

## A G E N D A

August 12, 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, Jean Raymond, George J. Hargrave, Arthur M. Wright, Paul Sausville, Thomas Richardson, Frank Thompson, Willard H. Peck, Thomas N. Wood, III, Matthew E. Veitch, Arthur J. Johnson – 15. ABSENT - Shawn P. Connelly, Richard C. Hunter, Sr., Preston L. Jenkins, Jr., Mary Ann Johnson, John Lawler, Richard Rowland, Mindy Wormuth, Joanne Dittes Yepsen – 8.

On a motion by Mr. Hargrave, seconded by Mr. Lucia, the minutes of the meeting of July 15, 2009 were approved unanimously.

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

**PUBLIC WORKS**

Authorizing the Chairman to enter into a Public Works Mutual Aid agreement with other municipalities to facilitate the sharing of departmental resources during a natural or man-made disaster. (Paul Lent, Emergency Services Director)

Mr. Wickerham said this will memorialize the agreements already in place.

**LAW AND FINANCE**

Authorizing a change order with TVGA Engineers, consultants for upgrades of the Crescent Estates and Grooms Road Pump Stations from \$59,910 to \$85,810. This amendment is offset by a change order reduction for C.O. Falter Construction Company as settlement for liquidated damages. (Jim DiPasquale, Sewer District Director)

Mr. Wickerham said this is a result of delays by the construction company, and the construction company will be paying for that.

Authorizing the Chairman to execute a Betterment Agreement with NYS DOT in the amount of \$86,250 for replacing approximately 1,500 lineal feet of force main during the replacement of the 9P Bridge over Saratoga Lake. (Jim DiPasquale, Sewer District Director)

Mr. Wickerham stated this is to facilitate a larger size pipe.

Authorizing the Chairman to accept a \$59,608 Local Records Management Improvement Grant and amending the 2009 compensation schedule and budget in relation thereto. (Kathy Marchione, County Clerk)

Mr. Wickerham stated we have accepted this grant for the last several years and will allow the County Clerk to keep her people on assuming we get the approval by the end of the month,

Authorizing the extension of an agreement with IQS Systems for digitization and indexing of records in the Saratoga County Clerk's Office at a cost of \$.17 per page through November of 2011. (Kathy Marchione, County Clerk)

Mr. Wickerham said the total budget is \$26,440.

Amending the budget to transfer \$135,200 from the Radio Communication Fund to the General Fund to pay for additional interest on the BAN. (Sam Pitcherelle, County Treasurer)

Mr. Wickerham said we have received \$86,000 in interest on the money.

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION  
TUESDAY, AUGUST 18, 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., Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, John Lawler, Arthur J. Johnson - 22. ABSENT - Willard H. Peck – 1.

The invocation was given by Tom Wood, Chaplain.

PUBLIC INPUT

Janet Ramos, Cancer Services Program, said this is a program put on by New York State. She said this is for anyone who is uninsured, and for women 40 years old and older, we provide clinical breast exams, pap tests, pelvic exams and mammographies. For men and women 50 years old and older, we provide depending on the family history, a test for colon cancer or provide for them to have a colonoscopy. The only requirement for this program is that they have to be uninsured. We are trying to find different people in this community who need this service. We have a mobile mammography van that we use in the outlying areas for people who cannot travel, she said. We have screening days every Monday and Thursday at Wilton Medical Arts. This Thursday in Mechanicville, we will have a screening day, and one will be held in Schuylerville on September 12<sup>th</sup> and one at Saratoga Family Physicians on October 24<sup>th</sup>, she stated. She stated they are also working with FROGGY 107 to do a promotion to help them out, and every Thursday in October, between Saratoga, Warren and Washington Counties, we want to get 1071 women screened. For Saratoga County, we are asking you to give us key contacts or people you know who can help spread the word. Physicians can screen their own people who may have lost their health insurance, and we will reimburse them, she stated.

Mr. Thompson asked if they could come to the Milton Community Center to do screenings, and Ms. Ramos said yes they can. She said they recently diagnosed a woman in her 60's with uterine cancer, and hopefully, everything will turn out all right there. She said the sooner they can catch "just misses" the less expensive it is for the State. She said if you get a diagnosis, they try to enroll you in a Medicaid treatment program. If for some reason you don't qualify, many times they are turned over to a facilitated enroller who has all of the different insurances to try to get you qualified. If for some reason, you still don't qualify, Saratoga Hospital has a financial aid program. We will help in any way we can, she added. She distributed packets of information on this program to the Board members.

DEDICATION OF THE 2007 BOARD PROCEEDINGS

Philip Barrett, 2007 Chairman of the Board of Supervisors, said he is dedicating the 2007 Proceedings Book to all emergency service responders in Clifton Park. This was a difficult decision because there are so many folks who do a great job for the Town of Clifton Park day in and day out to make our community better, he said. To try to whittle that down to one person or one group is extremely difficult, he stated. By the same token, the choice was also very easy because time after time, our emergency responders set the standard for community service. They are there for all of us in times of stress, he stated. He said Ronald Regan once said "Our nation was built by men and women who answered a call beyond duty; who gave more than what was expected or required and who gave it with little thought to worldly reward." Today I am honored to stand before some of our local emergency responders and address my colleagues as we dedicate the Proceedings Book, he said. Emergency responders, neighbors helping neighbors, are the dedicated men and women who often times run into danger as others are running out. Heroism happens every day for these fine public servants, he said. The number of lives they touch is immeasurable, he stated. Ambulance corps personnel, firefighters, community emergency responders, team members and other first responders serve their community 24 hours a day, seven days a week. This was never more apparent than last December when Clifton Park and many other communities were hit by an ice storm that left thousands of residents without power, he said. They, who themselves were without power, stepped up to help their fellow residents –

powering generators at crucial town intersections and performing rescue operations, lending care and comfort to those in need. Others staffed an emergency warming shelter the town established, and contacted special needs residents through the town's R. U. O. K. program. The spirit and generosity and selflessness are typical of our emergency responders, he stated. It is this devotion of public service that I am proud to dedicate the 2007 Board of Supervisors Proceedings Book in honor of all of our local emergency responders. He mentioned the training that goes into these emergency responder jobs every day in addition to the many calls they get in any given day, week or month is an incredible amount of time to commit to what they do. He thanked them for being here today in a late August afternoon.

Mr. Barrett presented a Proceedings Book each to: Lou Pasquarell, Jr., Chief of the Jonesville Fire Department; Joe Champagne, Assistant Chief of the Jonesville Fire Department; Richard Shakerley, Chief of the West Crescent Fire Department; Ron Bruzdinski, Jr., Chief of the Vischer Ferry Fire Department; and George June, Chief of the Clifton Park/Halfmoon Ambulance Corps.

On behalf of myself and the entire Saratoga County Board of Supervisors, we thank you, he said. These folks represent Clifton Park, but they could represent any of our communities around the County, he added. Again, thank you for your service to Clifton Park and for being here today, and God bless you, he said.

On a motion by Mr. Richardson, seconded by Mr. Lucia, the minutes of the meeting of July 21, 2009 were approved unanimously.

The Clerk presented the following:

Copy of a letter of resignation from the Community Services Board received from Anthony "Skip" Scirocco.

Received and filed.

Copy of a resolution adopted by the Seneca County Board of Supervisors "Urging Senators Schumer And Gillibrand And Congressman Arcuri To Oppose Any 'Carcieri Fix.'"

Referred to Supervisor Rowland and the County Administrator.

Copy of a resolution adopted by the Wyoming County Board of Supervisors "Urge The Federal Government To Implement Immediate Actions To Help Relieve The Current Dairy Fiscal Crisis."

Referred to Supervisor Rowland and the County Administrator.

Copy of a resolution adopted by the Schoharie County Board of Supervisors "Requesting New York State To Take Back Local Share Of Medicaid As A Component Of True Medicaid Reform."

Referred to Supervisor Rowland and the County Administrator.

Copy of a resolution adopted by the Fulton County Board of Supervisors "Supporting The Formation Of The Sacandaga Protection Committee."

Referred to Supervisor Rowland and the County Administrator.

On a motion by Ms. Wormuth, seconded by Mr. Hargrave, Resolution Nos. 149 through 154 were adopted by a unanimous vote.

RESOLUTION 149 - 09

Introduced by Supervisors Grattidge, Barrett, Connelly, M. Johnson, Peck, Richardson and Sausville

AUTHORIZING NIMS MUTUAL AID AGREEMENTS WITH MUNICIPALITIES

WHEREAS, pursuant to the requirements of the Homeland Security Act, the President of the United States signed Executive Order HSPD-5 which requires local municipalities to have mutual aid agreements within the National Incident Management System (NIMS); and

WHEREAS, mutual aid and cooperation agreements by and between Saratoga County and other municipalities will bring the County into compliance with the Executive Order, and will foster cooperation and assistance among these entities; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute mutual aid and cooperation agreements between the County and other municipalities in compliance and coordination with the National Incident Management System, the form and substance of said agreements subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 150 - 09

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

AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH TVGA ENGINEERING, SURVEYING P.C.

WHEREAS, Resolution 33 of 2009 authorized a contract with TVGA Engineering, Surveying P.C. for the upgrade of the Grooms Road Pumping Station of Saratoga County Sewer District #1; and

WHEREAS, changes proposed by the general contractor, C.O. Falter Construction Corporation, to the design and construction of the Grooms Road Pumping Station have resulted in increased review and inspection costs not included in the contract with TVGA Engineering, Surveying P.C.; and

WHEREAS, a change order to said contract is needed to authorize payment of said increase in the amount of \$25,900; and

WHEREAS, Saratoga County will be reimbursed for these increased costs by the general contractor, C.O. Falter Construction Corporation; now, therefore, be it

RESOLVED, that Richard Doyle, Chairman of the Change Order Committee of Saratoga County Sewer District #1 for the Upgrade of the Grooms Road Pumping Station Project, is authorized to execute a change order with TVGA Engineering, Surveying P.C. in the amount of \$25,900 for additional review and inspection costs, the form and substance of such change order subject to the review of the County Attorney.

BUDGET IMPACT STATEMENT: None. This increase in costs for TVGA Engineering will be paid through the liquidated damages charged against the contract with C.O. Falter Construction.

#### RESOLUTION 151 - 09

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

REQUESTING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO PERFORM A BETTERMENT PROJECT PURSUANT TO HIGHWAY LAW §10(27) AND APPROPRIATING FUNDS THEREFOR

WHEREAS, pursuant to Highway Law §10(27) the Commissioner of the New York State Department of Transportation (the "Commissioner") may, upon the request of a municipality, perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner deems it practicable to perform such work for such municipality in connection the performance of any work of construction, reconstruction or improvement under the Highway Law; and

WHEREAS, Saratoga County is a municipality within the meaning of such section of the Highway Law ("County"); and

WHEREAS, Saratoga County Sewer District No. 1 ("Sewer District") is an administrative unit of the County; and

WHEREAS, the Sewer District owns and operates a six (6) inch diameter sewer trunk line which runs under and is attached the bottom of the Route 9P bridge in the City of Saratoga Springs and Town of Saratoga; and

WHEREAS, the New York State Department of Transportation ("NYSDOT") has plans to remove and replace the Route 9P bridge starting in the fall of 2010; and

WHEREAS, pursuant to Highway Law §10(27) the County, in connection with the Sewer District, wishes the NYSDOT to replace the Sewer District's six (6) inch sewer trunk line with a ten (10) inch sewer trunk when the NYSDOT removes and replaces the Route 9P bridge (the "Betterment"); and

WHEREAS, there is a substantial public interest in and benefit to the performance of the Betterment; and

WHEREAS, NYSDOT has estimated the cost of the Betterment; and

WHEREAS, the Saratoga County Sewer District Commission has reviewed the plans and cost estimate for the Betterment; and

WHEREAS, said Sewer District Commission recommends that the Betterment be constructed and that the Sewer District pay the costs of the Betterment, which costs are the difference in cost between the installation of a new ten (10) inch trunk line in lieu of a new six (6) inch sewer line, and are estimated not to exceed \$86,250.00; and

WHEREAS, the NYSDOT and County will need to enter into a written agreement ("Betterment Agreement") setting forth their respective rights, responsibilities and financial obligations relative to the construction and financing of the cost of the Betterment; and

WHEREAS, in connection with the Betterment Agreement and no later than NYSDOT's letting of contracts inclusive of the work contemplated by such agreement, the County shall deposit in escrow with the State Comptroller, subject to the draft or requisition of the Commissioner, the amount of the such cost estimate of \$86,250.00, to be expended by the State Comptroller on the costs of the Betterment so requested and approved or the return of the excess amount thereof, if any, to the County; and, now, therefore, be it

RESOLVED, this Board of Supervisors hereby approves the above-subject Betterment; and be it further

RESOLVED, that the sum of \$86,250.00 is hereby appropriated from the Sewer District's general fund for deposit with the State Comptroller pursuant to a Betterment Agreement to be executed with NYSDOT, and expenditure on the draft or requisition of NYSDOT for betterment project costs in accordance with Highway Law §10(27) and such Betterment Agreement; and be it further

RESOLVED, that the Chairman of this Board of Supervisors be and is hereby authorized to execute all necessary agreements or other instruments on behalf of the County and Sewer District in connection with the advancement or funding of the Betterment, with the form and substance of the Betterment Agreement to be subject to the approval of the County Attorney; and be it further

RESOLVED, that a certified copy of this Resolution be filed with the State Comptroller and New York State Commissioner of Transportation by attaching it to the Betterment Agreement with NYSDOT; and be it further

RESOLVED, that the Clerk of this Board is hereby directed to transmit five (5) certified copies of this Resolution to the State Department of Transportation.

BUDGET IMPACT STATEMENT: None. Funds available within the Saratoga County Sewer District budget.

#### RESOLUTION 152 - 09

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

#### AUTHORIZING ACCEPTANCE OF LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT AND AMENDMENT TO 2009 COMPENSATION SCHEDULE AND BUDGET

WHEREAS, Resolutions 156-91, 113-93, 172-97, 114-98, 168-98, 141-99, 24-00, 138-00, 143-01, 129-02, 135-04, 157-05, 169-06, 170-06, 173-07, 174-07 and 174-08 authorized acceptance of state grants to improve records management for implementation by the County Clerk; and

WHEREAS, a new grant has been awarded and its acceptance requires our approval; and

WHEREAS, the acceptance of this grant is contingent upon receiving official notification of release of funds; now, therefore, be it

RESOLVED, that the Chairman of the Board execute all documents necessary for the acceptance of Local Government Records Management Improvement Fund Grant for the year 2009-2010 in the amount of \$59,608.00; and be it further

RESOLVED, that the 2009 Saratoga County Compensation Schedule is amended as follows:  
 UNDER COUNTY CLERK

CREATE (9) positions Clerk part-time effective (8/31/09-8/31/10) and, be it further

RESOLVED, that the 2009 Budget is amended as follows:

APPROPRIATIONS:

Increase Acct. #1-19-000-6696.P, Clerks, Part-time \$10,000

Increase Acct. #1-19-000-6930, Social Security \$ 765

REVENUES:

Increase Acct. #1-19-3089, State Aid for Records Management \$10,765

and be it further

RESOLVED, that the above amendments to the 2009 Saratoga County Compensation Plan and Budget are contingent upon the award of the grant.

BUDGET IMPACT STATEMENT: The 2009 budget will be amended for \$10,765 with the remainder of the grant going into the 2010 budget.

RESOLUTION 153 - 09

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

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH IQS SYSTEMS FOR DIGITIZATION OF ADDITIONAL DOCUMENTS

WHEREAS, Resolution 224-06 authorized an agreement with IQS Systems to provide services for the purpose of digitizing and indexing mortgages and deeds in the County Clerk’s Office, for a two year period and for a sum not to exceed \$325,000; and

WHEREAS, the digitization and indexing of deeds and mortgages is complete, and there is a need to digitize and index other documents in the County Clerk’s Office, and the County has received grant funding and expects to receive further grant funding for this purpose; and

WHEREAS, IQS Systems has agreed to continue to digitize and index documents in addition to mortgages and deeds at the same unit price of \$.17 per page for the balance of the contract term; and

WHEREAS, it is necessary to authorize an amendment to the contract with IQS Systems to provide for the digitization and indexing of these additional documents; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute amendment to the agreement between Saratoga County and IQS Systems of Morgan Road, Liverpool, New York to provide for the digitization and indexing of records in the Saratoga County Clerk’s Office in addition to mortgages and deeds at a cost of \$.17 per page through November 2011, to the extent that funding is available for this purpose within the approved budget of the County Clerk, the form and substance of such amendment subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 154 – 09

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

AMENDING 2009 BUDGET FOR INTEREST PAYMENT ON BOND ANTICIPATION NOTE FOR RADIO COMMUNICATION PROJECT

WHEREAS, an amendment to the 2009 Saratoga County Budget is needed to provide funds for an increase in the interest cost of Bond Anticipation Notes issued for the Emergency Radio System project; now, therefore, be it

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

Non-Departmental

Appropriations:

Increase Acct. #1-90-910.9711.BAN Interest 2008 BAN \$135,200

Revenues:

Increase Acct. #1-90-2401 Interest Earnings – Restricted \$135,200

BUDGET IMPACT STATEMENT: The additional interest costs will be covered from Radio Capital fund proceeds.

Chairman Johnson announced the following appointment:

PUBLIC HEALTH NURSING PROFESSIONAL ADVISORY COMMITTEE

Dr. Timothy Brooks  
46 Wilton Road  
Greenfield Center, NY 12833

Ms. Yepsen thanked everyone who supported and attended the fundraiser for the homeless women veterans that was held on Saturday. She gave special thanks to Chairman Johnson, Jack Lawler, Patti Southworth, Phil Barrett and Senator Roy McDonald for their attendance as well. We were able to bring in \$20,000 for this cause, she said. She said Patti Southworth has been on the committee working closely with us. She gave a heartfelt thanks to the seven service organizations that we couldn't have done this without. She said Michelle Paterson was wonderful in demonstrating her support and attending and staying involved in this project. We look forward to opening the doors in the next year. We still have pins for sale at \$5.00 a piece, and I hope we can all wear them proudly, she stated.

Chairman Johnson reminded everyone of the Golf Outing that will be held September 11<sup>th</sup> at McGregor Golf Course in Wilton. For those who do not play golf, please join us for lunch, he said.

Mr. Thompson said bids were opened today for the new Animal Shelter, and we came in under budget. He said the bids will be reviewed, and possibly we can have a special Board Meeting to approve them. He thanked the Buildings and Grounds Committee, and he said it was a long drawn out battle, but we won.

Ms. Raymond reminded everyone of the NYSAC Conference that will be held in Saratoga Springs at the Hilton September 16 – 18. We are please to be working on the conference dinner, she said. If anyone is interested in attending, please see Barbara. She stated the registration is complimented to the Board from NYSAC because we are the host community.

Mr. Lawler said the Saratoga County Day at the Races has been changed from August 30<sup>th</sup> to August 31<sup>st</sup>, and there will be free admission to Saratoga County residents.

Mr. Lawler said he received a memo from Public Health Nursing regarding flu vaccine clinics, but the memo does not have the locations. He requested a revised listing on these clinics to include locations. He requested that these clinics be held geographically throughout the County. Mrs. Plummer said she will check on this with Public Health.

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

Barbara J. Plummer, Clerk