

A G E N D A
June 10, 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, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, John Lawler, Arthur J. Johnson – 23. ABSENT - 0.

On a motion by Mr. Hargrave, seconded by Mr. Lucia, the minutes of the meeting of May 13, 2009 were approved unanimously.

David Wickerham, County Administrator, reviewed the following Agenda items:

VETERANS

Requesting Home Rule Legislation to designate the roadway from the NYS Veterans Museum in Saratoga Springs to the Town of Waterford as the Saratoga County Veterans Memorial Highway. (Bob Mitchell, Veterans Director)

Mr. Wickerham said this will be from Route 4 & 32 to Route 29 to the City of Saratoga Springs.

EQUALIZATION AND ASSESSMENT

Rescinding Resolution No. 93-2009 relative to the corrected tax bill for a parcel in the Town of Wilton and authorizing a refund of \$9,353.12 in erroneous taxes. (Carol Holley, Real Property Director)

Rescinding Resolution No. 224-2008 which relieved unpaid Sacandaga Lake Maintenance assessment. (Mark Rider, County Attorney)

Mr. Wickerham said there has been a lawsuit challenging the ability of the Hudson River-Black River Regulating District to actually levy that amount.

Waiving penalties/interest on a parcel in the Town of Stillwater due to the Town's error in collection of taxes. (Mark Rider, County Attorney)

Accepting a tender offer in the Town of Malta in the amount of \$15,069.95. (Sam Pitcherale, County Treasurer)

PUBLIC SAFETY

Amending the budget to transfer \$9,710 from the Animal Shelter Trust fund for activities related to the expansion of the website, spaying services, and portable crates. (Dan Butler, Animal Shelter Supervisor)

Authorizing the Chairman to enter into an agreement with NYS Department of Criminal Justice to accept a \$30,000 Domestic Violence Equipment Grant for the purchase of digital cameras and recording equipment for the Saratoga County Sheriff's Department and amending the budget in relation thereto. (Sheriff Jim Bowen)

Mr. Wickerham said this is to strengthen cases against the perpetrators of domestic violence.

SOCIAL PROGRAMS

Authorizing the Youth Bureau's 2009 funding applications and contracts. (Wes Carr, Youth Bureau Director)

Authorizing the Chairman to accept \$552,727 in Workforce Investment Act funds for the Program Year 2009 and authorizing funding applications and contracts. (Tony Scavone, Employment and Training Director)

Mr. Wickerham stated the money is in the budget and is a 14% increase in funding.

Authorizing the Chairman to accept \$149,631 TANF Summer Youth Employment funds and amending the 2009 budget. (Tony Scavone, Employment and Training Director)

Mr. Wickerham said this is an 11% increase.

Authorizing the Chairman to enter into a renewal agreement with Saratoga Bridges to provide a Disability Navigator Program to Saratoga, Warren and Washington Counties for a sum not to exceed \$75,000 and amending the budget in relation thereto. (Tony Scavone, Employment and Training Director)

Mr. Wickerham said this is all federal money and is the same as last year.

LEGISLATIVE AND RESEARCH

Urging Governor Paterson, the State Legislature and the HRBR Regulating District to suspend the process for establishing new rules relative to access permits for Sacandaga Lake properties. (Jason Kemper, Planning Director)

Mr. Wickerham said this is until such time as there is more public input.

CHAIRMAN'S ITEM

Reappointing Edwin Vopelak, Jr. from the Town of Clifton Park and Stephen Porto from the Town of Wilton to the Saratoga County Planning Board for a term to expire on May 31, 2014.

LAW AND FINANCE

Authorizing Blanket Official Undertaking for County Officers Required by Law to Execute and File Official Undertakings. (Mark Rider, County Attorney)

Mr. Wickerham stated we recently changed insurance carriers, and we have to acknowledge that.

Chairman Johnson stated there was a press conference today in Malta to announce a closing on lands in Luther Forest Technology Campus. At that event, I was presented a copy of the closing memorandum between LFTC and GlobalFoundries, he said. He stated the Board of Supervisors was recognized for making that happen; in particular, with the financial assistance this Board has given to the Saratoga County Water Authority. Anita Daly, Chairman of the Economic Development Committee and Jack Lawler, Chairman of the Water Authority, were instrumental in making this project happen, he said.

Ms. Daly congratulated GlobalFoundries and LFTC. They do have a bright future, she said. She stated those not thanked were all of the people in the County who stood behind us, and people all across New York State truly needed to be thanked today. She said there were night sweats we went through in this process, and Jack Lawler shared the brunt of this in Saratoga County. He is the reason this project is happening now, she added.

Vice-Chairman Peck said Supervisors Connelly and Sausville have gone through many hours of work to approve this project in their towns.

Mr. Lawler said he was at the press conference, and a lot of people can step up and take great pride and credit as to what took place. When times were at their darkest, the buzz around the project was not all that great, he said. It looked like an insurmountable mountain after mountain, he said. He stated supporters were not that easy to find 18 months ago. He said when this project was at its lowest, this Board stepped up in a bi-partisan way to pull together and show leadership. I wish the people in Albany would look a little north, he said. We did what was in the best interest of the people in this County and in this region. We invested money when no one else was willing to do so. It was the people in this room who made the press conference possible today, he said. He stated everybody in this room deserves congratulations and praise. I thank each and every one of you for the support and encouragement you showed me and the Water Authority, he said.

Mr. Grattidge invited the Supervisors to Cooperative Extension's chicken barbecue at the 4-H Training Center right after this meeting.

Ms. Daly said the Saratoga County Council on Autism introduced Chef J. Maxwell who will present to this Board a sneak preview of an opportunity he will offer to people with disabilities at the Fair this year.

Ms. Daly stated Supervisor Rowland shared with her the rules and regulations of the Fair's demolition derby featuring the Supervisors, and she intends to win. Get ready, there will be a derby, and we will attract a crowd, she said. See Dick Rowland to get the rules, she added.

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, JUNE 16, 2009
AT 4:00 P.M., D.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, 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, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, John Lawler, Arthur J. Johnson – 23. ABSENT – 0.

The invocation was given by Tom Wood, Chaplain.

BE SMART, DON'T START POSTER CONTEST

Richard Lucia, Chairman of the Public Health Committee, said this school year, the Board of Supervisors, along with the Saratoga County Public Health Nursing Service, sponsored the “Be Smart, Don’t Start” poster contest for 4th graders in Saratoga County schools. This poster contest is administered by the Alcohol and Substance Abuse Prevention Council. The theme for the poster contest is “Growing Up Smoke Free.” He said each student who participated in the contest received a certificate from the Board of Supervisors, a gift certificate for a free ice cream cone, courtesy of Stewart’s, and a special gift. He stated the poster contest is designed to provide students with the facts and skills necessary to make life/health-affirming choices.

Mr. Lucia stated the top three posters from each school were chosen and sent to the Board of Supervisors. A panel of four judges chose the top four posters – Terry Stortz and Lynne Mackey from Public Health, Local Artist, Karen Vollkommer, and Pat Marin, Mary Carpenter and Becky Black from the Prevention Council. The prizes for the contest are gift certificates purchased by the Board from Borders Books to be used by the schools. Each of the winning students will receive a tee shirt printed with their poster. The top posters from each school will be matted and framed, and after being displayed at the Saratoga County Fair, will be returned to the schools to serve as a reminder to the students about the dangers of smoking.

Mr. Lucia presented the prizes to the following poster contest winners:

4th prize - \$300 gift certificate for the school and a tee shirt. The poster was drawn by Lilly Prouty, a student from Moreau Elementary School in the South Glens Falls School District.

3rd prize - \$500 gift certificate for the school and a tee shirt. The poster was drawn by Hannah Sweeney, a student from Francis L. Stevens Elementary School in the Burnt Hills-Ballston Lake School District.

2nd prize - \$700 gift certificate for the school and a tee shirt. The poster was drawn by Anna Ricci, a student from Caroline Street Elementary School in the Saratoga Springs City School District.

1st prize - \$1,000 gift certificate for the school and a tee shirt. The poster was drawn by Erica Culbert, a student from Joseph Henry Elementary School in the Galway School District.

PRESENTATION BY CHEF J. MAXWELL

Ms. Daly said as promised, the Saratoga County Council on Autism will provide a sneak preview of some of their activities being planned at the Fair this year. Our efforts were all about raising the level of awareness in making Saratoga County more of a home for all persons with developmental disabilities, she said. So, we are looking to expand the many opportunities we have in this County, and one of those opportunities will take place this summer at the Saratoga County Fair, she said. She stated the individual who stepped forward to help us with a very unique opportunity is Executive Chef Maxwell, who will do a demonstration for the Board.

Mr. Maxwell stated the Fair will be an exciting time with a lot of interaction with not only children and families with autism but with everyone in the different communities. There will be competitions similar to what we are going to do here today, he said. He then appointed today's contest judges: Supervisors Lawler, Peck, Raymond, Hargrave, Hunter, Thompson and Yepsen. He requested the following Supervisors to come up to the table: Chairman Johnson, Supervisors Daly, Richardson, Wood, Veitch, Grattidge, and Wormuth. He said these Supervisors will be judged on creativity and presentation, and he gave them 60 seconds to put strawberry shortcakes together with the ingredients that were before them on the table. After the judges voted, the winner of the strawberry shortcake contest was Anita Daly.

On a motion by Mr. Veitch, seconded by Ms. Wormuth, the minutes of the meetings of May 19 and June 10, 2009 were approved unanimously.

The Clerk presented the following:

Copy of a resolution adopted by the Hamilton County Board of Supervisors "Supporting Request Of Stimulus Funding For Replacement Of The Batchellerville Bridge."

Referred to Supervisors Rowland, Raymond and the County Administrator.

Copies of resolutions adopted by the Fulton County Board of Supervisors, Town of Broadalbin, Town of Northhampton, Town of Edinburg, and the Intercounty Legislative Committee of the Adirondacks "Opposing Hudson River Regulating District Proposed New Rules For Access Permits."

Referred to Supervisors Rowland and the County Administrator.

BOS:

Thanks so much for the great fruit basket. Great stuff! It was good to be back and with such a warm welcome back from everyone.

Mary Ann Johnson

On a motion by Mr. Hargrave, seconded by Mr. Lucia, Resolution Nos. 118 through 132 were adopted unanimously, with the exception of Resolution 127.

RESOLUTION 118 - 09

Introduced by Supervisor A. Johnson

REAPPOINTING MEMBERS TO COUNTY PLANNING BOARD

WHEREAS, Resolution 48-61, as amended by Resolutions 74-65 and 56-73, established the County Planning Board; and

WHEREAS, the terms of the following members of the Planning Board have expired; now, therefore, be it

RESOLVED, that the following people are reappointed as members of the County Planning Board for the stated term:

<u>Name</u>	<u>Municipality</u>	<u>Term/Expires</u>
Edwin Vopelak, Jr. 34 Ashley Drive Ballston Lake, NY 12019	Town of Clifton Park	5/31/14
Stephen Porto	Town of Wilton	5/31/14

9 Deer Run
Gansevoort, NY 12831

RESOLUTION 119 - 09

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

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

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

WHEREAS, the staff of the Animal Shelter wish to purchase software to enhance the shelter’s page on the county website, spaying services for up to 100 cats being offered for adoption, and crates for transporting animals; and

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

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disperse a sum not to exceed \$9,710 from the Animal Shelter Trust Fund for the purchase of software, spaying services and transport cases; and be it further

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

ANIMAL SHELTER:

Appropriations:

Increase Acct. #1-35-000-8190 Other Prof. Services	\$2,875
Increase Acct. #1-35-000-8232 Animal Supplies	\$ 835
Increase Acct. #1-35-000-8343 Doctor’s fees	\$6,000

Revenues:

Increase Acct. #1-35-1554 Donations	\$9,710
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BUDGET IMPACT STATEMENT: This transfer will reduce the animal shelter trust fund account by \$9,710.

RESOLUTION 120 - 09

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

AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO ACCEPT A \$30,000 DOMESTIC VIOLENCE EQUIPMENT GRANT AND AMENDING THE BUDGET

WHEREAS, funds are available from the New York State Department of Criminal Justice Services to purchase equipment to be used by the Saratoga County Sheriff’s Department for domestic violence investigations; and

WHEREAS, an amendment to the 2009 Saratoga County Budget is needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all agreements and documents necessary to apply for and accept a New York State Department of Criminal Justice Services Domestic Violence Equipment Grant in the amount of \$30,000; and be it further

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

SHERIFF’S DEPARTMENT

Appropriations:

Increase Acct.: #1-30-000-7080 other equipment	\$30,000
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Revenues:

Increase Acct.: #1-30-3389 State Aid Public Safety

\$30,000

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 121 - 09

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

AUTHORIZING YOUTH BUREAU'S 2009 FUNDING APPLICATIONS AND CONTRACTS

WHEREAS, the Bureau's Director has proposed a 2009 Resources Allocation for several agencies participating in its Youth Development and Delinquency Prevention Program (YDDP) and its Special Delinquency Prevention Program (SDPP) to include County sponsorship, administration and payment responsibility for one-half of the programs' costs; and

WHEREAS, this proposal also includes matching funds for the Cooperative Extension 4-H Youth Service Project not to exceed \$22,500; and

WHEREAS, all other agencies or municipalities listed in the proposed YDDP allocation will provide, from their current or prospective budgets, the other half of the program expenditures; and

WHEREAS, the State Office of Children and Family Services (OCFS) offers 100% funding for qualified local services or agencies participating in its Special Delinquency Prevention Program (SDPP); and

WHEREAS, these applications for possible State funds require authorized signatures of the Chair and Clerk of this Board and of our Bureau Director; now, therefore, be it

RESOLVED, that the County of Saratoga will operate a Youth Bureau in 2009; and, be it further

RESOLVED, that the County has appropriated \$22,500 in matching funds for the Cooperative Extension 4-H Youth Service Project in the 2009 County Budget; and, be it further

RESOLVED, that the Chair and Clerk of this Board and the Youth Bureau Director execute all documents required by the State OCFS for approval, reimbursement and implementation of the actual 2009 Youth Bureau Resources Allocation for the County and its local governments; and, be it further

RESOLVED, that the Chair of the Board execute all subcontracts for acceptance of the following 2009 YDDP funds by the following agencies:

<u>2009</u> <u>AGENCY</u>	<u>YDDP</u>
Community Human Services	\$ 5,065
Catholic Family: Family Enrichment	\$26,564
Cooperative Extension 4-H: Youth Service Project (Includes State Aid of \$ 9,163)	\$31,663
Tough Issues	\$ 781
Cooperative Extension 4H:	
Youth Employment Project	\$ 715
Mechanicville Community Center	\$12,386
Moreau Civic Center	\$ 4,150
Project Lift: Volunteer Component	\$ 4,312
Saratoga Center for the Family:	
Parent & Children's Services	\$12,938
Children's Component	\$ 2,062
Scotia-Glenville Traveling Museum	\$ 1,200
Southern Adirondack Library System	\$ 1,760
Schuylerville Youth Center	\$ 8,000
Stillwater Community Center	\$ 2,731
Waterford Youth Council	\$ 8,000
Stuffee	\$ 1,200

and, be it further

RESOLVED, that the Chair of the Board execute all subcontracts for acceptance of the following 2009 SDPP funds by the following agencies:

2009

<u>AGENCY</u>	<u>SDPP</u>
Area Center for Teens	\$ 8,909
Community Human Services	\$ 4,131
Captain Youth & Families	\$ 2,349
Corinth YMCA	\$ 5,224
Franklin Community Center	\$18,222
Catholic Charities	\$18,000
Cool Out of School (B)	\$12,432
Big Brothers/Big Sisters (B)	\$ 5,372
Captain Youth Shelter (RHYA)	\$27,731

BUDGET IMPACT STATEMENT: None. Funding for these programs has been included in the 2009 County budget.

RESOLUTION 122 - 09

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

AUTHORIZING ACCEPTANCE OF FEDERAL FUNDS FOR WORKFORCE INVESTMENT PROGRAM YEAR 2009 AND AUTHORIZING FUNDING APPLICATION AND CONTRACTS

WHEREAS, Saratoga County is the designated recipient for \$1,266,313 grant funds of the Workforce Investment Act (WIA); and

WHEREAS, \$552,727 in Federal Funds are available for Saratoga County’s share of Workforce Investment Program for the 2009 program year; and

WHEREAS, acceptance of these funds requires authorization to execute documents for the application for and acceptance of the funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all documents necessary to apply for and accept Workforce Investment Act funds, the form and substance subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 123 - 09

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

ACCEPTING \$149,631 FOR THE TANF SUMMER YOUTH PROGRAM AND AMENDING THE 2009 BUDGET

WHEREAS, our Department of Employment and Training administers the TANF Summer Youth Program in Saratoga County; and

WHEREAS, additional funds are available from the New York State Office of Temporary and Disability Assistance to assist the Department of Employment and Training in delivering this service; now, therefore, be it

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

EMPLOYMENT & TRAINING

APPROPRIATIONS:

Increase Acct.: #1-68-681-6800 Program participant	\$49,972
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REVENUES:

Increase Acct.: #1-68-4609 TANF Summer Program \$49,972

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 124 – 09

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

AUTHORIZING A RENEWAL AGREEMENT WITH SARATOGA BRIDGES, NYSARC, INC., SARATOGA COUNTY CHAPTER TO PROVIDE A DISABILITY PROGRAM NAVIGATOR

WHEREAS, many persons with disabilities possess skills and abilities that qualify them for certain occupations in the job market place, but their disability prevents them from locating these opportunities; and

WHEREAS, Saratoga Bridges has staff, called disability program navigators, that are knowledgeable of the job opportunities that are available to persons with various disabilities and are able to assist persons with disabilities in locating employment opportunities suitable for them; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with Saratoga Bridges, NYSARC, Inc., Saratoga County Chapter located at 16 Saratoga Bridges Blvd., Ballston Spa, New York to provide disability program navigators to the Saratoga, Warren and Washington County one stop centers for a sum not to exceed \$75,000 the form and substance of said Agreement subject to approval of the County Attorney and the Contract Administrator; and be it further

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

EMPLOYMENT & TRAINING ADM.

Appropriations:

Increase Acct. #5-68-681-8170 Coord./Mngmt Services \$37,500

Revenues:

Increase Acct. #5-68-4790 Job Training FA \$37,500

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 125 - 09

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

URGING SIGNIFICANT PUBLIC INPUT IN ANY PROCESS FOR NEW RULES FOR ACCESS PERMITS FOR THE GREAT SACANDAGA LAKE

WHEREAS, for the last 76 years, an arrangement has existed between the Hudson River-Black River Regulating District (HRBRRD) and owners of property adjacent to or near the lands owned by HRBRRD along the shore of Sacandaga Lake such that HRBRRD has issued permits to the owners, giving them the exclusive right to occupy a portion of HRBRRD land, and improve it by clearing, planting lawns, installing fireplaces, picnic tables, stairs and docks; and

WHEREAS, this permit system has increased the value and purchase cost of properties which have a permit associated with them, and engendered a lake oriented life style which the owners have relied on in purchasing their land and making valuable improvements; and

WHEREAS, in the process of reviewing and revising the existing rules of the HRBRRD, proposed revised rules were forwarded to the New York State Department of Environmental Conservation for comment; and

WHEREAS, the Department of Environmental Conservation returned proposed rules with substantial changes to those rules proposed by HRBRRD, including a change which would terminate the owner’s exclusive rights under the permit system, prohibit improvement of permit areas, and allow unrestricted public access to areas which have heretofore allowed to be used solely by the permit owner; and

WHEREAS, the proposed rule would have turned the shoreline area into a ungoverned, uncontrolled, unregulated and unsupervised public park; and

WHEREAS, the potential for misuse and abuse of the shore side property by activities of persons having no stake in the maintenance of the land increases the liability and endangers the safety of adjacent property owners arising from negligent and criminal activity of visitors; and

WHEREAS, HRBRRD met on May 12, 2009 and accepted the substantial changes to the rules DEC had proposed, without discussion, comment, or any opportunity for the public to be heard, and forwarded the DEC proposed rules to the Governor's Office of Regulatory Reform for review, only after which is there a 30 day written comment period available for the public; and

WHEREAS, these rules will have a substantial negative impact on the character and environment of Sacandaga Lake, leading to increased traffic and parking problems, noise, littering, accidents and crime; and

WHEREAS, the process of promulgating this extreme alteration of a long standing arrangement upon which thousands of residents have relied on was done without any opportunity for public comment and inquiry and no opportunity was afforded to the public to comment on and question the rules, and offer suitable alternative methods of addressing the concerns which gave rise to the changes; and

WHEREAS, Governor Paterson has withdrawn the proposed rules, with further study to be done regarding any new regulations; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors expresses its opposition to any further action to be taken in regard to proposed rules concerning the Sacandaga Lake permit system without a full and meaningful opportunity to the public to comment, inquire and otherwise participate in the process, and to offer reasonable alternatives; and be it further

RESOLVED, that the Board calls upon Governor Paterson, the Office of Regulatory Reform, the Hudson River-Black Regulating District and the Department of Environmental Conservation to schedule open public meetings and hearings on any proposed rules and entertain viable alternatives; and be it further

RESOLVED, that the Clerk of the Board forward a copy of this Resolution to Governor David Paterson, the Office of the Regulatory Reform, the Hudson River-Black River Regulating District, U.S. Senator Kirsten Gillibrand, U.S. Senator Charles Schumer, U.S. Congressman Scott Murphy, Assemblywoman Teresa Sayward, Senator Elizabeth Little, Senator Hugh Farley, Senator Roy McDonald and Assemblyman James Tedisco.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 126 - 09

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

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

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

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

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

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

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

RESOLVED, that the Saratoga County Board of Supervisors hereby approves Policy number PE-460172406 issued by Trident Insurance Company to Saratoga County as a blanket undertaking in the amount of \$250,000 of coverage for all County Officers required to execute and file undertakings including but not limited to the Chairman of the Saratoga County Board of Supervisors, the County Clerk, County Treasurer, District Attorney and County Sheriff, and be it further

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

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

BUDGET IMPACT STATEMENT: No budget impact.

On a motion by Mr. Hargrave, seconded by Mr. Lucia, Resolution 127 was adopted by the following vote: AYES - Mr. Barrett 16,555; Mr. Connelly 7,522; Ms. Daly 16,555; Mr. Grattidge 3,954; Mr. Hargrave 3,589; Mr. Hunter 1,841; Mr. Jenkins 13,549; Mr. Johnson 12,541; Mrs. Johnson 920; Mr. Lawler 8,515; Mr. Lucia 6,259; Ms. Raymond 1,384; Mr. Richardson 5,019; Mr. Rowland 7,362; Mr. Sausville 13,005; Ms. Southworth 8,729; Mr. Thompson 17,103; Mr. Veitch 13,093; Mr. Wood 5,114; Ms. Wormuth 18,359; Mr. Wright 1,971; Ms. Yepsen 13,093. ABSTAIN - Mr. Peck 4,603.

RESOLUTION 127 - 09

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

AMENDING RESOLUTION 93 OF 2009 REFUNDING 2009 TAXES IN THE TOWN OF WILTON

WHEREAS, Resolution 93 of 2009 corrected certain tax bills, including the bill of 3040 Route 50 LLC for tax parcel 153.-3-116 in the Town of Wilton; and

WHEREAS, the taxpayer made payment of the erroneous tax bill, and a refund has been requested; now, therefore, be it

RESOLVED, that Resolution 93-09 be amended to add the following:

RESOLVED, that the County Treasurer refund the overpayment of 2009 Town and County taxes, penalties and interest on tax parcel 153.-3-116 in the amount of \$9,353.12 to the owner 3040 Route 50 LLC, and be it further

RESOLVED, that Resolution 93 of 2009 shall otherwise remain in full force and effect.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 128 - 09

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

RESCINDING RESOLUTION 224 OF 2008 AND CANCELLING LEVY OF MAINTENANCE ASSESSMENT

WHEREAS, by Resolution 224 of 2008, this Board of Supervisors authorized the levy of unpaid 2008 Sacandaga Lake Maintenance Assessments pursuant to New York State Law; and

WHEREAS, the United States Circuit Court of Appeals has decided that these assessments and the state laws under which they were assessed are void, as the assessment of charges for headwaters is provided to the Federal Energy Regulatory commission under federal law, and that state law is preempted by the federal statutes; and

WHEREAS, Saratoga County may not enforce a state law which has been preempted by federal law; now, therefore, be it

RESOLVED, that Resolution 224-2008 be and the same is hereby rescinded, and be it further

RESOLVED, that the Saratoga County Treasurer is authorized and directed to cancel the levy against the property of Albany Engineering Corp. in the Town of Halfmoon in the amount of \$108,838.84, together with any and all interest, penalties and other charges accruing thereon.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 129 - 09

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

WAIVING PENALTIES AND INTEREST ON A PARCEL IN THE TOWN OF STILLWATER

WHEREAS, due to a mistake by the tax collector, the payment of taxes on a certain parcel of real property in the Town of Stillwater was delayed, and penalties and interest have accrued; and

WHEREAS, due to the fact that the delay in payment of the taxes was not due to the fault of the taxpayers, these penalties and interest should be cancelled; now, therefore, be it

RESOLVED, that accrued penalties and interest on real property taxes on the following parcels of real property in the Town of Stillwater are hereby cancelled, upon the conditions that the underlying taxes are paid within 10 days of the notification of the taxpayer by the Saratoga County Treasurer of this Resolution:

<u>Parcel No.</u>	<u>Taxpayer</u>	<u>Penalties Amount of Tax</u>	<u>& Interest</u>
253.-1-5	James M. Austin Jessica Austin	\$873.40	\$91.73

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 130 - 09

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

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

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

WHEREAS, our Equalization and Assessment Committee recommends approval of this request; now, therefore, be it

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

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Richard T. Mangino Pauline A. Mangino 149 Route 9P Saratoga Springs, NY 12866	2006, 2007 & 2008	Malta	217.-2-18	\$15,069.65

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

RESOLUTION 131 - 09

Introduced by Supervisor Barrett, Hunter, M. Johnson, Lucia, Thompson, Wright and Yepsen

REQUESTING HOME RULE LEGISLATION TO DESIGNATE THE ROADWAY FROM THE SARATOGA SPRINGS VETERANS MUSEUM TO THE TOWN OF WATERFORD AS THE SARATOGA COUNTY VETERANS MEMORIAL HIGHWAY

WHEREAS, Saratoga County is the home of three significant facilities related to the military heritage and history of our nation, to wit, the New York State Veterans Museum located in Saratoga Springs, the Gerald Solomon National Cemetery located in the Town of Saratoga and the Saratoga National Historical Park located in the Town of Stillwater; and

WHEREAS, New York State Highway 29 and New York State Highway 4 run past these facilities and constitute an efficient and convenient connection among them; and

WHEREAS, this Board of Supervisors deems it fitting to have these highways officially named as the Saratoga County Veterans Memorial Highway in honor and memory of the military men and women whose contributions to the history of our nation and the freedoms we enjoy are memorialized at these facilities; and

WHEREAS, to officially rename these highways requires home rule legislation to amend the Highway Law of the State of New York; and

WHEREAS, Assembly Bill number 8942 and Senate Bill number LBD 14383-02-9 would name these highways in accordance herewith; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors requests the enactment of Assembly Bill number 8942 and Senate Bill number LBD 14383-02-9 entitled "An Act to Amend the Highway Law in Relation to the Designation of the Saratoga County Veterans Memorial Highway"; and be it further

RESOLVED, that a necessity exists for the enactment of such legislation as it is in sole discretion of the Legislature to officially designate the names of state highways.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 132 - 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, Assembly Bill No. 4703-A and Senate Bill LBD 14415-01-9 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 Assembly Bill No. 4703-A and Senate Bill LBD 14415-01-9 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.

Mr. Rowland said July 14 – 19 will be "party with Dick week" at the annual Saratoga County Fair. He stated the Supervisors are invited to the press conference that will be held on July 13th at 5:00 p.m. and to the reception on July 16th at 5:00 p.m. He mentioned he had the Demolition Derby applications with him today.

Mr. Veitch said Supervisors should all have received an invitation to the Saratoga Phillies for Supervisors' Night on June 26th at 6:30 p.m., East Side Recreation Field in Saratoga Springs.

Mr. Veitch invited all Supervisors to march in Saratoga Springs' 4th of July parade.

Mr. Wood reminded everyone of Sundae on the Farm this Sunday from 12:00 p.m. to 4:00 p.m. at the Koval Farm in the Town of Saratoga. We would love to have you attended, he said.

Mr. Peck mentioned June is Dairy Month. Look at the landscape around that makes Saratoga County beautiful, he added.

Mrs. Plummer said Maplewood Manor invites everyone to their Country Fest tomorrow from 10:00 a.m. to 3:00 p.m.

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

Barbara J. Plummer, Clerk