AGENDA
July 11, 2012 5:00 p.m.

Vice Chairman Grattidge called the meeting to order.

Roll call was taken. PRESENT –Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Daniel Lewza, Preston L. Jenkins, Jr., 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 – Patricia Southworth, Mary Ann Johnson, Thomas Richardson, 3.

On a motion by Mr. Hargrave seconded by Mrs. Wormuth, the minutes of the June 13th meeting were unanimously approved.

Spencer Hellwig, County Administrator, reviewed the following:

Under Equalization and Assessment there are two resolutions and they are for tax bill credits on properties located in the Towns of Stillwater and Providence.

Under Legislative and Research we'll have one resolution which will amend the Saratoga County occupancy tax law to require room remarketers to abide by the same regulations that hotel and motel owners in the County already are in terms of collecting and remitting occupancy taxes.

Under Personnel & Insurance one item which will be the amendment to the compensation schedule. We will be eliminating a Deputy Director's position and creating a supervisory position in its place.

Under Buildings and Grounds there are five resolutions this month. Two of the resolutions are related to a parcel on Spruce Mountain that is going to be conveyed to the State of New York for the Fire Tower. One of those resolutions is a SEQR resolution and the other one is a conveyance. The Hadley-Luzerne one is authorization for the "No Trespassing" signs. This resolution is going to be done in accordance with County Law 215 which will set penalties of up to $100 fines and incarceration of up to 30 days in jail for violation of that law. The third and fourth resolutions on the agenda are related to the new water pump station in the Town of Moreau. The proposed location of this new station is currently on County reforested land which has to be replaced with another piece of reforested land. The State Legislature has already approved the conveyance of the land in the Town and we are currently waiting for the Governor's signature on that bill. The resolutions will include the negative SEQR declaration and an authorization to convey Spier Falls Road parcel to the Town as well as identification of the new County reforested land parcel on Spruce Mountain.

Under Public Works there is one resolution which is approval of the final RFP to solicit proposals for the privatization of the Saratoga County Landfill. The draft RFP has been available to the consultants for their review and comments. That period has ended. The consultant has indicated that some clarifications were made and the final RFP is now ready to be released. Potential bidders will have until October 8th to submit their proposals on that RFP.

Under Law and Finance one final resolution which is for authorization for the Sewer District to move forward with eminent domain proceedings to obtain permanent easements on four properties in the Town of Halfmoon. It should be noted that there are 47 properties that will be affected by the project. The District has already obtained easements on 43 of the parcels. These are the remaining four.

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

Chairman Wood reminded the Supervisors that the Saratoga County Fair has sent invitation to the annual Chicken Barbeque Thursday evening. He asked if anyone was planning to attend to please respond to Pam.

Vice Chairman Grattidge said the County tent at the fair will have a display on Mandates and why we are doing the Truth in Taxation and Mandate Relief. He asked if any supervisor is willing to "man" the display area to contact Pam to sign up.

Mrs. Daly invited all the Supervisors to the Economic Development Committee meeting which will be on Monday, July 16th at 4pm at 28 Tables in Saratoga Springs. She said this is to showcase a business in the County.

Vice Chairman Grattidge announced that there will be a Budget Committee meeting on Thursday, July 19th at 3pm. (Please Note: Since this time, the meeting has been changed to Wednesday, July 18th at 3:30 p.m.)

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

Respectfully Submitted,

Pamela Hargrave, Clerk

REGULAR SESSION
TUESDAY, JULY 17, 2012
AT 4:00 P.M., D.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, 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, John Lawler, Arthur J. Johnson – 21. ABSENT – Thomas Richardson, Preston L. Jenkins, Jr. – 2.

The invocation was given by Patti Southworth, Chaplain.

PUBLIC INPUT

Chris Mathiesen said he has been the Saratoga Springs' Public Safety Commissioner since January 1st. He has lived in Saratoga Springs since early childhood, and he thought he knew his City very well. But early last summer, after committing to run for office, he decided to investigate the night club district in the early weekend hours. He woke up at 3:10 a.m. on a Sunday morning and drove down to see what was happening. At first, he saw no activity at all, as most bars were closed. As he approached Caroline Street, he could hear "the roar of a crowd." It sounded like a sporting event. He tried to drive down Caroline Street, but there was no way to do so. The street was packed with loud, uproarious people, many of whom seemed to be drunk. There were many of our police on foot and on horseback, three Sheriff deputy cars and a State Police car. It seemed to be a general state of mayhem. He had never seen anything like this in his City. Surely, this was an anomaly. He returned the following weekend at the same time. It was the same atmosphere although it seemed a little quieter with fewer police cars from outside agencies. He said he went home a little earlier and missed by five minutes the Club Shadow riot where five of our officers were injured, and Sheriff deputies, State Police and Ballston Spa Police had to be called in to bring things under control.

Mr. Mathiesen stated he returned many times over that summer and viewed the situation a number of times over the fall, winter and spring. The photos he circulated were taken this past weekend on Sunday morning at around 3:45 a.m. He said he brought these photos to show that this is not the Caroline Street area that most people know. Late night Caroline Street is an out-of-control situation that consistently requires the presence of a large contingent of our police officers in order to attempt to control large crowds of inebriated people, most of whom don't live in our City. They have taken a number of steps to try to improve the situation including City licenses which now require that bars follow already established statewide guidelines regarding mandated training for bartenders and bouncers. We believe that a "last call" adjustment to 3:00 a.m. rather than the present 4:00 a.m. would help to tone down the late night activity without unduly harming the businesses that have been open until 4:00 a.m. It would:

- Help reduce the burden of police overtime expense
- Help protect the all-important reputation of our City as a tourist and convention destination
- Lessen impacts on residents who have been encouraged to invest in downtown condos and apartments
- Reduce unnecessary risk to both police and patrons
- Provide for a safer, more vibrant nightlife

Mr. Mathiesen said many studies conducted over the past two decades show that the incidents of violence increase incrementally for every hour that bars serves alcohol. Our own statistics show that use of tasers and other uses of force by our police department and assaults on police officers are most closely associated with late night activities in our Nightclub District. Of the 57 counties in New York State outside New York City, only twenty have a 4:00 a.m. last call. Thirty-seven counties have 3, 2 or 1 a.m. In NYC, where districts have more say in determining a "last call" hour, many parts of the City close earlier than 4. It is now nearly impossible for an applicant to get a new liquor license in NYC that allows serving after 2:00 a.m. Harlem is

now trying to restrict sales to 2:00 a.m. because of late night problems. Buffalo, the only major city in western New York with a 4:00 a.m. last call, is seeking an earlier hour, and Mayor Jennings has been asking for a voluntary 2:00 a.m. closing in Albany. Compared to the rest of the U.S., a 4:00 a.m. last call is extremely late.

Mr. Mathiesen stated for the second time in two years, Saratoga Springs' City Council has considered pursuing a change in last call. Last month, the City passed a resolution to seek a 3:00 a.m. last call. Due to recent rulings of the SLA, the change that we are seeking will have to be County-wide. It is in the interest of both the City and the County as a whole to seek this change since:

- Very few establishments across the County are regularly open until 4:00 a.m.
- There would be less pressure on law enforcement agencies and would improve public safety County-wide
- Both the City and County benefit from property values in our downtown district
- Both the City and County benefit from the tourist and convention business
- Polls show that the public overwhelmingly supports an earlier last call (Channel 6 poll-Feb. 2012)

Mr. Mathiesen requested that the Saratoga County Board of Supervisors support a resolution to present to the State Liquor Authority requesting a "last call" of 3:00 a.m.

John Baker, Gaffney's Restaurant Owner for 31 years, said he is here to represent the restaurant, bar and business community in Saratoga Springs. For years Saratoga has been known for its horse racing and vibrant downtown. When meeting planners come to Saratoga for a possible convention site, chief among their concerns is where do people go after their convention sessions conclude. Some couples inquire as to where to have a wedding reception. Saratoga Springs is a draw for conventions and weddings, because guests who visit our City or those events know they will be safe as they enjoy Saratoga Springs' famous nightlife. It is important to note that in 1980, there were approximately 900 hotel rooms in the City, and since then, another 800 have been added. Almost 2,000 people could be guests at any given weekend. Half of the number of police officers kept pace with this growth. There is a price to pay for something that isn't broken, and that price could mean fewer conventions, fewer shoppers, fewer restaurants, and ultimately, fewer sales tax for the City and County. Would an earlier closing time reduce the crime in the City? In comparing statistics for other similar cities in New York State, Plattsburgh, Ithaca and Binghamton, all college towns with an established downtown, have earlier closing times than Saratoga Springs, and according to CityRating.com, all show an upward trend in violent crime while the same website reports an overall downward trend in crime in Saratoga Springs. Don't forget, Saratoga Springs has tens of thousands more visitors each year than these other cities. When bars close earlier, those folks still thirsty will move their parties from a relatively confined area to our neighborhoods. Will that spread the police force even thinner as they are forced to respond to calls from neighborhoods throughout the City? Will our neighborhoods outside the City's core now be more susceptible to late night partying and noise? Saratoga Springs is one of the safest cities in New York State. Do tragedies happen? Of course they do, but in Saratoga Springs, that is the exception, not the rule.

Mr. Baker said a poll of several downtown businesses show that an earlier closing time will result in a job loss of somewhere between 50 and 75 positions, and this is just in the immediate Caroline Street area. This is happening at a time when, according to the National Restaurant Association, restaurants added almost 250,000 jobs in 2011 and expect the trend to continue in 2012. Should the closing time be moved to 3:00 a.m., the 30 establishments directly downtown would lose $928,500. That amount translates into a loss in sales tax revenue of approximately $65,000. Also, with almost $1,000,000 in gross sales, our employees would lose approximately $200,000 in tips if you factor in a 20% gratuity. It is easy to think that this proposed closing time only impacts establishments on Caroline Street. Nothing could be further from the truth. Pizza shops, convenience stores and taxi companies will also take a hit, and the sales tax dollars coming in from those businesses to the City's coffers will be reduced. Shift workers from the industrial park, the hospital, the hotels, the Navy and restaurants make up a good portion of the clientele during the late hours. The vast majority of these folks are responsible adults spending time with their co-workers at the end of their work day. They don't get out of work until midnight or 1:00 a.m., and the 1 – 4 a.m. period are their after work hours. There is also a question of rents and assessments that some of our City elders have brought up. That is the fact that restaurants pay a much higher rent than retail and other businesses for the same

square footage. If you take the income approach or straight rent as landlords do, the rents are always higher for restaurants. Landlords would not be able to pay their taxes, mortgages, etc., without the restaurants' higher rents, thus justifying their assessments. So less income to restaurants will affect their business and also affect the landlord's ability to charge the rents that they do. This will affect assessed value and the tax base for the City in the long run.

Mr. Baker stated that there has been conflicting information on whether this change would impact The Saratoga Casino and Raceway. If the area' largest gaming and entertainment venue is included under the new early closing time law, the City would see an even greater decline in sales tax revenue. If, in fact, the Casino and Raceway is excluded from City regulations, as they are from the local planning process, the City would be giving one business a tremendous competitive advantage over businesses that have been paying taxes in Saratoga Springs for years. It would be akin to telling Wendy's that they can be open longer than McDonald's or that a dentist's office on Lake Ave. could take patients all afternoon but a dentist's office on West Ave. could not. Saratoga Springs businesses have a long history of supporting nonprofits through various donations and special events. At every fundraiser held throughout the City, donations from restaurants and bars help these organizations contribute to what make Saratoga Springs the special place it is. Obviously, with a significant reduction in income to such stalwart contributors, the nonprofit groups would see a reduction in donations.

Mr. Baker said with all due respect to Commissioner Mathiesen, for him to get up at 3:30 a.m. to come downtown, it is not surprising that he is shocked by what he sees. To look at it from a realistic point of view, the Commissioner is walking into a party that is just ending. A man of the Commissioner's age and experience should feel out of place in an environment of several hundred 25 year olds. The Commissioner also observes many people standing around downtown. One of the reasons more people are seen congregating on the sidewalks is that New York State outlawed indoor smoking in 2003. Twenty percent of people who frequent downtown establishments still smoke. If there are 1,000 people in downtown establishments, this could mean 200 or so people are outside smoking. That's 200 people that were not outside before the legislation was passed. It is disturbing to note the press surrounding closing our downtown earlier and the effect it is having. The negative press has been detrimental to our reputation and our future tourist business.

Mr. Baker stated they are against changing their closing times in the City and County of Saratoga. We, as a business community, have worked years to build a vibrant downtown that is the envy of New York State.

Jeff Clark, President of the Saratoga Springs Business Association, stated he has copies of data from the Internet from CityData.com which he provided to the Supervisors. He stated Saratoga Springs is a destination city that attracts many visitors. In the documents he passed around, they are based on a population of 30,000. The Convention Center, on an annual basis, draws 60,000 visitors to Saratoga Springs, and these visitors are not included in these demographics. We also draw over 100,000 people to the Racetrack during the six week meet. They are not in this population survey, nor are the 100,000 visitors to SPAC. After the Dave Matthews Band concert at SPAC, The Saratogian reported that the State Park Police were very pleased that they only had 50 arrests for misdemeanors and no felonies. Again, after the Phish concert, there was another report of approximately 50 misdemeanors. He said he walked down to Caroline Street this past Sunday morning at 3:35 a.m., and he saw no fights, etc., or problems that were apparent to him. He spoke with the police officers on duty who informed him there were two misdemeanor arrests much earlier in the evening. He encouraged the Board to keep the hours as they stand and support the thriving downtown community.

Tom Clancy, owner of Clancy's Tavern in Saratoga Springs, stated like many Saratoga Springs and Saratoga County are a great place to live. He said they do not have a problem with the night life and there is a safe downtown in which businesses compliment one another. The Saratoga Springs night life is the envy of many cities, towns and counties all over this state and the United States. The biggest problem is the negative publicity that the City is getting on the news, in the newspapers and on the internet. Many people are coming back this time of year and do so year after year. These same people are asking what is happening to the City because they are reading about problems in the media. He said he hopes this negative publicity doesn't hurt the business in the City. This needs to stop as the night life in Saratoga Springs is not the problem. He

acknowledged that the City does have problems as every one does. The business owners of Saratoga Springs along with the City Police Department have taken steps to deal with these situations. He read an article out of a travel magazine that praised the City for it's down town activities. He thanked the Board for it's time and encouraged the Board to leave the hours as they are.

Cindy Hollowood, Operator of the Holiday Inn, said she is currently the Chairman of the Board of the New York State Hospitality and Tourism Association which is the trade association for their industry. She said the number one reason people go to Saratoga Springs is because of the vibrant down town and popular night life. She said Caroline Street has a nation wide recognition and groups often ask how close the Holiday Inn is to this street. Many of her workers don't get out of work until eleven at night or later. She said she is strongly opposed to changing the closing time to 3am.

Charles Brown, City of Saratoga Springs resident, said this is not a discussion about closing time at 3am it is about not serving alcohol after 3pm. He said every place can continue to stay open until 4am and would encourage these businesses to do so. They should also be serving more food at this time to those who have been drinking for hours. He said people are coming to the city for the track, for conventions, for broadway, not to drink until 4am. He spoke with the residents of the city and they want change because of occurrences that happen at these early hours. More research should be done before any decision is made because only the businesses are being heard. The residents need to be heard as well.

Paul Bricoccoli, Owner of the Horseshoe Inn & The Bull Pen, said he has seen a lot of what has been talked about today. He is owner of an establishment in Lake George where this issue has been called toxic and out of control. He said if you go to Lake George on a Saturday night there is no one there. They are in Saratoga Springs. The night life is thriving and is not out of control. The City Police Department have control of the area. He said of course there are going to be issues but in comparison are small. The words, like toxic, need to stop being used because they hurt the perception of the City. He hopes this discussion ends here and the Board does not consider a change in the time.

Nick Berardi, Saratoga County Employee, said Maplewood Manor is still not at 100% capacity. He said not enough is being done and encouraged the Board to ease up on the requirements. He is urging all the Supervisors to stop over and get on board with what is going on at Maplewood. If the facility goes private the residents won't receive the care they are receiving now. Employees are given fantastic wages and benefits but there are ways to save money. No one (supervisor) wants to go across the street to listen to ways they have that can save money. He said $8M is a lot to cut but it can be done.

Susan Blowers, Saratoga County Employee, said she is an employee at Maplewood and wonders if the Supervisors really feel that selling Maplewood would help the economy. She said it won't and also said it won't help their votes in the next election. She asked why there isn't any consideration given to building a new nursing home. A new facility could have better physical therapy & rehabilitation facilities, a mental health wing, use solar power and the State would fund it. She said she is sure that the employees at Maplewood Manor would negotiate something with the Board if they new that a new facility was being built. She encouraged the Board to think about the employees at Maplewood as they will be thinking of the Supervisors when it comes time to vote. She encouraged the Board to really think about their votes on this issue.

Judy Richards, retired Saratoga County Employee, she said she is a resident of the Town of Wilton. She said she is aware of the great reputation Maplewood Manor has in caring for their residents. She has had family members there and they have had great care. She said when it comes time for her to be in a facility she hopes Maplewood is still there. She doesn't believe privatizing is the answer. She understands a study has been done but nothing has been told to the employees. She encouraged better communication with the employees at Maplewood.

On a motion by Mr. Collyer, seconded by Mr. Sausville, the minutes of the meeting of June 19, 2012 were adopted by a unanimous vote.

The Clerk presented the following:

Thank you note from the family of Arthur Luke expressing their gratitude for the June 19th Deceased Veterans' Ceremony.

Received and filed.

Thank you note from the Hartman family for the Board's donation in memory of Ev Hartman.

Received and filed.

E-mail correspondence from Mr. Claude Hinel regarding occupancy tax.

Referred to Supervisor Sausville and the County Administrator.

Resolution adopted by the Ontario County Board of Supervisors Opposing the Uniform Notice of claim Act.

Referred to Supervisor Sausville and the County Administrator.

Letter from Mr. John F. Baker, Owner of Gaffney's Restaurant/Bar, in Saratoga Springs, NY, stating his opposition to any changes to closing time.

Copy to all Supervisors and the County Administrator.

Knolls Atomic Power Laboratory Environmental Reports for Calendar Year 2010.

Received and filed.

Mrs. Daly read an e-mail that she received from a business owner encouraging her and the Board not to change the last call hour.

Mrs. Johnson asked to approach the podium and asked Veterans Service Director Andy Davis and Supervisor Kinowski to join her. She said the Veterans Committee started the year off with the offer to provide assistance to any Town or City within Saratoga County that would be holding an event that would recognize and honor veterans. Of course that assistance is limited in our financial contributions but we do have a lot to offer in the expertise we can provide in organizing these events and the access we can have to veterans' information. The reason behind this initiative was to broaden our scope of veterans recognition beyond our monthly deceased veterans ceremony which by the way is a very successful program and will continue to be a very successful program and it has been very well received by the families that have participated in that. But we wanted to open a program that would recognize living veterans, large groups of deceased or living veterans that we are not able to do in our framework of the monthly program. I am happy to announce that we have our first candidate. The City of Mechanicville has approached them to assist with their program. The Veterans Subcommittee which consists of Supervisors Kinowski, Richardson and herself along with Director Davis have worked with staff of the Veterans Office and the City of Mechanicville to come up with a top notch program which will be held in Mechanicville honoring a group of 50+ WWII Veterans. Mrs. Johnson asked Director Davis to share some of the details with the Board. Mr. Davis said he is filling in for Mr. Richardson. He said during WWII Mechanicville lost 53 of its own in various conflicts which is more per capita deceased veterans than any other town in Saratoga County had at that time. This event will take place on Saturday, August 11th at 2pm in the High School Auditorium of the Mechanicville City Schools. There will be Color Guard from the Legion and the National Cemetery as well as awards being given to survivors of these 53 honorees. A photograph will be given to the City at this ceremony. Supervisor Kinowski was instrumental in the design of this photograph. Mr. Kinowski shared the photograph and what led up to the creation of it.

On a motion by Mr. Peck, seconded by Mr. Veitch all resolutions were adopted by a unanimous vote.

RESOLUTION 150 - 12

Introduced by Supervisors Sausville, Daly, Lewza, Raymond, Richardson, Rowland and Yepsen

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 2, PRINT NO. 1 OF 2012, ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF 1977, AS LAST AMENDED BY LOCAL LAW NO. 5 OF 1978, TO REQUIRE ROOM REMARKETERS TO COLLECT AND PAY TAX ON THEIR SALES OF ROOM OCCUPANCY IN SARATOGA COUNTY", AND SETTING A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, in 1977 Saratoga County obtained home rule legislation authorizing the County to adopt a local law imposing an occupancy tax such as the State Legislature would have the power and authority to impose upon persons occupying a tourist home, inn, hotel or motel room in the County; and

WHEREAS, pursuant to said home rule authority, the Saratoga County Board of Supervisors adopted Local Law No. 7 of 1977 imposing a 1% tax on the occupancy of a room or rooms in a tourist home, hotel or motel in Saratoga County; and

WHEREAS, Local Law No. 7 of 1977 was subsequently amended by Local Law No. 5 of 1978 to change the quarterly dates for the filing of occupancy tax returns and the payment of taxes thereon; and

WHEREAS, in 2010, the State of New York passed into law Chapter 57 of the Laws of 2010 amending the State and New York City Sales tax provisions imposing a tax on the sales of occupancy of a room or rooms in a hotel in the State and New York City respectively, to require room remarketers, such as online travel companies, to collect the State and City hotel sales tax on their charges to their customers; and

WHEREAS, prior to these amendments, room remarketers would rent rooms from a New York hotel at discounted rate, pay State and City sales tax on the discounted rate, and resell the room at a higher price without charging tax to the customer, thereby avoiding sales tax on the markup of the room; and

WHEREAS, Saratoga County's room occupancy tax law, as established and imposed by Local Law No. 7 of 1977, as amended by Local Law No. 5 of 1978, predates the creation of the Internet, and thus fails to take into account and appropriately impose a tax on the sale of room occupancies in a tourist home, hotel or motel in Saratoga County by a room remarketer; and

WHEREAS, our Legislative and Research Committee has recommended that Local Law No. 7 of 1977, as amended by Local Law No. 5 of 1978, be amended to require that the full amount charged by a room remarketer to its customers for the right to occupy a room in a tourist home, hotel or motel in Saratoga County, exclusive of separately stated changes for property, services, amusement charges or other nontaxable items, constitutes rent for occupancy of a room in Saratoga County, and is subject to Saratoga County's room occupancy tax; and

WHEREAS, it is appropriate and fair that Saratoga County adopt amendments to its room occupancy tax local law, similar to the amendments adopted by the State and New York City, to require room remarketers to collect the County's room occupancy tax on the amounts charged to their customers, less certain statutorily authorized dedications; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 2, Print No. 1 of 2012, entitled "A LOCAL LAW AMENDING LOCAL LAW NO. 7 OF 1977, AS LAST AMENDED BY LOCAL LAW NO. 5 OF 1978, TO REQUIRE ROOM REMARKETERS TO COLLECT AND PAY TAX ON THEIR SALES OF ROOM OCCUPANCY IN SARATOGA COUNTY", is hereby introduced before this Saratoga County Board of Supervisors, and this Board of Supervisors shall hold a Public Hearing thereon on August 15, 2012 at 4:30 P.M. at the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York, 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of the Board of Supervisors be and is hereby directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 151 - 12

Introduced by Supervisors Sausville, Daly, Lewza, Raymond, Richardson, Rowland and Yepsen

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2012, ENTITLED "A LOCAL LAW ESTABLISHING TRUTH IN TAXATION IN SARATOGA COUNTY"

WHEREAS, Resolution 124-12 introduced and presented a proposed Local Law identified as Introductory No. 1, Print No. 1 of 2012, to this Board of Supervisors and scheduled a public hearing thereon for July 11, 2012 at 4:55 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 17th day of July, 2012 hereby adopts a Local Law identified as Introductory No. 1, Print No. 1 of 2012, as set forth in the annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 152 - 12

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

AMENDING THE 2012 COMPENSATION SCHEDULE

WHEREAS, the Personnel Committee and the Director of Probation have recommended that the 2012 Saratoga County Compensation Schedule be amended to eliminate the position of Deputy Probation Director II and create one position of Probation Supervisor; now, therefore, be it

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

UNDER PROBATION:

ABOLISH: (1) Deputy Probation Director II

CREATE: (1) Probation Supervisor

BUDGET IMPACT STATEMENT: The anticipated increase is not expected to exceed $3,000 which is available within the 2012 budget.

RESOLUTION 153 - 12

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

ADOPTING REGULATIONS PROHIBITING TRESPASSING ON COUNTY PROPERTY UNDERNEATH, ON AND SURROUNDING THE HADLEY-LUZERNE BRIDGE

WHEREAS, the Hadley-Luzerne Bridge connects the Town of Hadley in the County of Saratoga and the Town of Lake Luzerne in the County of Warren, and is jointly owned by the Counties of Saratoga and Warren; and

WHEREAS, the County of Saratoga owns land adjoining and underneath the Hadley-Luzerne Bridge; and

WHEREAS, the Hadley-Luzerne Bridge and the surrounding property owned by the County of Saratoga have been the site of numerous unsafe and offensive activities engaged in by individuals, including jumping off the Bridge into the rocky waters of the Hudson River; swimming in the fast currents of the Hudson River; blocking and/or interfering with traffic on the Bridge, leaving piles of garbage and litter underneath and around the Bridge; and defacing the walls underneath the Bridge with vulgar, offensive and unsightly graffiti; and

WHEREAS, the defacing of the walls of County-owned Bridge by the use of foul language and offensive symbols in many of the writings is harmful to the general public and violates the welfare of the residents of the County of Saratoga and the Town of Hadley; and

WHEREAS, the unabated proliferation of graffiti underneath the Bridge and the dumping of garbage and litter, including empty bottles of beer and alcohol, will cost County taxpayers substantial monies to remove and clean up; and

WHEREAS, to get to the areas underneath the Bridge where the graffiti is affixed, and garbage and litter left, people must climb down a rocky and dangerous slope; and

WHEREAS, to preserve and protect public safety, this Board declares its intent to regulate activity on and around the Hadley-Luzerne Bridge; and

WHEREAS, County Law §215(7) authorizes a county board of supervisors to, by resolution, adopt and enforce regulations covering the use of county-owned property; and

WHEREAS, our Buildings and Grounds Committee has recommended that this Board adopt regulations prohibiting trespassing on the Hadley-Luzerne Bridge and the surrounding County-owned property, and providing that a violation of any one or more of such regulations shall ordinances shall constitute an offense punishable by a fine of not exceeding one hundred dollars and imprisonment not exceeding thirty days; now, therefore, be it

RESOLVED, that pursuant to the authority granted it by County Law §215(7), this Board of Supervisors hereby adopts the regulations attached hereto as Schedule A entitled "Regulations of the County of Saratoga Prohibiting Trespassing on County Property Underneath, On and Surrounding the Hadley-Luzerne Bridge"; and be it further

RESOLVED, that these Regulations shall take effect immediately; and be it further

RESOLVED, that the attached Regulations shall be posted on the County of Saratoga's website, at the Saratoga County Clerk's Office, and at the Hadley Town Hall, and published in one newspaper of general circulation in the Town of Hadley; and be it further

RESOLVED, that the Saratoga County Department of Public Works is hereby directed to post appropriate "No Trespassing" signs on the County-owned lands on, underneath and surrounding the Hadley-Luzerne Bridge; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors is hereby directed to forward certified copies of this Resolution to the New York State Police and the Saratoga County Sheriff's Department.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A

REGULATIONS OF THE COUNTY OF SARATOGA PROHIBITING TRESPASSING ON COUNTY PROPERTY UNDERNEATH, ON AND SURROUNDING THE HADLEY-LUZERNE BRIDGE

SECTION 1. Findings.

To preserve and protect public safety on property owned by the County of Saratoga underneath, on and surrounding the Hadley-Luzerne Bridge, the Saratoga County Board of Supervisors hereby declares its intent to prohibit trespassing underneath, on and surrounding the Hadley-Luzerne Bridge. The County seeks to prevent individuals from entering onto said County-owned property and engaging in conduct that jeopardizes the well-being, health, safety and welfare of the public, as well as disrupts the public peace and order. Such conduct includes, but is not limited to: jumping off the Hadley-Luzerne Bridge into the rocky waters of the Hudson River; blocking or interfering with traffic on the Hadley-Luzerne Bridge, swimming in the fast currents of the Hudson River, leaving piles of garbage and litter underneath the Bridge, and defacing the walls underneath the Bridge with offensive, vulgar and/or unsightly graffiti.

SECTION 2. Definitions

A. "Bridge Premises." includes that portion of the Hadley-Luzerne Bridge located within the boundaries of the County of Saratoga, and all land owned by the County of Saratoga underneath and surrounding the Hadley-Luzerne Bridge in Saratoga County.

B. "Enter or remain unlawfully." A person "enters or remains unlawfully" in or upon the Bridge Premises when he or she does so without license or privilege and in violation of a notice of trespass given by posting by the County of Saratoga in a conspicuous manner. Vehicular traffic crossing the Hadley-Luzerne Bridge shall be deemed to have license or privilege to do so.

C. "Trespass." A person is guilty of trespass when he or she knowingly enters or remains unlawfully upon the Bridge Premises.

SECTION 3. Prohibited Acts

A. It shall be unlawful for any person to trespass on the Bridge Premises without written permission from the Commissioner of the Saratoga County Department of Public Works or his designee.

B. It shall be unlawful for any person to jump off that portion of the Hadley-Luzerne Bridge structure located in Saratoga County.

C. It shall be unlawful for any person to obstruct vehicular or pedestrian traffic or to create a hazardous condition while on that portion of the Hadley-Luzerne Bridge located in Saratoga County.

D. It shall be unlawful for any person to damage, destroy, remove or tamper with any sign posted by the County of Saratoga prohibiting trespassing on the Bridge Premises.

SECTION 4. Penalties for Offenses

Any person who violates Section 3 of these Regulations shall be guilty of an offense punishable by a fine of not exceeding one hundred dollars and by imprisonment not exceeding thirty days.

SECTION 5. Severability.

If any clause, sentence, paragraph, subdivision, section or part of these Regulations or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of these Regulations or in its application to the person, individual, corporation, firm, partnership entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

SECTION 6. Effective Date

These Regulations shall take effect immediately.

RESOLUTION 154 - 12

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

DETERMINING THAT THE DONATION TO THE STATE OF A SUBDIVIDED 2.55 ACRE PARCEL ON THE TOP OF SPRUCE MOUNTAIN IN THE TOWN OF CORINTH WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT AND AUTHORIZING ISSUANCE OF A NEGATIVE DECLARATION UNDER THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, pursuant to Resolution 19-12, this Board endorsed a proposal of our Trails Committee to subdivide the 8.29 acre parcel owned by the County of Saratoga at the top of Spruce Mountain, bearing Tax Parcel #85.-1-24 in the Town of Corinth, for the purpose of conveying a portion of said parcel containing the Spruce Mountain Fire Tower to the State of New York ("Project"); and

WHEREAS, the approvals required to subdivide said parcel into a 5.62 acre parcel to be retained by the County and a 2.55 acre parcel to be donated to the State have been obtained from the Adirondack Park Agency and the Town of Corinth; and

WHEREAS, the Project is an Unlisted Action subject to the requirements of the State Environmental Quality Review Act (SEQRA) pursuant to 6 NYCRR Part 617; and

WHEREAS, the Saratoga County Board of Supervisors has reviewed the proposed Project, as well as Part I of a Short Environmental Assessment form prepared for the Project and the proposed responses to Part II of said Short Environmental Assessment form; and

WHEREAS, the Saratoga County Board of Supervisors hereby determines that the Project is an unlisted action pursuant to 6 NYCRR Part 617; now, therefore, be it

RESOLVED, that based upon the Project as proposed and the responses set forth in Part II of the Short Environmental Assessment form prepared for the Project, the Saratoga County Board of Supervisors hereby determines that the Project will not have a significant impact upon the environment; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby issues a Negative Declaration for this Unlisted Action pursuant to 6 NYCRR Part 617; and be it further

RESOLVED, that the Chair of the Board be, and hereby is, authorized and directed to execute the Environmental Assessment form (a copy of which is attached hereto), indicating the proposed action will not result in any significant adverse environmental impact, and be it further

RESOLVED, that the Clerk of the Board is directed to cause a negative declaration to be filed in accordance with the requirements set forth in the applicable administrative and procedural regulations of SEQRA.

BUDGET IMPACT STATEMENT: No budget impact.

617.20

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR
Saratoga County

2. PROJECT NAME
Spruce Mountain Land Transfer

3. PROJECT LOCATION:
Municipality Town of Corinth County Saratoga County

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
Summit of Spruce Mountain, Town of Corinth, Saratoga County, see attached map and survey

5. PROPOSED ACTION IS:
☑ New ☐ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
Saratoga County will be transferring 2.55+/- acres at the top of Spruce Mountain to the State of New York. The property contains the historic Spruce Mountain Fire Tower.

7. AMOUNT OF LAND AFFECTED:
Initially 2.55 acres Ultimately 2.55 acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
☑ Yes ☐ No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
☐ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☑ Park/Forest/Open Space ☐ Other
Describe:
Property is surrounded by County and State owned forestland.

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
☑ Yes ☐ No If Yes, list agency(s) name and permit/approvals:
Subdivision Approval - Town of Corinth, Subdivision Approval - Adirondack Park Agency, both have been recieved.

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
☐ Yes ☑ No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes ☑ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/sponsor name: Saratoga County, Planning Department Date: _____
Signature: _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER
1

Reset

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☑ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☑ No

C. COULD ACTION RESULT IN **ANY** ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

None

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

None

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

None

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

None

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

None

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

None

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

None

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
☐ Yes ☑ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☑ No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☑ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Saratoga County
Name of Lead Agency

Date

Thomas N. Wood, III
Print or Type Name of Responsible Officer in Lead Agency

Chairman, Board of Supervisors
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Reset

All map bearings are oriented to grid north (except deed bearings)
All distances are horizontal ground
The grid factor is 0.999983777195 (combined ellipsoidal and scale factor)
The average project elevation is 2804 feet
The coordinates are New York State Plane(New York East Zone)
The datum is North American 1983(adjusted 2007)

NOTE: The coordinates shown hereon were generated by the Albany Real Property staff utilizing the N.Y.S. Department of Transportation Cooperative Base Network and the National Geodetic Survey Network (HARN) (NAD 1983/2007 adjustment)

Notes:

1) Field survey completed on March , 2012
2) Snow depth 3-5" on ground during this survey.
3) This survey does not represent any underground utility location or sub-surface locations.
4) Lot B is being conveyed to New York State. The boundary lines of Lot B are shown hereon by solid darker lines. These boundary lines will be blazed and then painted yellow.
5) The boundary lines of the original 8.3 acre lot have been blazed by foresters from Adirondack Lyme Timberlands and are not of survey quality. This survey has determined those maintained lines are wide and meandering.
6) This project will become a part of the Wilcox Lake Wild Forest U.M.P.
7) CP 3 = NYSDEC Commissioner Policy # 3, motor vehicle access-to-state lands

HORIZONTAL CONTROL DATA REFERENCE

Spruce Mountain GPS Project

Instrumentation: 2 Trimble 5700 Receivers
2 Trimble R3 Receivers
2 Trimble R8 GNSS Receivers

Survey Method : Static Differential GPS
Network Connections measured on Feb. 7, 2012

Ellipsoid Model : Ellipsoidal height determined by GPS observations and referenced to NAD 83

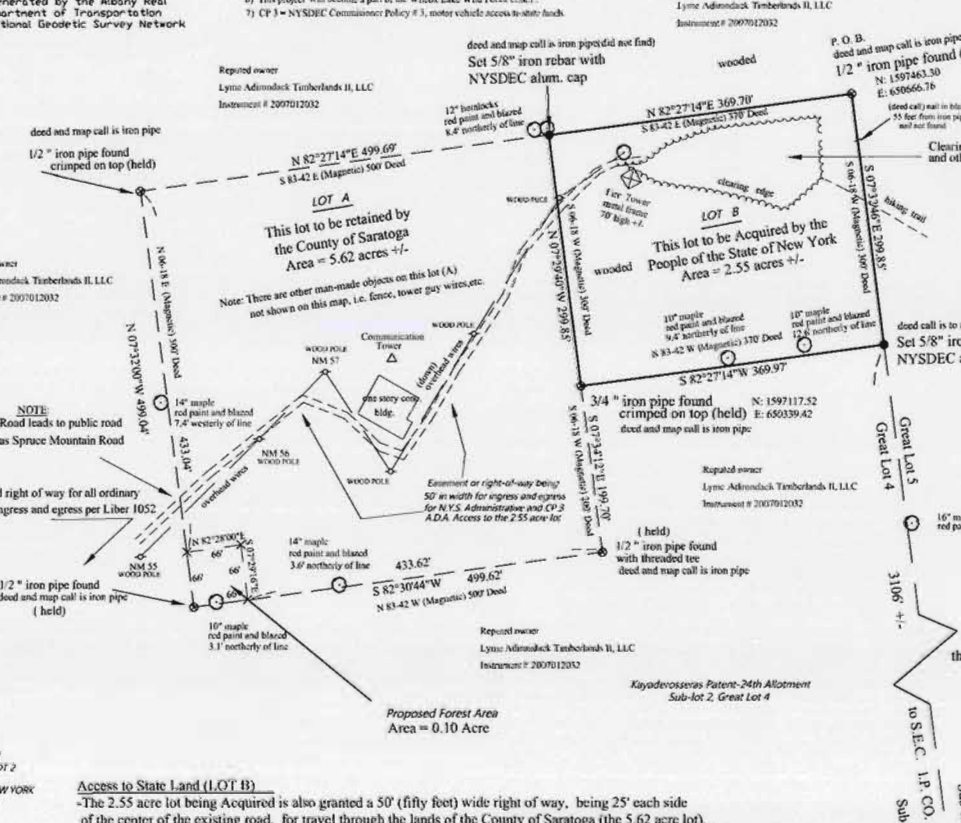
Linear Unit: Meter/U.S. Survey Foot

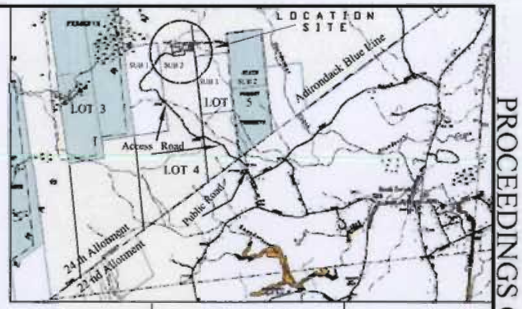
Horizontal Control Stations held fixed in Establishing Local Survey Control

CORINTH- (CBN) - PID: AA7995 - NAD 83(2007)
The horizontal coordinates were established by GPS observations and adjusted by the National Geodetic Survey February 2007
N 43 - 14 - 07.69493
W 073 - 49 - 38.61107
Ellipsoidal Height : 168.921 (meters) Adjusted 02/10/07

EDINBURG- (FBN) - PID: AA7908 - NAD 83(2007)
The horizontal coordinates were established by GPS observations and adjusted by the National Geodetic Survey February 2007
N 43 - 13 - 40.95784
W 074 - 06 - 40.18677
Ellipsoidal Height : 293.991 (meters) Adjusted 02/10/07

SARAPORT- (CBN) - PID: OD1774 - NAD 83(2007)
The horizontal coordinates were established by GPS observations and adjusted by the National Geodetic Survey February 2007
N 43 -03 - 01.38968
W 073 - 51 - 39.02395
Ellipsoidal Height : 99.792 (meters) Adjusted 02/10/07





LOCATION MAP
D. O. T. Planimetric
LOCATION MAP SCALE 1" = 4000'

The Hatched area on Location Map represents N.Y.S. Conservation Easement lands

Lands of the County of Saratoga

- The original lot to be subdivided is 8.3 acres
- Acreage determined by this survey = 8.27 acres
- Lot A will be retained by the County of Saratoga--5.62 acres
- Lot B is to be conveyed to New York State--2.55 acres
- The proposed forest area shown is reserved for the County of Saratoga being 0.10 acres

Legend

●	Set corner monument (as labeled)
⊕	Iron pipe found
⊙	Blazed + painted tree
S.E.C.	Assumed to be south east corner
~~	Gravel road
ø	Wood utility pole
x	Point
△	Approx. 200' high metal communication tower

0 50' 100' 200' 300' 400'
1" 2" 3" 4"
MAP SCALE: 1" = 100'

ANY UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW

ABSTRACT OF TITLE

-PROCEEDING NO. 81278, PROJECT AFP SARATOGA 75, SPRUCE MT. FIRE TOWER DATED MAY 15 2010 PREPARED BY ROBERT S. GREENE, TITLE SEARCHER EMPLOYED BY THE N.Y.S. OFFICE OF THE ATTORNEY GENERAL

DEED REFERENCES

-HUDSON RIVER PULP AND PAPER COMPANY TO INTERNATIONAL PAPER COMPANY LIBER 217 PAGE 380, CONVEYS 750 ACRES IN KAYADEROSSERAS PATENT GL 4, SUBLOT 2

- INTERNATIONAL PAPER COMPANY TO CONSERVATION DEPT. OF THE STATE OF NEW YORK LIBER 815 PAGE 595, GRANTS RIGHT + PRIVILEGE FOR FIRE TOWER LOT 2.548 ACRES IN KAYADEROSSERAS PATENT GL 4, SUBLOT 2

- INTERNATIONAL PAPER COMPANY TO VANCURLER BROADCASTING CORP. LIBER 652 PAGE 307, CONVEYS 20 YEAR LEASE ON 500 FOOT SQUARE LOT IN KAYADEROSSERAS PATENT GL 4, SUBLOT 2

- INTERNATIONAL PAPER COMPANY TO INTERNATIONAL PAPER REALTY CORPORATION LIBER 1038 PAGE 332, CONVEYS 8.3 ACRES IN KAYADEROSSERAS PATENT GL 4, SUBLOT 2

-INTERNATIONAL PAPER REALTY CORPORATION TO COUNTY OF SARATOGA LIBER 1052 PAGE 787, CONVEYS 8.3 ACRES IN KAYADEROSSERAS PATENT GL 4, SUBLOT 2

-INTERNATIONAL PAPER COMPANY TO COUNTY OF SARATOGA LIBER 1052 PAGE 792, CONVEYS RIGHT OF WAY IN KAYADEROSSERAS PATENT GL 4, SUBLOT 2

MAP REFERENCES

1) "MAP SHOWING LOCATION OF RIGHT OF WAY AND 5.739 ACRE PARCEL OF LAND PROPOSED TO BE CONVEYED TO THE VAN CURLER BROADCASTING CO. LOCATED ON SPRUCE MOUNTAIN". PREPARED BY LESLIE W. COULTER PLS, DATED AUGUST 1, 1952 FILED IN THE SARATOGA COUNTY CLERKS OFFICE AS BOOK 15 PAGE 60 OF HIGHWAY MAPS

2) "SPRUCE MOUNTAIN TOWERS, SURVEY MAP OF LANDS OF SARATOGA COUNTY". PREPARED BY CHAZEN ENGINEERING & LAND SURVEYING CO. P.C. DATED MAY 24, 2007, MAP NOT FILED IN SARATOGA COUNTY CLERKS OFFICE

3) "SPRUCE MOUNTAIN TOWERS, SUBDIVISION MAP OF LANDS OF SARATOGA COUNTY, TOWN OF CORINTH, SARATOGA COUNTY, NEW YORK" PREPARED BY CHAZEN ENGINEERING & LAND SURVEYING CO. P.C. DATED FEBRUARY 18, 2010, MAP NOT FILED IN SARATOGA COUNTY CLERKS OFFICE

4) "COMPILATION MAP OF LANDS SUBJECT TO A CONSERVATION EASEMENT TO BE ACQUIRED PURSUANT TO SECTION 3-0305 OF THE ENVIRONMENTAL CONSERVATION LAW, PROJECT: AFE SARATOGA 35". PREPARED BY ROBERT A. MORRELL P.L.S. DATED JANUARY 8, 2007. FILED AS MAP NUMBER 11852 WITH THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Access to State Land (LOT B)

-The 2.55 acre lot being Acquired is also granted a 50' (fifty feet) wide right of way, being 25' each side of the center of the existing road, for travel through the lands of the County of Saratoga (the 5.62 acre lot), said travel by vehicle. The purpose of this vehicle access allows the right of ingress and egress for two specific purposes; 1) Administrative use. 2)(ADA)CP 3 (See note # 7), being the Americans with Disabilities Act.

Together with an Easement or Right- of- way (described in more detail in Liber 1052 at page 792) to follow the existing wood road as now used and located and which is shown generally upon a map entitled "Map Showing Location of Right of Way and 5.739 Acre Parcel of Land Proposed to be Conveyed to the VanCurler Broadcasting Co. Located on Spruce Mountain", see map reference # 1. This right of way will be used to gain access from the public road (Spruce Mountain Road) to the County of Saratoga owned lands (the 5.62 acre lot). The purpose of this vehicle access 1) Administrative use. 2) (ADA) CP 3 (See note # 7) being the Americans with Disabilities Act.

ABSTRACT NOTES

- International Paper Company grants rights to Conservation Department of the State of New York to operate and maintain a fire observation tower as described in item# 4 and being liber 815 page 595 Together with rights of ingress and egress and other associated rights. This right is still in effect
- AdirondackPark Agency to International Paper Company a permit for two lot subdivision of 1008.3 acre lot, one lot being 8.7 acres and the other lot being 1000 acres, as described in item # 5 and being in liber 35 page 590 of Miscellaneous records. This permit is still in effect.
- Mineral rights reserved by and to International Paper Realty Corporation as described in item #7 and being in liber 1052 at page 787. This reservation affects the whole of the 8.3 acre lot
- International Paper Company to County of Saratoga grants easement and right of way for ingress and egress in common with the party of the first part as described in item# 8 and being liber 1052 at page 792
- International Paper Company and William E. Tessitore by reciprocal indenture grant mutual right of way to each other and being in liber 1048 at page 400, however this not found in abstract
- County of Saratoga lease to Niagara Mohawk Power Corporation the non-exclusive use of the 200' tower and county owned building on Spruce Mountain by County resolution 54-00, as described in item # 9. This lease affects Lot A.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
PREPARED BY BUREAU OF REAL PROPERTY

MAP Of Land to be Acquired in Fee by
THE PEOPLE OF THE STATE OF NEW YORK
Pursuant to Section 3-0305 of the Environmental Conservation Law

PROJECT: AFP SARATOGA 75
Spruce Mountain Fire Tower

VENDOR: COUNTY OF SARATOGA

Situate in: Kayaderosseras Patent-24th Allotment
being a portion of Sub-lot 2, Great Lot 4
Town of Corinth County of Saratoga
State of New York

I HEREBY CERTIFY THAT THIS IS AN ACCURATE SURVEY MAP PREPARED BY ME OR UNDER MY DIRECTION FROM AN ACTUAL FIELD INSTRUMENT SURVEY PERFORMED IN ACCORDANCE WITH THE STANDARDS AND PROCEDURES ADOPTED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Daryl Grant Eddy, P.L.S. # 50439-2 Date

MAP DRAFTED BY: D.G. Eddy DATE

SURVEY FEE A 509
FIELDBOOK: KIMMOLEY #7, PAGE 49-43

MAP NO. 12,342

"Alteration of this document, except by a N.Y.S. Licensed Land Surveyor, is illegal"

RESOLUTION 155 - 12

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

AUTHORIZING THE CHAIR TO EXECUTE A LAND DONATION AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO CONVEY A SUBDIVIDED 2.55 ACRE PARCEL ON SPRUCE MOUNTAIN TO THE STATE OF NEW YORK

WHEREAS, pursuant to Resolution 19-12, this Board endorsed a proposal of our Trails Committee to subdivide the 8.29 acre parcel owned by the County of Saratoga on Spruce Mountain, bearing Tax Parcel #85.-1-24 in the Town of Corinth, for the purpose of conveying a portion of said parcel containing the Spruce Mountain Fire Tower to the State of New York; and

WHEREAS, the approvals required to subdivide said parcel into a 5.62 acre parcel to be retained by the County and a 2.55 acre parcel to be donated to the State have been obtained from the Adirondack Park Agency and the Town of Corinth; and

WHEREAS, the conveyance of the 2.55 acre parcel to the State will restore said parcel to the tax rolls; and

WHEREAS, the planned rehabilitation of the Fire Tower and the construction of a trail leading thereto by the State and the Friends of the Spruce Mountain Fire Tower will have a positive economic impact on the local economy through the generation of additional tourism to the top of Spruce Mountain and to the Town of Corinth; and

WHEREAS, the conveyance of the 2.55 acre parcel containing the Fire Tower to the State of New York would significantly reduce or eliminate the County's liability resulting from having the State-owned Tower located on County lands; and

WHEREAS, in consideration for this conveyance, the State has provided in-kind services consisting of the preparation of a subdivision map and a written description of the subdivided parcels, blazing the boundary lines of the parcels, and the installation of monument markers on the corners of the two parcels; and

WHEREAS, the New York State Department of Environmental Conservation has requested that the County execute a Land Donation Agreement setting forth the rights and obligations of the parties through the completion of this transaction; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a Land Donation Agreement with the New York State Department of Environmental Conservation, as well as a deed and any other documents necessary to effect the conveyance to the State of New York of the 2.55 acre subdivided parcel containing the Spruce Mountain Fire Tower in the Town of Corinth, with the form and content of such Agreement, deed and documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT; No budget impact.

RESOLUTION 156 - 12

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

DETERMINING THAT THE CONVEYANCE TO THE TOWN OF MOREAU OF A .082 ACRE PARCEL OF COUNTY REFORESTED LAND FOR A PUMPING STATION, AND THE CREATION OF A REPLACEMENT .1 ACRE PARCEL OF REFORESTED LAND ON SPRUCE MOUNTAIN, WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT AND AUTHORIZING ISSUANCE OF A NEGATIVE DECLARATION UNDER SEQRA

WHEREAS, by Resolution 81-12 this Board of Supervisors requested Home Rule Legislation to approve the removal of .082 acres of reforested 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 (the "Project"); and

WHEREAS, the New York State Senate and Assembly have respectively passed Senate Bill No. S6905 and Assembly Bill No. A9800 which authorize the County to remove and convey .082 acres of County-

owned reforested lands in the Town of Moreau to said Town upon the condition that the County designates a .1 acre section of County-owned land on the top of Spruce Mountain for reforestation; and

WHEREAS, the aforesaid Home Rule Legislation of the County is awaiting the Governor's signature into law; and

WHEREAS, the Saratoga County Board of Supervisors has reviewed the proposed Project, as well as Part I of a Short Environmental Assessment form prepared for the Project and the proposed responses to Part II of said Short Environmental Assessment form; and

WHEREAS, the Saratoga County Board of Supervisors hereby determines that the Project is an unlisted action pursuant to 6 NYCRR Part 617; now, therefore, be it

RESOLVED, that based upon the Project as proposed and the responses set forth in Part II of the Short Environmental Assessment form prepared for the Project, the Saratoga County Board of Supervisors hereby determines that the Project will not have a significant impact upon the environment; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby issues a Negative Declaration for this Unlisted Action pursuant to 6 NYCRR Part 617; and be it further

RESOLVED, that the Chair of the Board be, and hereby is, authorized and directed to execute the Environmental Assessment form (a copy of which is attached hereto), indicating the proposed action will not result in any significant adverse environmental impact, and be it further

RESOLVED, that the Clerk of the Board is directed to cause a negative declaration to be filed in accordance with the requirements set forth in the applicable administrative and procedural regulations of SEQRA.

BUDGET IMPACT STATEMENT: No budget impact.

617.20

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR
Saratoga County

2. PROJECT NAME
Town of Moreau Pump Station Subdivision

3. PROJECT LOCATION:
Municipality Town of Moreau County Saratoga County

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
North side of Spier Falls Road (County Rt. 24), .5 miles West of Westerly line of I-87, Town of Moreau, Saratoga County

5. PROPOSED ACTION IS:
☑ New ☐ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
Saratoga County is subdividing .082 acres of land from a County Owned Forest Parcel to the Town of Moreau for a Drinking Water Pumpstation.

7. AMOUNT OF LAND AFFECTED:
Initially .082 acres acres Ultimately .082 acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
☑ Yes ☐ No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
☐ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☑ Park/Forest/Open Space ☐ Other
Describe:

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
☐ Yes ☑ No If Yes, list agency(s) name and permit/approvals:

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
☐ Yes ☑ No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes ☑ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/sponsor name: Saratoga County, Planning Department Date: _____
Signature: _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER
1

Reset

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☑ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☑ No

C. COULD ACTION RESULT IN **ANY** ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

None

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

None

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

None

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

None

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

None

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

None

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

None

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
☐ Yes ☑ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☑ No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☑ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Saratoga County
Name of Lead Agency

Date

Thomas N. Wood, III
Print or Type Name of Responsible Officer in Lead Agency

Chairman, Board of Supervisors
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Reset

Prepared by the Saratoga County Planning Department. 02/12

RESOLUTION 157 - 12

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

AUTHORIZING THE CONVEYANCE OF A .082 ACRE PARCEL OF REFORESTED LAND TO THE TOWN OF MOREAU FOR A WATER PUMPING STATION SITE AND DESIGNATING A .1 ACRE SECTION OF COUNTY LAND ON SPRUCE MOUNTAIN FOR REFORESTATION PURPOSES

WHEREAS, pursuant to Resolution 81 – 12 this Board of Supervisors requested Home Rule Legislation seeking authorization to remove a .082 acre section of County-owned reforested lands in the Town of Moreau from reforestation purposes and permitting its conveyance for use as the site of a water pumping station to be constructed and operated by the Town of Moreau; and

WHEREAS, the New York State Senate and Assembly have respectively passed Senate Bill No. S6905/Assembly Bill No. A9800 which authorize the County of Saratoga to remove said .082 acre parcel from reforestation purposes and to convey said parcel to the Town of Moreau upon the condition that the County designates a .1 acre section of a parcel owned by the County on Spruce Mountain in the Town of Corinth for reforestation purposes; and

WHEREAS, the County's aforesaid Home Rule Legislation awaits the Governor's signature into law; and

WHEREAS, the Town of Moreau has advised the County that subdivision approval for the .082 acre parcel is not required; and

WHEREAS, the County's conveyance of the .082 acre parcel to the Town of Moreau will be made without consideration pursuant to the authority of General Municipal Law §72-h; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a deed and any other documents necessary to effect the conveyance of a .082 acre section of County-owned reforested land on Spiers Falls Road in the Town of Moreau to the Town of Moreau for purposes of the construction and operation of a water-pumping station, with the form and content of such deed and documents being subject to the approval of the County Attorney; and be it further

RESOLVED, that this Board of Supervisors hereby designates for reforestation purposes the .1 acre section of County-owned land on Spruce Mountain identified in Senate Bill No. S6905/Assembly Bill No. A9800; and be it further

RESOLVED, that the authority granted the Chair herein, as well as the foregoing designation of County land for reforestation purposes, are conditioned upon the prior signing into law of Senate Bill No. S6905/Assembly Bill No. A9800 by the Governor of the State of New York.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 158 - 12

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

APPROVING THE ISSUANCE OF A FINAL REQUEST FOR PROPOSALS FOR THE POTENTIAL PRIVATIZATION OF THE COUNTY LANDFILL

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, this Board received from its consultant Gerhardt LLC a draft RFP and on April 17, 2012 the Board approved Resolution # 96-12 directing the issuance of the Draft RFP for the potential privatization of the Saratoga County landfill facility pursuant to the procedures established in Section 120-w of General Municipal Law and rescinding Resolution # 112-99 which had previously established a policy that the County landfill facility would only be used for the disposal of solid waste generated in Saratoga County and that the landfill would only be owned and operated by the County, and

WHERAS, the availability of the draft RFP from the County Department of Public Works was posted on the Saratoga County website and an invitation for public comment was officially noticed on April 20, 2012 in the Saratogian, on April 23, 2012 in the Daily Gazette, on April 25th in the New York State Environmental Notice Bulletin, and on May 2, 2012 in the New York State Register, and

WHEREAS, such public comment period was open through July 2, 2012, and the comments received on the draft RFP and responses to the comments are contained in Appendix B in the final RFP, and

WHEREAS, the final RFP is attached hereto 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 definitively 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 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, now, therefore be it

RESOLVED, that the Saratoga County Board of Supervisors directs the issuance of the attached final 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.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 159 - 12

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

AUTHORIZING SARATOGA COUNTY SEWER DISTRICT NO. 1 TO COMMENCE EMINENT DOMAIN PROCEEDINGS TO OBTAIN SEWER EASEMENTS ACROSS FOUR PROPERTIES LOCATED IN THE TOWN OF HALFMOON

WHEREAS, pursuant to Resolution 231-10, this Board authorized a contract with John D. McDonald Engineering, P.C. for engineering services for an extension of Saratoga County Sewer District No. 1's sewer system along Routes 4 and 32 in the Town of Halfmoon; and

WHEREAS, Saratoga County Sewer District No. 1 has been acquiring sewer easements over the various parcels of land along Routes 4 and 32 which have been identified as needed for the construction and maintenance of the dual force mains to be installed; and

WHEREAS, the Sewer District has successfully acquired 43 out of the 47 easements needed for the project; and

WHEREAS, the Saratoga County Sewer District Commission has requested authorization for Saratoga County Sewer District No. 1 to initiate eminent domain proceedings to acquire the remaining four sewer easements needed for the installation and maintenance of the force mains along Routes 4 and 32 across the following Tax Parcels: #274.-2-11; #274.-2-20; #274.-2-24; and #268.-1-21; now, therefore, be it

RESOLVED, that Saratoga County Sewer District No. 1 and the Saratoga County Attorney are hereby authorized to undertake all necessary and appropriate steps, including but not limited to, the initiation of proceedings pursuant to the Eminent Domain Procedure Law, to acquire sewer easements needed for the construction and maintenance of new force mains by the Sewer District across the following four parcels along Routes 4 and 32 in the Town of Halfmoon: Tax Parcel #268.-1-21; Tax Parcel #274.-2-11; Tax Parcel #274.-2-20; and Tax Parcel #274.-2-24.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 160 - 12

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

CORRECTING 2010, 2011 & 2012 TAX BILLS AND AUTHORIZING A TAX CREDIT

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

WHEREAS, the owner of the following property has timely submitted proof of errors in her 2010, 2011, and 2012 tax bills, to wit: that the property is a cemetery and therefore exempt from taxation pursuant to RPTL §446; 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 application of the following individual for correction of the 2010, 2011, and 2012 tax rolls be approved, and the tax rolls are so corrected:

PROPERTY OWNER	TOWN	S/B/L	CORR. TAX
Mary Hagadorn	Stillwater	219.-1-38.12	$0

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in the amount of $300.55 to the outstanding 2010, 2011, and 2012 tax bill of the property owner Mary Hagadorn.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 161 - 12

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

CORRECTING 2012 TAX BILL AND AUTHORIZING A TAX CREDIT

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls, 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 an error in their 2012 tax bill, to wit: that the parcel was incorrectly assessed as having a house upon it; and

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

RESOLVED, that the application of the following individuals for correction of the 2012 tax rolls be approved, and the tax rolls are so corrected:

PROPERTY OWNERS	TOWN	S/B/L	CORR. TAX
Stephen G. Amell & Kerry S. Munn	Providence	147.-1-78	$971.54

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in the amount of $2,328.51 to the outstanding 2012 tax bill of the property owners Stephen G. Amell and Kerry S. Munn.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Kinowski made a motion to remove Resolution 134-12 from the table in consideration for a follow-on motion, seconded by Mr. Lawler. The motion PASSED by the following vote:

AYES: (184,918) – Patricia Southworth 9,776; Alan Grattidge 4,133; Philip Barrett 18,352.5; Anita Daly 18,352.5; Richard Lucia 6,531; Mary Ann Johnson 856; Jean Raymond 1,214; George J. Hargrave 3,545; Richard Rowland 7,775; Arthur Wright 2,048; Mindy Wormuth 21,535; Daniel Lewza 18,575; Willard Peck 5,087; John Collyer 1,995; Thomas N. Wood, III 5,674; Joanne Dittes Yepsen 13,293; Matthew E. Veitch 13,293; Edward Kinowski 8,287; John Lawler 8,423; Arthur Johnson 16,173. NOES: (34,689) – Paul Sausville 14,765; Thomas Richardson 5,196; Preston Jenkins Jr. 14,728.

Mr. Kinowski said he makes a motion to send the resolution back to the Public Safety Committee for further review based on the following. This resolution establishes proposed criteria for charging a fee for E911 services to for-profit entities use of our County Dispatch Center Services. The fee in question is intended to help defray operational cost of the County E911 Emergency Dispatch Center. This action to raise new 911 revenues is in its infancy both State and Nationally. He believes there is merit to further review this proposal based on the legal opinions and reviews required to adapt this new law and pending State and possible Federal action. Within the past 10 years the subject of 911 has become very complex with the addition of more advanced forms of incoming communications, including wireless cellular, satellite phones, automatic crash notification systems, and most recently, Voice Over IP(VoIP) telephone service. With each new emerging technology, the nation's local 911 systems manager must change procedures, upgrade their equipment, find more sources of funding, and adapt to how the public wants to report emergencies (source: Dispatch Magazine – Online 911 Systems). In New York a recent 2011 law proposal (S1594) was brought to committee and again in January of 2012. To date the proposal remains in committee awaiting action. This proposal is aimed at plugging holes in New York's tax law. Currently under NYS law, there was not apparatus to collect 911 fees from prepaid cellular customers, despite the fact they utilize the 911 system. Most states have a method of collecting taxes or surcharges from telephone users, to fund the provisions of E911 used by local public safety agencies. These state funds are used to purchase computers, terminals, consoles and associated gear. These funds do not, however, fund the actual operation of the center, which amounted to $2,934,213 for 2011. I believe further review will help the following: provide additional time to determine best methods to develop possible new revenue streams to help defray costs associated with operating the E911 Emergency Dispatch Center and to provide additional time to obtain legal opinion or determination for charging fees to for-profit entities using the E911 Emergency Dispatch Center System.

Mrs. Wormuth seconded the motion to refer the resolution back to Committee. The motion passed by a unanimous vote.

Mr. Collyer said on July 7th the Town of Providence has a ceremony for a new Veterans Memorial. He thanked Supervisor Mary Ann Johnson, Supervisor Patti Southworth and her husband for attending. He thanked Andy Davis for being the guest speaker and thanked Pam Hargrave for her role.

Chairman Wood announced that the next County Community Forum will be August 15th immediately following the Agenda Session.

Mr. Peck said that it really came to him today as he drove to the meeting the culture here in the County. He said the Ballet is in town, the Racetrack opens Friday and the Saratoga County Fair is going on and it is a tremendous area to work and live. He wanted to pass along his good thoughts.

Mr. Sausville reiterated Mr. Peck's thoughts and invited everyone to "A Taste of Malta" taking place at 5pm tonight at the TechSmart Campus.

On a motion by Mrs. Wormuth, seconded by Mr. Hargrave, the meeting unanimously adjourned.

Respectfully submitted,

Pamela A. Hargrave, Clerk