assistant and told of her past employment.

Chairman Wood announced the following appointments:

Tourism Advisory Council
Annamarie Bellantoni, Vice President, Tourism
Saratoga County Chamber of Commerce
28 Clinton Street
Saratoga Springs, NY 12866
(Term Expires 12/31/11)

On a motion by George Hargrave, seconded by Phil Barrett the meeting adjourned.

Respectfully submitted,

Pamela A. Hargrave, Clerk of the Board