

AGENDA

February 11, 2009 5:00 p.m.

Vice-Chairman Peck called the meeting to order.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Joanne Dittes Yepsen, Shawn P. Connelly, John Lawler, Arthur J. Johnson – 19. ABSENT - Anita Daly, Mary Ann Johnson, Richard Lucia, Matthew E. Veitch – 4.

On a motion by Mr. Hargrave, seconded by Ms. Wormuth, the minutes of the meeting of January 14, 2009 were approved unanimously.

Mr. Wickerham, County Administrator, reviewed the following Agenda items:

BUILDINGS AND GROUNDS

Authorizing the taking of an avigation easement for a parcel in the Town of Milton to remove an obstruction to the County Airport, including such interim tasks as may be required. (Mark Rider, County Attorney)

Mr. Wickerham said currently, a tree is in the flight path of one of the runways.

Authorizing the Chairman to petition the Public Facilities Commission for an extension of the Heritage Springs Water Corporation to include a water main to the County Airport. (Mark Rider, County Attorney)

EQUALIZATION AND ASSESSMENT

Authorizing corrections to the 2009 tax roll in the Towns of Clifton Park (\$12,173.22) and Saratoga (\$3,576.61). (Carol Holley, Real Property Tax Director)

ECONOMIC DEVELOPMENT

Amending the budget to appropriate an additional \$6,000 in appropriations and revenues for the County Planning Conference. (Jason Kemper, Planning Director)

Authorizing the Chairman to enter into a management agreement with the Wilton Wildlife and Preserve to manage a parcel of County forest land at no cost to the County. (Jason Kemper, Planning Director)

Amending the boundaries of Consolidated Agricultural District #2 to include the Glenn Farm in the Town of Galway. (Jason Kemper, Planning Director)

PUBLIC HEALTH

Authorizing the Chairman to accept an additional \$1,194 in State funding for Transitional Services Association, Inc. and amending the budget under Mental Health. (Dale Angstadt, Mental Health Director)

LEGISLATIVE AND RESEARCH

Urging the NYS Legislature to support the State's Farmland Protection Program and Environmental Protection Fund. (Jason Kemper, Planning Director)

Mr. Wickerham stated the Governor has proposed making cuts there as he tries to balance the budget.

Supporting NYS Senate Bill S.255/S.256 sponsored by Senator Elizabeth Little proposing amendments to Real Property Tax Law in relation to the taxation of property owned by a cooperative corporation. (Mark Rider, County Attorney)

Mr. Wickerham said condos pay the same tax base as single-family homes.

SOCIAL PROGRAMS

Authorizing Chairman to enter into renewal contracts for the Expanded in Home Services for the Elderly Program (EISEP) to provide personal aide care to the elderly. (Sandi Cross, Office for the Aging Director)

Mr. Wickerham stated this is the same rate as 2008, and the rate is set by Medicaid.

Authorizing Chairman to enter into renewal contract with a registered dietician to provide nutrition services to the Office for Aging at a cost of \$35.00 per hour. (Sandi Cross, Office for the Aging Director)

Mr. Wickerham stated she will work just under 1,000 hours per year.

Authorizing the Chairman to enter into a contract with Capitaland Taxi to provide transportation for seniors in the Towns of Charlton, Edinburg, Galway, Providence, and Saratoga at a cost not to exceed \$26,920. (Sandi Cross, Office for the Aging Director)

Mr. Wickerham said it is the same rate as last year, and there is no county match on that particular program.

Authorizing the Chairman to accept a \$100,000 Legislative Grant in the Office for the Aging and amending the budget in relation thereto. (Sandi Cross, Office for the Aging Director)

Mr. Wickerham said this will be parceled out to a number of senior organizations.

Authorizing the Chairman to enter into an agreement with Evergreen Adult Day Care to provide social adult day care services at cost not to exceed \$84,000. (Sandi Cross, Office for the Aging Director)

PUBLIC SAFETY

Authorizing the Chairman to enter into an agreement with Motorola Inc. to purchase 1,700 pagers at a cost of \$559,130. (Paul Lent, Emergency Services Director)

Mr. Wickerham said this was the lowest of three bids.

LAW AND FINANCE

Authorizing settlement of multi-County litigation against pharmaceutical companies as follows:

EMD/Serono	\$385.13
Barr	\$11,094.31
Teva/Ivax	\$44,377.25
BMS	\$41,536.00
Bayer	\$4,290.00
Fujisawa	\$1,100.00
Merck	\$11,000.00
Little Group	\$16,000.00

and authorizing the Chairman of the Board and the Chairman of Law and Finance to authorize future settlements against pharmaceutical companies. (Mark Rider, County Attorney)

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, FEBRUARY 24, 2009
AT 4:00 P.M., E.S.T.

Board called to order by Chairman Johnson.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, Arthur J. Johnson – 20. ABSENT - John Lawler, Willard H. Peck, Richard Rowland – 3.

The invocation was given by Tom Wood, Chaplain.

PUBLIC INPUT

Dave Cummings, of the Saratoga County Farm Bureau, said this is his fourth annual opportunity to provide comments to the Board on behalf of the Saratoga County Farm Bureau and its equine community. They distributed informational packets from the Farm Bureau to the Supervisors.

Mr. Cummings stated the following:

“With the last USDA survey, there are almost 12,000 equines in Saratoga County. The value is estimated to be \$250.5 million dollars. New York State’s equine industry is estimated at worth more than a billion dollars, and Saratoga should garner every bit of that industry, as possible. Official surveys suggest that 80% of horse people in New York are involved in recreational or pleasure riding or driving. Most of our Saratoga equines exist on small breeders’ farms and in the backyards of equine lovers. The ability to sustain this reality, with its beautiful imagery, is dependent on continued cooperation at all levels of government. Specific actions on better tax credits and the nuances of legislative language are not overlooked or under appreciated. Last year, we know you supported an extension of the ten-year real property tax exemption on farm buildings; this was accomplished with a new sunset date of 2019. We would have preferred no sunset date, as a clear affirmation that all levels of government support agriculture. The exemption helps save money on new construction and provides a clear incentive to continue to invest in agricultural operations. Further, ag assessment deliberations and applications need to be inclusive vs. conducted with an exclusive attitude. We ask that you reinforce this point with your respective assessors, building inspectors, and planning and zoning boards. We know farms demand less of infrastructure services than new housing developments. We know a balance can be struck with residential and commercial developments. In this positive attitude, we can keep some lands in production while recognizing Saratoga’s continued economic growth on all fronts.

“The funding and processing of Purchase of Development Rights, while recognized in last year’s budget approval, is still inadequate. As your budget allows, please continue and expand efforts for this worthy approach to keep lands in agriculture. Open space is a means for low impact tourism and small-sized equine farming development to increase county tax revenues. Approve the real estate two-percent transfer tax in the County and your towns.

“The continuance of a thoroughbred franchise award to NYRA leaves issues open to debate with potential negative impacts on the industry and the region. We are happy that your committee and board leaders advocate for inclusion in the NYRA and New York State Racing and Wagering Board decision-making process. Revenue to keep purse structures and breeders’ awards competitive with other states will only enhance our citizens to stay employed and spending in our local economy. Official surveys reflect that thousands of horse people in New York are in a business proposition with breeding and racing. They are part of the agricultural product. Any revenue streams, deductions or credits keep our farm dreams afloat.

“The CCE Equine program has provided valuable service in saving producers money, in networking equine markets, in educating current and future horse farmers and the general public. Some of you have participated in the farm tours. But funding is vulnerable. Washington County decreased support to what we see as sister services in the Ag Economic Development position. Some express reluctance to ask for more funds or to take chances in expanding opportunities to the greater equine community. Some seem to think fiscal support to

equine jeopardizes other agricultural funding. Don't get caught in those turf wars. All programs are compatible and mutually supportive. The CCE equine leadership group is demonstrating its merit to the local consumers. They have guided some two and a half million dollars impact in services for not only the equine community, but for the spin-off positive effect in other agriculture endeavors. The horse symposium is an outstanding program. Participate in the April 18th program and see the motivated, involved children and their families. These families support and sustain economic equine viability.

"The Board of Supervisors should incorporate members of the equine community to develop plans for both short-term and long-term elements of a regional horse park which were discovered and identified in the feasibility study phase. Ownership of equines in Saratoga seems to have three primary orientations: 1) pleasure equines for back yard and trail riding; 2) working equines for logging, plowing, cartage and transportation; and 3) breeding and training of equines for competition in eventing and racing programs. All of these might be served by diligent development of sound programmatic and fiscal planning.

"In closing, let me wax a bit eloquent with some horse sense. The horses, small farms and entertainment equine sites are gems in the tiara that is Saratoga. Let's not lose that inherent relationship and continue to add more gems in both the small settings as well as settings that might draw even more equine enthusiasts to our beautiful County.

"The Saratoga County Farm Bureau stands ready to continue to work on keeping the tiara polished. Thank you."

John Arnold, Membership Chair, Saratoga County Farm Bureau, stated his wife and he operate the Arnold Air Farm in the Town of Moreau. He said his family has owned and operated this dairy farm since 1969, and his family has farmed in Saratoga County for over 150 years. He said these are trying times for the economy as a whole, but the good news is Saratoga County is the only county in the State with increased farm numbers. The number of farms in Saratoga County are up 8%; number of acres and production; value of production up 75%. He said a lot of new farms are not large acreage farms. He thanked the Board for its support of agriculture in the County. He said he is on the Planning Board for the Town of Moreau and on the Rezoning Committee. He said they are looking at ways to deal with development and are still trying to maintain their agricultural community. He stated Cornell Cooperative Extension is there for the Saratoga County farmers with up to date technological information and educational programs. We appreciate all that they do and the County's support of their programs.

On a motion by Ms. Wormuth, seconded by Mr. Hargrave, the minutes of the meetings of December 10, 2008; December 16, 2008; January 2, 2009; and January 20, 2009 were approved unanimously.

The Clerk presented the following:

Copy of a resolution adopted by the Town of Queensbury "Setting Public Hearing On Proposed Local Law To Amend Queensbury Town Code By Repealing Existing Chapter 179 'Zoning' And Replacing It With A New Chapter 179 'Zoning' " along with copies of the draft zoning law, draft zoning map and SEQR Long EAF.

Received and filed.

Notice of Public Hearing to consider the adoption of Local Law No. 2 of 2009 of the Town of Moreau to regulate the location and use of outdoor hydronic heaters within the Town of Moreau.

Received and filed.

Copy of a resolution adopted by the Seneca County Board of Supervisors "Urging Governor Paterson To Order The Printing And Issuing Of Tax Exemption Coupons For Members Of Indian Tribes."

Referred to Supervisor Rowland and the County Administrator.

Copy of a resolution adopted by the Town of Moreau supporting the Saratoga County Board of Supervisors' efforts to improve rail infrastructure within Saratoga County.

Referred to Supervisor Rowland and the County Administrator.

Copy of a proposed Local Law and Notice of Public Hearing on “Amending The Corinth Town Code Zoning And Subdivision Provisions.”

Received and filed.

Copy of a resolution adopted by the Yates County Legislature “Approval/Memorialization/Support Of Continuation of the Empire Zone Program.”

Referred to Supervisor Rowland and the County Administrator.

To All Members Of The Board of Supervisors:

Once again, you have gone over and above in your assistance to our Christmas Program. It is so deeply appreciated by all.

This year, Saratoga County Social Services assisted nearly 400 children and their families with Christmas. We are sincerely grateful for your continued assistance. It is truly a joy to help those less fortunate.

Again, with sincere and deep gratitude, thank you for your help.

Sincerely,
Carol Clark, Supervisor
Adult & Family Services

Thanks for giving all you give...

Words cannot express my appreciation for the fruit basket, all the calls, the cards, and prayers during my hospitalization and since being home.

Saratoga County folks are a great family to have.

Many sincere thanks,
Dick Lucia

Dear Barbara Plummer and Saratoga County employees,

We receive numerous care packages throughout or deployment, however, it is always great to receive them from someone you know. When I got the two packages from you around Christmas time, I was one, shocked that you took the time to put them together and also filled with warmth knowing that I work for such a great County filled with caring people. Your packages were filled with “goodies” and stuff that made not only me, but my men smile and laugh at the thoughtfulness put into them. It was obvious they were put together with thought and kind hearts. Thank you so much from my men and myself. It’s almost time to come home, and we are all ready! It’s been a long year so far, and I’m looking forward to seeing family and friends. Please expect a visit once I reach home. It’s the least I can do to show my appreciation.

Thank you again!

Sincerely,

SSG Keven Lancto (Saratoga County Sheriff’s Dept.)
2nd Squad, 3rd Platoon, 812th MP Co
Mosul, Iraq

REPORTS:

Stocking Report for 2008 of the Great Sacandaga Lake's Fisheries Federation, Inc.

Received and filed.

2008 Annual Reports of the Saratoga County Dept. of Public Works, Environmental Management Council, Youth Bureau, Department of Employment & Training, Personnel Department, Probation Department, and the Department of Social Services.

Received and filed.

REPORT NO. 1-09

COUNTY FINANCIAL OFFICER-DOG LICENSE REPORT

Office of the Financial Officer of the County of Saratoga, 25 West High Street, Ballston Spa, NY.

This report is filed pursuant to Section 111 of the Agriculture and Markets Law and covers the moneys remitted and the moneys expended by me under the provisions of Article 7 of the Agriculture and Markets Law for the period January 1, 2008 to December 31, 2008

RECEIPTS

Total balance on hand January 1, 2008	\$ -0-
Dog license fees received	\$26,050.26
Tag fees received	\$ 545.00
Damages recovered from dog owners	\$ -0-
County appropriation	\$ -0-
Total amount available for the year ending December 31, 2008	\$26,595.26

DISBURSEMENTS

Paid 36% of dog license fees to Dept. of Agriculture & Markets	\$ 9,378.09
Paid tag fees to Dept. of Ag. & Mkts.	\$ 545.00
Paid claims for indemnification by dogs	\$ 3,970.00
Paid for County dog control officer services	-0-
Paid for County shelter services	\$12,702.16
Paid to towns and cities 75% of total surplus for last reporting period	\$ -0-
Total disbursement during the year ending December 31, 2008	\$26,595.26
Total surplus for the year ending Dec. 31, 2008	\$ -0-

75% of the above surplus amounting to \$ -0- to be apportioned to cities and towns ratably to the remittance each made.

Samuel J. Pitcherelle
Saratoga County Treasurer

NOTE: This report is to be made in the month of January and a copy thereof filed with the Commissioner of Agriculture and Markets of the State of New York, 1 Winners Circle, Albany, NY and the governing body of the county.

REPORT NO. 2-09

2008 YEARLY BALANCE SHEET – COUNTY CLERK’S OFFICE

1. Fee charged or received for recording & certificate thereof	\$1,230,417.25
2. Fee charged or received for official services	1,491,014.28
3. Fee received for Motor Vehicle Registrations	2,124,621.39
4. Sales Tax Motor Vehicle	28,488.52
5. Real Estate Transfer Tax	6,015.50
6. Money refunded for errors and duplication services	-58.00
7. Fee charged for RP-5217's	527,010.00
8. Fee charged for Education Fees	714,080.00
9. Public Copiers	14,873.25
TOTAL	\$6,136,462.19

RECEIPTS

Amount received as shown	6,136,462.19
DMV Sales Tax & Fees	34,660,461.34
Amount of Mtg. Tax, unapportioned as of 1/1/08	451,714.59
Amount of Mtg. Tax received in 2008	15,034,033.95
Interest received on County Clerk Account	482.90
Transfer Tax	3,896,033.55
TOTAL	\$60,179,188.52

DISBURSEMENTS

Amount paid to County Treasurer	3,820,326.94
Amount paid to Co. Treasurer for Educ. Acct.	35,704.00
Amount paid to NYS Education Dept.	678,338.00
Amount paid to RP-5217 Account	474,774.00
Amount paid State of New York for Court Fees	1,121,839.25
Amount of Mtg. Tax paid County Treasurer	7,915,918.30
Amount of Mtg. Tax paid Capital Dist. Trans. Authority	3,744,924.57
Amount paid to State of NY Mtg. Tax Agency	3,661,143.71
Amount of Mtg. Tax paid to other counties & expenses	152,757.18
Amount of Mtg. Tax unapportioned 12/31/08	10,270.00
Amount paid to County Clerk ½ Int. on Mtg. Acct.	734.78
Amount paid to State for Notaries	5,480.00
Amount paid to NYS RETT	3,890,088.05
Amount paid to Co. Treasurer for RETT	5,945.50

Amount paid to Co. Treasurer for Int. on	
Main Account	482.90
Amount paid to NYS Sales Tax for DMV	19,596,359.07
Amount paid to NYS DMV for fees	15,064,102.27
	TOTAL \$60,179,188.52

Kathleen A. Marchione
Saratoga County Clerk

Chairman Johnson stated Res. 55 did not go through committee. This was passed before at least a couple of times and has to do with a land swap with the Town of Moreau.

On a motion by Ms. Yepsen, seconded by Ms. Wormuth, Resolution Nos. 39 through 56 were adopted by a unanimous vote.

RESOLUTION 39 – 09

Introduced by Supervisors Thompson, Hargrave, Hunter, Jenkins, M. Johnson, Rowland and Wormuth

AUTHORIZING ALL STEPS NECESSARY TO OBTAIN AN AVIGATION EASEMENT OVER PARCEL 189.12-1-54 IN THE TOWN OF MILTON

WHEREAS, Resolution 192-08 authorized an agreement with North American Flight Services to remove 16 points of obstruction of the approach slope for airplanes landing at the Saratoga County airport; and

WHEREAS, the owners of parcel number 189.12-1-54 in the Town of Milton, on which one of said obstructions is located, has declined to allow its removal; and

WHEREAS, it is desirable and necessary to obtain an avigation easement over this property to remove the obstruction and to enhance the safety of planes landing at the airport by extending landing capabilities to night landings on runway 5; and

WHEREAS, funding from the FAA may be available to reimburse the county for most of the cost of obtaining an avigation easement; now, therefore, be it

RESOLVED, that Saratoga County, its employees, agents and subcontractors are authorized to take any and all steps necessary to negotiate and obtain an avigation easement over parcel 189.12-1-54 in the Town of Milton by purchase or if necessary by eminent domain; and be it further

RESOLVED, that application is hereby authorized to be made to the Federal Aviation Administration for funding to reimburse Saratoga County for the costs of obtaining the easement.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 40 - 09

Introduced by Supervisors Thompson, Hargrave, Hunter, Jenkins, M. Johnson, Rowland and Wormuth

AUTHORIZING A PETITION TO THE PUBLIC SERVICE COMMISSION TO EXTEND THE SERVICE AREA OF THE HERITAGE WATER WORKS, INC. TO THE SARATOGA COUNTY AIRPORT

WHEREAS, Resolution 219-08 authorized a contract with Heritage Water Works, Inc. for the connection, operation and maintenance of a water main and for the supply of water to the Saratoga County Airport; and

WHEREAS, the airport is outside of the current boundaries of the service area of Heritage Water Works, Inc., and a petition must be made to the New York State Public Service Commission for permission to extend the said service area to the airport; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute on behalf of Saratoga County a petition to the New York State Public Service Commission for permission to extend the service area of Heritage Water

Works, Inc. to include the Saratoga County Airport, the form of such petition subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 41 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

AMENDING THE SARATOGA COUNTY BUDGET TO APPROPRIATE ADDITIONAL FUNDS FOR THE SARATOGA COUNTY PLANNING CONFERENCE

WHEREAS, additional funds are needed for the 2009 Saratoga County Planning Conference; and
WHEREAS, an amendment to the 2009 Budget is necessary; now, therefore, be it
RESOLVED, that the 2009 Saratoga County Budget is amended as follows:

PLANNING DEPARTMENT:

Appropriations:

Increase Acct. #1-80-000-8513 Meeting Expenses \$6,000

Revenues:

Increase Acct. #1-80-2770 Conference Revenues \$6,000

BUDGET IMPACT STATEMENT: These expenses will be covered by additional conference revenues.

RESOLUTION 42 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

AUTHORIZING THE CHAIRMAN TO ENTER INTO A MANAGEMENT AGREEMENT WITH THE TOWN OF WILTON FOR MANAGEMENT OF COUNTY FORESTRY LANDS WITHIN ITS BOUNDARIES

WHEREAS, Resolution 185-03 authorized an agreement with the Town of Wilton, to manage Saratoga County Reforested Lands in the Town of Wilton through its Wilton Wildlife Preserve and Park; and

WHEREAS, the said arrangement has accomplished its purpose of preserving and enhancing the public's enjoyment of the land consistent with Section 219 of the County Law; and

WHEREAS, the said agreement has ended by its terms, and it is desirable and necessary to enter a new agreement; ; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a Reforestation Lands Management Agreement between Saratoga County and the Town of Wilton to provide for the cooperative management by the Town of Wilton, through the Wilton Wildlife Preserve and Park, Inc. and Saratoga County, through its Department of Environmental Services, of the following County Reforested Lands located in the Town of Wilton; the Ketchum Lot (parcel 128.00-1-61) the Hudson Lot (parcel 128.-1-63), the Traver Lot (parcel 128.00-1-76), the Record Lot (parcel 129-1-24), the Butler Lot (parcel 129.00-1-26), the Perry Lot (parcel 142.-1-33) and the Jones Lot (parcel 154.00-1-48), for a five year period commencing on January 1, 2009 and ending on December 31, 2013 the form and substance of said agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 43 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

APPROVING THE AMENDMENT OF THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #2 TO INCLUDE 102 ACRES OF VIABLE AGRICULTURAL LAND IN THE TOWN OF GALWAY

WHEREAS, New York State Agriculture and Markets Law Section 25-AA allows landowners with viable agricultural lands to petition the County Board of Supervisors with the 30 day annual timeframe to be included in agricultural districts; and

WHEREAS, The Board of Supervisors has received a petition from Robert and Janet Glenn, landowners of Sundown Meadow Farm in the Town of Galway, to include 102 acres of viable agricultural land on Ridge Road that is dedicated to raising beef cattle and raising crops for feed; and

WHEREAS, the Saratoga County Agricultural and Farmland Protection Board have submitted a report for the Board of Supervisors recommending the inclusion of lands of Glenn into Saratoga County Consolidated Agricultural District #2 and having held a public hearing on February 4, 2009 at which time there were no objections to said petitions; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the inclusion of the Glenn lands, consisting of 102 acres on Ridge Road, into Saratoga County Consolidated Agricultural District #2.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 44 - 09

Introduced by Supervisors Peck, Daly, Grattidge, Hargrave, Sausville, Thompson and Wood

AMENDING THE MENTAL HEALTH 2009 BUDGET TO ACCEPT ADDITIONAL STATE FUNDS

WHEREAS, Resolution 28-96, as amended by Resolution 41-97, authorized ongoing contracts for mental health services, subject to annual appropriations, with various agencies; and

WHEREAS, additional 2008 funds are available from the New York State Office of Mental Health; and

WHEREAS, amendments to the 2009 Budget are necessary to accept these funds; now, therefore, be it

RESOLVED, that the 2009 County Budget is amended as follows:

MENTAL HEALTH:

Appropriations:

Increase Acct. #1-43-443-8726.013 \$1,194

Revenues:

Increase Acct. #1-43-3489 \$1,194

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 45 - 09

Introduced by Supervisors Rowland, Daly, Raymond, Southworth, Veitch, Wright and Yepsen

URGING THE NEW YORK STATE LEGISLATURE TO SUPPORT THE STATE'S FARMLAND PROTECTION PROGRAM AND ENVIRONMENTAL PROTECTION FUND

WHEREAS, agriculture is a significant contributor to New York's economy; and,

WHEREAS, farms provide jobs, support local businesses and are part of industry sectors that have a \$23 billion economic impact annually in New York; and,

WHEREAS, farms comprise 7.5 million acres of land in New York, roughly 25% of the state's land base; and,

WHEREAS, farmers have a strong track record of pro-active environmental stewardship in New York; and,

WHEREAS, rapidly changing economic conditions threaten the future viability of New York's agricultural industry; and,

WHEREAS, 26,000 acres of farmland are developed each year in New York; and,

WHEREAS, the State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans; and,

WHEREAS, over \$3 million has been awarded by the Farmland Protection Program to 50 counties and 52 towns to assist in the development of local agricultural and farmland protection plans; and,

WHEREAS, the Farmland Protection Program has awarded more than \$151 million to help farmers, local governments and land trusts permanently protect 63,800 acres on 276 farms; and,

WHEREAS, demand for Farmland Protection Program funding has been strong due to the program's popularity, with a record 181 farms seeking \$156 million in state funding to protect 49,500 acres in 2008; and,

WHEREAS, funding for the Farmland Protection Program is allocated from the state's Environmental Protection Fund (EPF), a dedicated fund whose principle funding source is a state Real Estate Transfer Tax (RETT); and,

WHEREAS, the Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms growing across New York;

now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors does hereby urge state lawmakers to support New York's farmers, the state's agricultural economy and protection of valuable farmland by supporting funding for the Farmland Protection Program and Environmental Protection Fund; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors does hereby oppose drastic cuts to the Farmland Protection Program and Environmental Protection Fund, as outlined in the Governor's FY 2008-09 Deficit Reduction Bill and FY 2009-10 Budget Proposal; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors is hereby directed to forward copies of this resolution to Governor David Paterson, Senate Majority Leader Malcolm Smith, Senator Roy McDonald, Senator Hugh T. Farley, Assembly Speaker Sheldon Silver, Assemblyman Tony Jordan, Assemblywoman Teresa Sayward, Assemblyman James N. Tedisco, Assemblyman Robert P. Reilly, Assemblyman Ronald Canestrari and the American Farmland Trust.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 46 - 09

Introduced by Supervisors Rowland, Daly, Raymond, Southworth, Veitch, Wright and Yepsen

SUPPORTING SENATE BILL S255/S256 TO REMOVE INEQUITIES IN THE ASSESSMENT OF NEW CONDOMINIUM UNITS

WHEREAS, current state law requires that condominiums be assessed based on the capitalization of a theoretical rental income potential if the condominium was a rental unit; and

WHEREAS, this method of assessment results in an unfair situation where an owner of a condominium can be paying as little as half as much as an owner of a single family home with the same market value; and

WHEREAS, Senate Bill S255/S256, introduced by Senator Elizabeth Little, proposes to change existing law to allow a taxing jurisdiction to assess newly constructed condominiums at their fair market value in the same manner as a single family residence; now, therefore, be it

RESOLVED, that this Board of Supervisors supports Senate Bill S255/S256, sponsored by Senator Elizabeth Little, to end the inequitable assessment of new condominium units by allowing taxing jurisdictions to assess condominium units according to their fair market value, in the same manner as the assessment of single family residences; and be it further

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to Governor David Paterson, Senate Majority Leader Malcolm Smith, Senator Roy McDonald, Senator Hugh T. Farley, Assembly Speaker Sheldon Silver, Assemblyman Tony Jordan, Assemblywoman Teresa Sayward, Assemblyman James N. Tedisco, Assemblyman Robert P. Reilly and Assemblyman Ronald Canestrari.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 47 - 09

Introduced by Supervisors Sausville, Jenkins, Lucia, Raymond, Southworth, Veitch and Wormuth

AUTHORIZING CONTRACTS FOR EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP)

WHEREAS, Resolution 248-08 approved the Service Plan for our Office of the Aging, and Resolution 62-08 authorized contracts with various entities for the provision of Expanded In Home Services for the Elderly Program services under the Plan, and

WHEREAS, it is deemed appropriate to continue contracting with the providers for said services; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to sign contracts with the following agencies to provide expanded in home services for the elderly of the nature and at the rates set forth next to their names:

Accent Health Care Services 820 5th Avenue, PO Box 249 Troy, NY 12182	Level 2 PCA-\$19.71 per hour
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Adept Health Care Services 406 Fulton Street Troy, NY 12180	Level 2 PCA-\$19.31 per hour
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All Metro Health Care 1450 Western Avenue, Suite 101 Albany, NY 12203	Level 1 PCA-\$19.12 per hour Level 2 PCA-\$20.45 per hour
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Any Time Home Care, Inc. 1659 Central Avenue Albany, NY 12205	Level 1 PCA-\$21.48 per hour Level 2 PCA-\$20.03 per hour
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Attentive Care 2 Computer Drive West Albany, NY 12205	Level 1 PCA-\$18.73 per hour Level 2 PCA-\$19.82 per hour
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Gentiva Health Services 1272 Central Ave., 2 nd Floor Albany, NY 12205	Level 1 PCA-\$17.46 per hour Level 2 PCA-\$17.55 per hour
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Greater Adirondack Homes Aides P.O. Box 678 Glens Falls, NY 12801	Level 1 PCA-\$21.39 per hour Level 2 PCA-\$21.42 per hour
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Home Instead 229 Washington Street Saratoga Springs, NY 12866	Level 1 PCA-\$16.85 per hour
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Home Health Care Partners Corporation 1830 Riverfront Center Amsterdam, NY 12010	Level 1 PCA-\$17.00 per hour Level 2 PCA-\$21.42 per hour
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Interim Health Care of the Capital Region 1735 Central Avenue, Suite 102 Albany, NY 12205	Level 1 PCA-\$21.66 per hour Level 2 PCA-\$20.00 per hour
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Visiting Nurses Home Care Corp. 150 Broadway, Suite 310 Menands, NY 12204	Level 1 PCA-\$20.62 per hour Level 2 PCA-\$17.63 per hour
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BUDGET IMPACT STATEMENT: None. Funding available in 2009 budget.

RESOLUTION 48 - 09

Introduced by Supervisors Sausville, Jenkins, Lucia, Raymond, Southworth, Veitch and Wormuth

AUTHORIZING A RENEWAL AGREEMENT WITH A REGISTERED DIETICIAN TO PROVIDE NUTRITION SERVICES TO THE OFFICE FOR THE AGING

WHEREAS, the services of a registered dietician are necessary for the Office of the Aging's Elderly Nutrition Program; and

WHEREAS, proposals were solicited for the services and it is recommended that the proposal of Peggy A. Ghanime, the lowest proposal, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Agreement with Peggy A. Ghanime of 573 Victory Circle, Ballston Spa, New York to provide dietician services to the Office for the Aging at a cost of \$35 per hour, the form and substance of said Agreement subject to approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 49 – 09

Introduced by Supervisors Sausville, Jenkins, Lucia, Raymond, Southworth, Veitch and Wormuth

AUTHORIZING THE CHAIR TO ENTER INTO A CONTRACT WITH CAPITALAND TAXI TO PROVIDE TRANSPORTATION FOR SENIORS IN THE TOWNS OF CHARLTON, EDINBURG, GALWAY, PROVIDENCE AND SARATOGA

WHEREAS, the State Supplemental Nutrition Assistance Program (SNAP) provides funds to our Office for the Aging for transportation of senior citizens who are considered at risk nutritionally; and

WHEREAS, proposals have been solicited for a contract for the transportation of these nutritionally at risk seniors in the Towns of Charlton, Edinburg, Galway, Providence and Saratoga; and

WHEREAS, our Director of the Office for the Aging recommends the bid of Capitaland Taxi be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized and directed to execute an agreement with Capitaland Taxi of Albany, New York for the transportation of senior citizens in the Towns of Charlton, Edinburg, Galway, Providence and Saratoga for a sum not to exceed \$26,920 the form and content subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No County match is required for this program.

RESOLUTION 50 - 09

Introduced by Supervisors Sausville, Jenkins, Lucia, Raymond, Southworth, Veitch and Wormuth

AUTHORIZING ACCEPTANCE OF A LEGISLATIVE MEMBER ITEM GRANT AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, a Senate legislative member item grant secured by Senator Joseph Bruno in the amount of \$100,000 is available for the Office for the Aging for improvements to Senior Citizen Centers throughout the County; and

WHEREAS, the acceptance of this grant requires Board of Supervisors approval and an amendment of the 2009 Budget; now therefore, be it

RESOLVED, that the Chair of the Board execute all documents necessary to apply for and accept a Senate legislative member item grant in the amount of \$100,000 for improvements to Senior Citizen Centers throughout the County; and be it further

RESOLVED, that the 2009 County Budget is amended as follows:

OFFICE FOR THE AGING:Appropriations:

Increase Acct. #1-76-000-7052 Food Service Equipment	\$ 20,000
Increase Acct. #1-76-000-8492 Local Assistance	\$ 80,000

Revenues:

Increase Acct.: #1-76-3086 Legislative Grant	\$100,000
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 51 - 09

Introduced by Supervisors Sausville, Jenkins, Lucia, Raymond, Southworth, Veitch and Wormuth

AUTHORIZING A RENEWAL AGREEMENT WITH EVERGREEN ADULT DAY CARE TO PROVIDE SOCIAL ADULT DAY CARE SERVICES TO THE OFFICE FOR THE AGING

WHEREAS, the Expanded In Home Services for the Elderly Program provides funds to our Office for the Aging for Social Adult Day Care; and

WHEREAS, proposals were solicited for Social Adult Day Care services and it is recommended that the proposal of Evergreen Adult Day Care, the lowest proposal, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Agreement with Evergreen Adult Day Care, of Saratoga Springs, New York to provide Social Adult Day Care services to our senior citizens at a cost not to exceed \$45,249, the form and substance of said Agreement subject to approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funds are already included in the 2009 budget.

RESOLUTION 52 - 09

Introduced by Supervisors Wormuth, Barrett, Connelly, Grattidge, Jenkins, Rowland and Wright

AUTHORIZING PURCHASE OF PAGERS FROM MOTOROLA, INC.

WHEREAS, our Public Safety Committee and Purchasing Coordinator have solicited proposals to purchase 1700 pagers for use by fire agencies within Saratoga County in conjunction with the County's emergency radio system; and

WHEREAS, our Public Safety Committee has recommended that the bid of Motorola, Inc., the low bidder, be accepted; now, therefore, be it

RESOLVED, that the Contract Administrator is authorized to issue a purchase order to Motorola, Inc. of Montvale, New Jersey for 1700 pagers to be furnished to fire agencies within Saratoga County in conjunction with the County's emergency radio system for a total cost not to exceed \$559,130, the form and content thereof being subject to the approvals of the County Attorney and Contractor Administrator.

BUDGET IMPACT STATEMENT: This amount is \$40,870 below the \$600,000 budgeted for this purchase.

RESOLUTION 53 - 09

Introduced by Supervisors Peck, Daly, Grattidge, Hargrave, Sausville, Thompason and Wood

AUTHORIZING SETTLEMENT WITH CERTAIN DEFENDANTS IN THE MEDICAID PHARMACEUTICAL LITIGATION AND AUTHORITIES FUTURE SETTLEMENTS

WHEREAS, by Resolution 232-04 this Board of Supervisors authorized the commencement of an action jointly with many other counties of the State of New York against multiple pharmaceutical defendants to

recover overpayments of Medicaid drug costs made due to the artificially inflated drug prices provided by the pharmaceutical companies; and

WHEREAS, settlements have been negotiated and proposed by some of the defendant pharmaceutical companies, and our attorneys have recommended proposed settlements; and

WHEREAS, due to the large number of counties which have to authorize settlements of these cases, and due to the need to act expeditiously when advantageous settlements have been proposed, it is in the best interests of Saratoga County for this Board to authorize the Chair of the Board and the Chairman of the Law and Finance Committee to authorize settlements of the remaining cases, as settlements are proposed; now, therefore, be it

RESOLVED, that the causes of action against the following defendants in the multi party litigation entitled (in brief) "County of Saratoga (et al) v. Abbott Laboratories (et al)" (MDL 1456), be compromised and settled upon the payment by the following defendants of no less than the following sums to the County of Saratoga:

EMD/Serono (Serono/Inc.)	\$ 385.13
Barr (Barr Laboratories, Inc.)	\$11,000.00
Teva/Ivax (Teva Pharmaceutical Products Inc., Ivax Corporation and Ivax Pharmaceutical, Inc.)	\$44,377.25
BMS (Bristol Meyers Squibb Company, Westwood Squibb and Oncology Therapeutics Network Corp)	\$41,536.00
Bayer (Bayer Corporation)	\$ 4,290.00
Fujisawa (Fujisawa Healthcare, Inc. and Fujisawa USA, Inc.)	\$ 1,100.00
Merck (Merck & Co. Inc.)	\$11,000.00
Little Group	\$16,000.00

and be it further

RESOLVED, that the Chair of the Board and the Chairman of the Law and Finance Committee be and they are hereby authorized to compromise and settle causes of action against any and all of the remaining defendants in said litigation for such amounts and upon such terms as they deem appropriate; and be it further

RESOLVED, that the Chair of the Board be and he hereby is authorized to execute Releases and any other documents on behalf of Saratoga County necessary to complete the settlements authorized above and hereafter under the provisions of this Resolution.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 54 - 09

Introduced by Supervisors Peck, Daly, Grattidge, Hargrave, Sausville, Thompson and Wood

ADOPTING A LOCAL LAW RELATIVE TO AMENDING THE COMPENSATION SCHEDULE BY INCREASING THE COMPENSATION BY A COST-OF-LIVING INCREASE FOR CERTAIN COUNTY OFFICIALS

WHEREAS, Resolution 232-08 introduced and presented a proposed Local Law identified as Introductory No. 5-08, Print No. 1 to this Board of Supervisors and scheduled a public hearing thereon for January 14, 2009 at 4:45 P.M. in the Meeting Room of the Saratoga County Board of Supervisors at 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 24th day of February, 2009 hereby adopts a Local Law identified as Introductory No. 5 -08, Print No. 2 as set forth in annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

A LOCAL LAW PROVIDING FOR SALARY INCREASES FOR CERTAIN COUNTY OFFICIALS

BE IT ENACTED by the Saratoga County Board of Supervisors as follows:

SECTION 1. The 2009 compensation for the following County officials shall be increased to the following levels, effective January 1, 2009:

Carol Holley, Director of Real Property Tax Services	\$ 95,418
Robert Christopher, Commissioner of Social Services	\$123,142
Mark Rider, County Attorney	\$142,099
John Murray, County Auditor	\$ 86,788
William Baker, Personnel Director	\$114,696
Joseph Ritchey, Commissioner DPW	\$132,251
John Ciulla, Public Defender	\$142,099

ELECTED OFFICIALS:

James Murphy, District Attorney	\$134,226
James Bowen, Sheriff	\$111,083
Kathy Marchione, County Clerk	\$ 97,637
Sam Pitcheralle, County Treasurer	\$ 97,637
John DeMartino, County Coroner	\$ 25,223
Thomas Salvatore, County Coroner	\$ 25,223

APPOINTED OFFICIALS

Diane Wade, Commissioner of Elections	\$ 71,749
William Fruci, Commissioner of Elections	\$ 71,749

SECTION 2. This Local Law is subject to a permissive referendum as provided in Municipal Home Rule Law §24.

SECTION 3. This Local Law shall become effective as provided in Municipal Home Rule Law §27.

RESOLUTION 55 - 09

Introduced by Supervisors Peck, Daly, Grattidge, Hargrave, Sausville, Thompson and Wood

REQUESTING HOME RULE LEGISLATION TO ALLOW REMOVAL OF LAND FROM REFORESTATION FOR USE AS A SITE FOR A COURT FACILITY AND A FUTURE TOWN HALL, AND REPLACEMENT OF OTHER COUNTY LANDS

WHEREAS, By Resolution 88-08 this Board of Supervisors requested Home Rule Legislation to approve the removal of 9.013 acres of reforestation lands in the Town of Moreau for use as a site for a Court facility and a future Town Hall; and

WHEREAS, Senate Bill No. S1757 and Assembly Bill No. A4703 would approve the said removal of reforested lands in the Town of Moreau upon the condition that said lands are replaced by a like sized parcel of land being dedicated for reforestation; and

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

RESOLVED, That the Saratoga County Board of Supervisors requests the enactment of Senate Bill No. S1757 and Assembly Bill No. A4703 entitled “An Act Authorizing the County of Saratoga to Discontinue For Reforestation Purposes The Use Of Certain Lands And To Convey Such Lands”; and, be it further

RESOLVED, That a necessity exists for the enactment of such legislation due to the fact that Section 219 of the county Law requires the approval of the New York State Legislature for the discontinuation of reforestation purposes for county reforestation lands.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 56 - 09

Introduced by Supervisors M. Johnson, Connelly, Grattidge, Hunter, Raymond, Thompson and Yepsen

CORRECTING 2009 TAX BILL

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

WHEREAS, the owners of the following lands have timely submitted proof of error in the 2009 tax bill; and

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

RESOLVED, that the applications of the following individuals for correction of the 2009 tax rolls are approved, and the tax rolls are so corrected:

<u>TOWNS</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
<u>CLIFTON PARK</u>		
Margaret A. Usher	264.8-1-21	\$3,059.51
Gloria M. Usher		
<u>SARATOGA</u>		
Stillwater Grange #681	195.9-1-7	\$0
Methodist Church	195.9-1-6	\$0
Schuylerville Central School	157.-1-54.1	\$0
Quaker Spring Meeting	207.-1-18	\$0
Quaker Springs Fire Dist.	195.9-1-27	\$0
Quaker Springs Fire Dist.	195.9-1-23	\$0
Quaker Springs Fire Dist.	193.6-1-2.2	\$0
Old Saratoga Historical Assoc.	170.-1-3	\$0
Town of Saratoga	209.-1-6.1	\$0
Town of Saratoga	196.-3-2	\$0
Town of Saratoga	195.9-1-9.2	\$0
Town of Saratoga	183.-1-34	\$0
Town of Saratoga	183.-1-13	\$0
Town of Saratoga	169.-2-36	\$0
Town of Saratoga	169-2-22	\$0
Town of Saratoga	169.-2-21	\$0
Town of Saratoga	169.-1-64	\$0
Village of Victory	169.-2-13	\$0
State of New York	170.-1-1.1	\$0
State of New York	170.-1-21	\$0
State of New York	170.-1-23	\$0
State of New York	180.-1-17	\$0
State of New York	180.18-1-1	\$0
State of New York	183.-1-59	\$0
State of New York	196.-1-13.3	\$0
State of New York	196.-1-18	\$0
County of Saratoga	168.-3-8.1	\$0

BUDGET IMPACT STATEMENT: No budget impact.

Ms. Daly said she needs to reschedule the Economic Development Committee meeting for March, and once she has chosen a new date, committee members will be contacted.

Mr. Lucia thanked Supervisors Wood, Southworth and Connelly for picking up his duties while he was off. He said it was overwhelming what he received from everyone. He said it's a warm feeling to be a part of such a great Saratoga County family, and he thanked everyone.

Chairman Johnson announced the following appointments:

OFFICE FOR THE AGING ADVISORY COUNCIL

Leland D. Aldrich (Town of Hadley)
34 Park Ave.
Hadley, NY 12835

GREEN COMMITTEE

Supervisor Matthew Veitch, Chairman
Supervisor Alan Grattidge
Supervisor Richard Rowland
Supervisor Shawn Connelly
Mark Luciano, Senator McDonald's Office
Kate Maynard, Wilton Planning Board
David Delozier, City of Saratoga Springs

Chairman Johnson said a few weeks ago, he had a joint press conference with Senator McDonald to announce a Green Committee which will be an ad hoc committee charged with researching and reporting back to the Board potential green initiatives that will be cost effective and environmentally friendly to the County and towns. He said he had Mrs. Plummer send a memo out to the Supervisors to see if they would be interested in serving on this committee. He said he received interest from Supervisors Rowland, Connelly and Grattidge. Yesterday, he received an e-mail from Ms. Yepsen expressing interest, he said. He told Ms. Yepsen he would somehow get her involved in this committee.

On a motion by Mr. Hargrave, seconded by Ms. Wormuth, the meeting was adjourned.

Barbara J. Plummer, Clerk