

A G E N D A
July 14, 2010 5:00 p.m.

Vice-Chairman Wood called the meeting to order.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Mary Ann Johnson, Jean Raymond, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Edward D. Kinowski, Arthur J. Johnson – 18. ABSENT - George J. Hargrave, Preston L. Jenkins, Jr., John Lawler, Richard Lucia, Joanne Dittes Yepsen – 5.

On a motion by Ms. Wormuth, seconded by Mr. Rowland, the minutes of the meeting of June 9, 2010 were approved unanimously.

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

EQUALIZATION AND ASSESSMENT

Authorizing conveyance of an auction parcel in the Town of Stillwater to the second bidder in the amount of \$4,000. (Sam Pitcherelle, County Treasurer)

Mr. Wickerham said the first bidder will forfeit their deposit.

Authorizing the cancellation of taxes on an exempt parcel in the Town of Waterford in the amount of \$2.90. (Carol Holley, Real Property Director)

Mr. Wickerham stated the taxes should have been exempt for the Thruway Authority.

Waiving \$613.47 in penalties and interest on a parcel in the Town of Clifton Park. (Mark Rider, County Attorney)

Mr. Wickerham stated errors kept the owner from making payments in a timely fashion.

PERSONNEL & INSURANCE

Introducing a Local Law opting in to the New York State Retirement Incentive Program and setting August 11th as the date for the public hearing on the same. (Jack Kalinkewicz, Personnel Director)

ECONOMIC DEVELOPMENT

Amending the 2010 County Budget to appropriate \$170,761.30 in expenses and revenues to fund the MS4 Stormwater Management Program. (Spencer Hellwig, Management Analyst)

Mr. Wickerham said the money will be passed through to Cooperative Extension, as they are handling that program for Saratoga County.

Authorizing the Chairman to enter into an agreement with Fountains Spatial to provide enhancements to the Saratoga County Map Viewer GIS application at a cost of \$27,000. (Jason Kemper, Planning Director)

Mr. Wickerham said this will be paid by a Homeland Security Grant, and there are no additional maintenance charges.

Authorizing the Chairman to enter into an amended agreement with HMA Contracting to perform an additional \$110,000 worth of work on the Zim Smith Trail. (Jason Kemper, Planning Director)

Mr. Wickerham said our part of that is \$22,000.

PUBLIC HEALTH

Authorizing the Chairman to enter into an agreement with the NYS Department of Homeland Security to accept \$72,517 in Public Health Emergency Preparedness funding for the period of 8/10/2009 to 8/9/2011. (Janet Glenn, Public Health Nursing Director)

Mr. Wickerham said the money is already in the budget. This is just the official acceptance of that grant.

BUILDINGS AND GROUNDS

Authorizing a property easement to National Grid to allow for the installation of electrical supply line to a water pump house at the Saratoga County Fire Training Center. (Paul Lent, Emergency Services Director)

Mr. Wickerham stated previously, the pump had been fueled by diesel fuel.

PUBLIC WORKS

Accepting an 800 foot extension on County Road 46 in the Saratoga Springs Industrial Park. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham said the work will be provided by the Industrial Park and made to the specifications to the County.

Amending the budget and the Capital Plan and authorizing the Chairman to commit to the rehabilitation of the Dix Bridge in the Town of Northumberland at a total cost not to exceed \$3,125,000 and accepting a Federal grant of \$2,450,000 to help underwrite the project. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham said the remaining \$675,000 in the first instance will be guaranteed by the County, but we expect to receive additional revenues.

PUBLIC SAFETY

Authorizing the Chairman to enter into an amended contract with Miller, Mannix and Schachner to authorize an additional \$10,000 for legal expenses relative to the eminent domain proceedings for the Lake Luzerne radio tower site. (Paul Lent, Emergency Services Director)

SUPERVISORS' ITEM

Honoring the memory of Diane Wade former Commissioner of Elections. (All Supervisors)

LAW AND FINANCE

Authorizing the Chairman to enter into an agreement with WAM Commercial Associates, LLC to provide rental of space for elections supplies and equipment at a monthly cost not to exceed \$5,320 for a period beginning June 1, 2010 to May 31, 2013 with an annual increase of 3%. (Bill Fruci, Election's Commissioner)

Mr. Wickerham said they were the low of three proposals.

Authorizing the Chairman to enter into a contract with NTS Data Services Inc. for the printing and mailing of required voter registration materials at a cost not to exceed \$43,650 and amending the 2010 budget in relation thereto. (Bill Fruci, Election's Commissioner)

Amending Resolution #152 of 2009 to authorize the extension of the time period covering the approval of nine (9) part-time clerks in the County Clerk's Office through December 31, 2010. (Kathy Marchione, County Clerk)

Mr. Wickerham said this is no cost to the County; 100% State aid.

Authorizing the Chairman to enter into an agreement with L-1 Identity Solutions, Inc. to conduct criminal background checks of prospective DMV employees as required by State regulations and authorizing the establishment of a \$500 escrow account to cover this periodic fee for each check. (Kathy Marchione, County Clerk)

Mr. Wickerham said they already provide these services in Maplewood Manor.

Authorizing the Chairman to enter into E-Z Pass On-The-Go retail sales agreement with the New York State Thruway Authority to allow the sale of these passes at the Saratoga County DMV Offices. (Kathy Marchione, County Clerk)

Appointing John Adams as Director of the Saratoga County Probation Services effective August 18, 2010. (Jack Kalinkewicz, Personnel Director)

Mr. Wood introduced John Adams, who will be the head of the County Probation Department. He said a committee composed of Chairman Peck, Mr. Johnson, Ms. Wormuth, Mr. Wickerham, Mr. Kalinkewicz, and himself met on several occasions for a series of interviews, and John was selected as the outstanding candidate for the position. He currently is coming to us from Hamilton County where he has served as Probation Director since 2009, he said. Prior to that, for 10 years, he was a Probation Supervisor in Warren County, and a Probation Officer in Warren, Cortland and Tompkins Counties. He has served on numerous committees involving probation at the State level, and is very computer literate and knowledgeable of the software that is used for tracking and doing required paperwork for individuals on probation. For over 10 years, he was a member of the U.S. Army Reserve attaining the rank of Captain. He has a Bachelor's degree in sociology and criminology from SUNY Cortland. He lives in Glens Falls, is married with two children and is looking for property perhaps in the Town of Northumberland.

Mr. Adams said he looks forward to serving the people of Saratoga County and moving to Saratoga County. I want to bring the department on board with automation and make Saratoga County Probation the tip of the spear in our efforts, he said. He stated he looks forward to working with everyone.

Ms. Daly stated as soon as the Zim Smith Trail is completed, we will be having a ribbon cutting ceremony which you will all be invited to. We may put that on the schedule for the end of July, she said. She stated we will have a special event for that day, and she hopes to see everyone there. Mr. Veitch mentioned the Edie Road/Bullard Road trail opening will be on July 29th at 4:00 p.m. at the trailhead.

Chairman Peck introduced Roger Schiera, the new Elections Commissioner.

Mr. Schiera said he is anxious to undertake the duties that were so abruptly left vacant. He said he will try his level best to move the Board of Elections forward. He thanked the Board for their vote of confidence.

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, JULY 20, 2010
AT 4:00 P.M., D.S.T.

Board called to order by Chairman Peck

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, John Lawler – 17. ABSENT - Anita Daly, Preston L. Jenkins, Jr., Arthur J. Johnson, Edward D. Kinowski, Richard Lucia, Joanne Dittes Yepsen – 6.

The invocation was given by Tom Wood, Chaplain.

On a motion by Ms. Wormuth, seconded by Mr. Barrett, the minutes of the meeting of June 15, 2010 were approved unanimously.

The Clerk presented the following:

Correspondence from Patrick Hooker, Commissioner of the NYS Department of Agriculture and Markets, certifying the inclusion of predominantly viable agricultural land in Saratoga County Agricultural District No. 2.

Referred to the Planning Department.

Notice of a public hearing to be held by the Town of Moreau on Tuesday, July 27, 2010 at 6:30 p.m. in the Town Hall to consider adoption of a Local Law Repealing And Replacing Chapter 113 “Sand, Gravel And Mining” With New Chapter 113 “Sand, Gravel, And Mining.”

Received and filed.

Copy of a resolution adopted by the Allegany County Board of Legislators “Supporting The Creation Of Enhanced Sales Tax Transparency And Accountability System For Improved Local Government Fiscal Management.”

Referred to Supervisor Wright and the County Administrator.

Copy of a resolution adopted by the Yates County Legislature “Opposing Delay In Collection Of Tax On Sales Of Cigarettes By Indian Tribes.”

Referred to Supervisor Wright and the County Administrator.

Copies of resolutions adopted by the Yates County Legislature, Tioga County Legislature, and the Allegany County Board of Legislators “Commenting On Proposed 6 NYCRR Part 247 Regulations On Outdoor Wood Boilers.”

Referred to Supervisor Wright and the County Administrator.

Chairman Peck announced that Res. 148 is an added starter today. It came to us late, but it allows the Town of Milton to represent the County for the PILOT project with the Kesselring Site. Mr. Thompson said last year, they put in the application for the program and received \$143,000 for Galway School and \$178,000 for the Ballston Spa School District, and the County received \$17,000. This will come to us annually, and we need to be lead agency for this. He stated the Town just received the application.

On a motion by Mr. Hargrave, seconded by Mr. Barrett, Resolution Nos. 128 through 148 were adopted by a unanimous vote, with the exception of Res. 140.

RESOLUTION 128 - 10

Introduced by Supervisor Peck, Barrett, Collyer, Daly, Grattidge, Hargrave, Jenkins, A. Johnson, M. Johnson, Kinowski, Lawler, Lucia, Raymond, Richardson, Rowland, Sausville, Southworth, Thompson, Veitch, Wood, Wormuth, Wright and Yepsen

HONORING THE MEMORY OF DIANE M. WADE

WHEREAS, DIANE M. WADE, former Saratoga County Election Commission, died on July 10, 2010; and
WHEREAS, DIANE M. WADE was born on December 2, 1947 in Glens Falls, New York and grew up with her 12 siblings in South Glens Falls, graduating from the South Glens Falls High School in 1965; and thereafter was a resident of the Town of Milton for over 40 years; and

WHEREAS, DIANE M. WADE worked in the Saratoga County Board of Elections for 22 years, serving as the Republican Commissioner of Elections for 9 years up until her retirement in 2010; and

WHEREAS, DIANE M. WADE was a member of the New York State Election Commissioners' Association and served as its secretary and treasurer; and

WHEREAS, DIANE M. WADE was a member of the Town of Milton Republican Committee and the Saratoga County Republican Committee and served as the New York State Republican Committeeman for the 110th District; and

WHEREAS, DIANE M. WADE was a member of the Saratoga County Women's Republican Club for over 20 years and served as its President in 1992-1993; and

WHEREAS, DIANE'S hard work and dedication to her job made a large impact on the conduct of elections in Saratoga County, ensuring the fair and equal opportunity of all citizens to participate in the democratic process which is a keystone to our freedom; and

WHEREAS, it is fitting that this Board of Supervisors memorialize the contributions of DIANE M. WADE to the government and residents of Saratoga County upon the occasion of her passing; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors recognizes the many contributions of DIANE M. WADE to the quality of life in Saratoga County during her many years of public service, and expresses its deepest sympathies to her family; and be it further

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to her sons, Patrick Wade of Malta and William Wade of Milton.

RESOLUTION 129 - 10

Introduced by Supervisors Wood, Daly, Grattidge, A. Johnson, Sausville, Thompson and Wormuth

APPOINTING JOHN ADAMS AS DIRECTOR OF THE SARATOGA COUNTY PROBATION SERVICES EFFECTIVE AUGUST 18, 2010

WHEREAS, pursuant to Section 256 of the Executive Law, the Chairman of the Board of Supervisors has appointed John Adams as Director of Probation; now, therefore, be it

RESOLVED, that this Board of Supervisors ratifies the appointment of John Adams of Glens Falls, New York as Probation Director II of the County of Saratoga, effective August 18, 2010, with an initial annual salary of \$82,498.

RESOLUTION 130 - 10

Introduced by Supervisors A. Johnson, Daly, Lucia, Hargrave, Wood, Richardson and Rowland

INTRODUCING PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 2, PRINT NO. 1 OF 2010 A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY PART A AND PART B OF CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF SARATOGA, NEW YORK AND SETTING A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, the proposed Local Law for the year 2010 provides for the adoption of a the New York State Early Incentive Program by the County of Saratoga; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 2, Print No. 1, of 2010, entitled "A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY PART A AND PART B OF CHAPTER 105, LAWS OF 2010 FOR THE ELIGIBLE EMPLOYEES OF THE COUNTY OF SARATOGA, NEW YORK", is hereby introduced before this Board; and, be it further

RESOLVED, that this Board of Supervisors shall hold a public hearing on August 11, 2010 at 4:45 P.M. at the Board's meeting room at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law; and, be it further

RESOLVED, that the Clerk of this Board give notice of such public hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: County savings over a two year period will be about \$300,000.

RESOLUTION 131 - 10

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

AMENDING THE 2010 COUNTY BUDGET TO APPROPRIATE \$170,761.30 IN EXPENSES AND REVENUES TO FUND THE MS4 STORMWATER MANAGEMENT PROGRAM

WHEREAS, Resolution 41-10 authorized acceptance of a New York State Storm Water MS4 Grant; and

WHEREAS, unexpended funding in the amount of \$170,761.30 authorized for storm water management projects needs to be appropriated to the 2010 budget; now, therefore, be it

RESOLVED, that the 2010 Saratoga County Budget is amended as follows:

COUNTY ADMINISTRATOR:

APPROPRIATIONS:

Increase Acct.: #1-90-900-8724 Cooperative Extension	\$170,761.30
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REVENUES:

Increase Acct.: #1-90-3987 MS4 Funding	\$170,761.30
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BUDGET IMPACT STATEMENT: None. The program expenses are covered entirely by NYS MS4 funding.

RESOLUTION 132 - 10

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

AUTHORIZING AN AGREEMENT WITH FOUNTAINS SPATIAL, INC. FOR ENHANCEMENT TO THE COUNTY MAP VIEWER

WHEREAS, by Resolution 258-07, this Board authorized an agreement with fountains spatial, inc. to enhance the County's Geodata base with the use of grant funds from the New York State Office of Real Property Services; and

WHEREAS, additional funds are available for further enhancement to the Saratoga County Map Viewer GIS application, and fountains spatial, inc. is the vendor approved by the State to do this work; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with fountains spatial, inc. an affiliate of fountains plc of Schenectady, New York, to provide enhancements to the Saratoga County Map Viewer GIS application, at a cost not to exceed \$27,000, the form and substance subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact. Funding comes from a State Homeland Security Grant which was already received.

RESOLUTION 133 - 10

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

AUTHORIZING AN AMENDED CONTRACT WITH HMA CONTRACTING CORP FOR ADDITIONAL CONSTRUCTION SERVICES FOR THE ZIM SMITH TRAIL

WHEREAS, by Resolution 195-09 this Board of Supervisors authorized a contract with HMA Contracting Corp to perform construction services for the development of the Zim Smith/Mid County Trail; and

WHEREAS, it is necessary to engage in additional construction services for the Zim Smith/Mid County Trail; now, therefore, it is

RESOLVED, that the Chair of the Board is authorized to execute an amended contract with HMA Contracting Corp. of Schaghticoke, New York to provide additional contracting services not included in the original contract for the construction of the Zim Smith/Mid County Trail, at a cost not to exceed \$110,000, the form and substance of the contract subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: The additional County cost will be 20% or \$22,000 of the funding total.

RESOLUTION 134 - 10

Introduced by Supervisors Rowland, Collyer, Kinowski, Lucia, Southworth, Wormuth and Yepsen

AUTHORIZING AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY TO ACCEPT A PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) GRANT

WHEREAS, continued funding is available from the New York State Department of Homeland Security in an amount up to \$72,517 for Public Health Emergency Preparedness for the period August 10, 2009 through August 9, 2011; and

WHEREAS, a Resolution is required to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all documents and agreements necessary to accept additional grant funds in an amount up to \$72,517 from the New York State Department of Homeland Security for Public Health Emergency Preparedness, the form and substance of such document subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 135 - 10

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

AUTHORIZING ELECTRICAL TRANSMISSION EASEMENT TO NATIONAL GRID

WHEREAS, National Grid requires an easement across county lands in connection with its supplying electrical power to the water pump house at the Saratoga County Fire Training Center; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an easement deed and any other documents needed to grant an easement to the National Grid Corporation for the transmission of electrical power to the water pump house at the Saratoga County Fire Training Center, the form and substance subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 136 - 10

Introduced by Supervisors Sausville, Grattidge, Raymond, Richardson, Southworth, Veitch and Wright

ACCEPTING DEDICATION OF AN 800 FOOT EXTENSION OF COUNTY ROAD 46 IN THE SARATOGA SPRINGS INDUSTRIAL PARK

WHEREAS, County Road 46 was constructed in Saratoga Springs Industrial Park to service various commercial and industrial enterprises located within the Industrial Park; and

WHEREAS, previously undeveloped areas of the Industrial Park which are not serviced by the present location of County Road 46 have become available for development; and

WHEREAS, an 800 foot extension of County Road 46 is needed to service areas of the Industrial Park to foster further development; and

WHEREAS, the proposed 800 foot extension of County Road 46 will be constructed by developers in accordance with Saratoga County Department of Public Works specifications and will be dedicated to the County upon completion to the satisfaction and approval of the Commissioner of Public Works; and

WHEREAS, it is in the best interests of Saratoga County and its residents to encourage industrial and commercial development in the County; now, therefore, be it

RESOLVED, that the Commissioner of Public Works is authorized to execute any and all deeds and other documents necessary to accept the dedication of an 800 foot extension of County Road 46 in the Saratoga Springs Industrial Park, upon the approval of the Commissioner of the design and construction of the road, the form and substance of said documents subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 137 - 10

Introduced by Supervisors Wormuth, Barrett, Daly, Jenkins, M. Johnson, Veitch and Wright

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

WHEREAS, a Project for the Dix Bridge Rehabilitation Project, Saratoga County, P.I.N. 1758.65 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Construction; now, therefore, be it

RESOLVED, that the County Board of Supervisors hereby approves the above-subject project; and it is further

RESOLVED, that the County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance 100% of the federal and non-federal share of the cost of Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$3,125,000.00 (Three million, one hundred twenty five thousand dollars and no cents) is hereby appropriated from the general fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the County Board of Supervisors of Saratoga County shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLUTION 138 - 10

Introduced by Supervisors Sausville, Grattidge, Raymond, Richardson, Southworth, Veitch and Wright

AMENDING THE CAPITAL PLAN AND 2010 BUDGET FOR THE DIX BRIDGE REHABILITATION PROJECT

WHEREAS, by Resolution 137 - 10, this Board authorized the Dix Bridge Rehabilitation Project, which requires an amendment to the 2010 Saratoga County Budget and to the Saratoga County Capital Plan; now, therefore, be it

RESOLVED, that the Saratoga County Capital Plan be and is amended to include the Dix Bridge Rehabilitation Project; and be it further

RESOLVED, that the 2010 Saratoga County Budget is amended as follows:

GENERAL FUND:

Appropriations:

Increase Acct.: #1-90-920-9902 Transfer Fund 2 \$675,000

Revenues:

Increase Acct.: #1-0599.M Fund Balance \$675,000

HIGHWAY FUND:

Appropriations:

Increase Acct.: #2-50-510-7092 Infrastructure \$3,125,000

Revenues:

Increase Acct.: 2-50-3591 Transportation Grant \$2,450,000

Increase Acct.: 2-50-5031 General Fund Transfer \$ 675,000

BUDGET IMPACT STATEMENT: The County share will not exceed \$675,000, but we will pursue additional grants to reduce the County share.

RESOLUTION 139 - 10

Introduced by Supervisors Wormuth, Barrett, Daly, Jenkins, M. Johnson, Veitch and Wright

AMENDING THE CONTRACT WITH MILLER, MANNIX, SCHACHNER, AND HAFNER, LLC TO AUTHORIZE AN ADDITIONAL \$10,000 FOR LEGAL EXPENSES RELATED TO THE EMINENT DOMAIN PROCEEDINGS FOR THE LAKE LUZERNE RADIO TOWER SITE

WHEREAS, additional legal services are needed for eminent domain proceeding for the Lake Luzerne Radio Tower Site, now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the existing contract with Miller, Mannix, Schachner & Hafner, LLC for legal services related to eminent domain proceedings for the Lake Luzerne Radio Tower Site, at a cost not exceed the sum of \$10,000.00, the form and substance of said agreement is subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

Discussion on Res. 140:

Mr. Lawler moved to table Res. 140. He said he appreciates the need for a central storage facility; however, he has some concerns about the prospect of a growing lease agreement that starts off at \$63,000 per year and increases after the first year. He stated the County has a facility at the landfill of \$140,000 s.f. which is more than adequate for the storage of these machines. He said he realizes that facility would take some retrofitting in order to meet the specifics of the R.F.P. for climate control. I would like to get some sense of what it would cost to retrofit that building so we could at least consider the possibility of doing that so we don't have a facility that has a growing expense for the taxpayers, he said. He said the facility at the landfill is, for the most part, unused

at this time, and I think it would be worth taking a look at what it would cost for the climate control and a security system instead of a three-year lease term of \$180,000. Once we have the one-time expense, we have the facility there, and if we ever do decide to use that facility in some way, we would have to undertake those expenses at any event. Mr. Thompson seconded, and the motion to table Res. 140 was approved by a unanimous vote.

Chairman Peck said he will refer this issue to the Buildings & Grounds Committee for their review.

RESOLUTION 140 – 10 (TABLED)

Introduced by Supervisors Wood, Daly, Grattidge, A. Johnson, Sausville, Thompson and Wormuth

AUTHORIZING LEASE OF STORAGE SPACE FROM WAM COMMERCIAL ASSOCIATES, LLC FOR BOARD OF ELECTIONS' VOTING EQUIPMENT AND MATERIALS

WHEREAS, the Help America Vote Act (HAVA) requires the County to assume responsibilities formerly belonging to the Towns and Cities in relation to conducting elections, including the custody and care of voting machines and materials; and

WHEREAS, electronic voting machines and materials require specialized storage not available in county facilities; and

WHEREAS, a new location suitable to store these machines and materials is needed; and

WHEREAS, the facility owned by WAM Commercial Associates LLC is the most suitable storage facility available; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a lease of space with WAM Commercial Associates LLC, of Ballston Spa, New York for the storage of electronic voting machines and materials for the period of August 1, 2010 to July 31, 2013, at a monthly cost of \$5,320 for the first year with an annual increase of 3%, the form and substance of said lease subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. The funding is available within the 2010 adopted budget.

RESOLUTION 141 - 10

Introduced by Supervisors Wood, Daly, Grattidge, A. Johnson, Sausville, Thompson and Wormuth

AUTHORIZING A CONTRACT WITH NTS DATA SERVICES, INC. FOR THE PRINTING AND MAILING OF VOTER MATERIALS FOR THE BOARD OF ELECTIONS AND AMENDING THE 2010 BUDGET IN RELATION THERETO

WHEREAS, the Help Americans Vote Act (HAVA) has required Saratoga County to purchase elections voting machines, a new technology with which voters are not familiar; and

WHEREAS, it is necessary to educate and familiarize county voters with the new machines by mailing educational materials about the machines and their operation to voters; and

WHEREAS, NTS Data Services, Inc. has been the software consultant for our Board of Elections and possesses the data base with addresses of all Saratoga County registered voters, and has conducted required mailings for the Board in the past; and

WHEREAS, NTS Data Services, Inc. is able to produce informational materials explaining the operation of the new voting machines and to disseminate them to our registered voters by a mailing; and

WHEREAS, the Board of Elections and the Law and Finance Committee have recommended that NTS Data Services, Inc. be engaged to produce and conduct a mailing of these educational materials to County voters; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with NTS Data Services, Inc. of Niagara Falls, New York for the production and distribution to Saratoga County registered voters of educational materials to inform the voters of the operation of the new electronic voting machines, at a cost not to exceed \$43,650, the form and substance subject to the approval of the County Attorney and the Contract Administrator; and be it further

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

BOARD OF ELECTIONS

Appropriations:

Increase Acct.: #1-22-000-8430 Printing \$20,370

Increase Acct.: #1-22-000-8440 Special Mailings \$23,280

Revenues:

Increase Acct.: 1-22-3087 HAVA State Aid \$43,650

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 142 - 10

Introduced by Supervisors Wood, Daly, Grattidge, A. Johnson, Sausville, Thompson and Wormuth

AMENDING THE COMPENSATION SCHEDULE TO EXTEND ENDING DATE FOR 9 PART TIME CLERK POSITIONS IN THE COUNTY CLERK'S OFFICE

WHEREAS, Resolution 152-09 authorized the acceptance of a Local Government Records Management Improvement Fund Grant, and amended the 2009 Saratoga County Compensation Schedule to create (9) positions Clerk part-time for the period (8/31/09 – 8/31/10); and

WHEREAS, the New York State Education Department has extended the grant period to December 31, 2010 due to the fact that notifications for the 2009-2010 grant cycle were delayed until October 15, 2009; and

WHEREAS, due to the delay in starting the 2009-2010 LGRMIF grant, funding for these positions will be available throughout the balance of the 2010 fiscal year without any amendments to 2010 revenues; and

WHEREAS, an amendment to the 2010 Compensation Schedule is required to extend the ending date of the 9 part time Clerk positions; now, therefore, be it

RESOLVED, that the 2010 Saratoga County Compensation Schedule is amended as follows:

UNDER COUNTY CLERK

(9) Positions Clerk part time effective 1/1/10 – 12/31/10

BUDGET IMPACT STATEMENT: None. 100% State Aid within the County Clerk's 2010 budget.

RESOLUTION 143 - 10

Introduced by Supervisors Wood, Daly, Grattidge, A. Johnson, Sausville, Thompson and Wormuth

AUTHORIZING AN ESCROW ACCOUNT WITH L-1 IDENTITY SOLUTIONS INC. FOR CRIMINAL BACKGROUND CHECKS FOR PROSPECTIVE DMV EMPLOYEES

WHEREAS, the Department of Motor Vehicles is required by the State of New York to do criminal background checks on persons applying for employment; and

WHEREAS, The Department of Motor Vehicles requires these checks to be done through L-1 Identity Solutions, Inc.; and

WHEREAS, L-1 Identity Solutions, Inc. requires that users of its services maintain an escrow account of funds available to pay for complete background checks; now, therefore, be it

RESOLVED, that an escrow fund in the amount of \$500 is authorized to be maintained with L-1 Identity Solutions, Inc. of Stamford, Connecticut to be used to pay for criminal background checks required for applicants for employment at the Department of Motor Vehicle, subject to the control and administration by the Saratoga County Clerk.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 144 - 10

Introduced by Supervisors Wood, Daly, Grattidge, A. Johnson, Sausville, Thompson and Wormuth

AUTHORIZING AGREEMENT WITH THE NEW YORK STATE THRUWAY AUTHORITY FOR THE RETAIL SALE OF EZ PASS ON THE GO TAGS AT THE DEPARTMENT OF MOTOR VEHICLE OFFICES

WHEREAS, the New York State Thruway Authority has extended an offer to allow the Saratoga County Department of Motor Vehicles to act as its agent in the sale of EZ Pass On The Go Tags to the public; and

WHEREAS, the proposed retail sales agreement provides that Saratoga County purchase EZ Pass On The Go Tags at a unit price of \$21.00 and authorizes their sale to the public at \$25.00; and

WHEREAS, the agreement is in the best interests of residents of the County as it affords them a convenient location to purchase EZ Pass On The Go Tags; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a Retail Sales Agreement with the New York State Thruway Authority authorizing Saratoga County’s Office of the County Clerk to conduct retail sales of EZ Pass On The Go Tags at its Clifton Park, Wilton and Ballston Spa Department of Motor Vehicle offices, the form and substance of such Agreement subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 145 - 10

Introduced by Supervisors Lucia, Collyer, Hargrave, M. Johnson, Kinowski, Southworth and Thompson

AUTHORIZING AUCTION SALE OF COUNTY-OWNED LAND ACQUIRED FOR UNPAID TAXES

WHEREAS, pursuant to Resolution 166-96, following public notice, this Board, by its Equalization and Assessment Committee, did offer on March 16, 2010 at auction sale, certain parcels of land in several Towns within the County; and

WHEREAS, pursuant to Resolution 97-10, this Board authorized conveyance of certain lands to the highest bidders of said auction; and

WHEREAS, the highest bidder on the parcel listed below failed to complete the purchase of the said parcel within the time allotted by the rules promulgated by the Board; and

WHEREAS, the second highest bidder at the auction sale desires to purchase the said parcel of land; and

WHEREAS, the return of this property to the tax rolls is in the best interest of County residents; and

WHEREAS, all proposed conveyances of County lands require approval of this Board; now, therefore, be it

RESOLVED, that, due to the failure of the first bidder on the parcel listed below to complete his purchase, pursuant to the rules, the approval for the conveyance of the following parcel under Resolution 97-10 is revoked, and it is further

RESOLVED, that the proposed conveyance of the following County land to the following second bidder at the auction of March 16, 2010 is approved; and, be it further

RESOLVED, that the Chairman of the Board or, if appropriate, the Commissioner of Social Services, convey the following lands to the following party upon his payment of the indicated amount and certain administrative fees to the County Treasurer:

<u>HIGH SECOND BIDDER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>FORMER OWNER</u>	<u>AMOUNT</u>
Louis J. Festa 12 Walnut Road Mechanicville, NY 12118	Stillwater	253.17-1-66.1	Manmohan Komal	\$4,000.00

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 146 - 10

Introduced by Supervisors Lucia, Collyer, Hargrave, M. Johnson, Kinowski, Southworth and Thompson

CANCELING TAXES IN THE TOWN OF WATERFORD

WHEREAS, taxes were improperly assessed and billed to the State of New York for state owned property in the Town of Waterford; and

WHEREAS, it is necessary to cancel said taxes; now, therefore, be it

RESOLVED, that the tax lien on the following property be and the same are hereby cancelled:

<u>TOWN</u>	<u>SBL</u>	<u>TAX YEAR</u>	<u>LIEN AMOUNT TO CANCELED</u>
Waterford	290.7-2-52	2010	\$2.90

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 147 - 10

Introduced by Supervisors Lucia, Collyer, Hargrave, M. Johnson, Kinowski, Southworth and Thompson

WAIVING PENALTIES AND INTEREST ON A PARCEL IN THE TOWN OF CLIFTON PARK

WHEREAS, errors in the County’s real property tax data base resulted in the failure of delinquent tax notices to reach a taxpayer, causing the taxpayer to be unaware that a tax was not paid; and

WHEREAS, the taxpayer has otherwise been consistently current and timely with payment of his tax bills; now, therefore, be it

RESOLVED, that accrued penalties and interest on real property taxes on the following parcel of real property in the Town of Clifton Park are hereby cancelled, upon the condition that the underlying taxes are paid within 20 days of the notification of the taxpayer by the Saratoga County Treasurer of this Resolution:

<u>Parcel No.</u>	<u>Taxpayer</u>	<u>Amount of Tax</u>	<u>Penalties & Interest</u>
250.18-2-58	Panakkal David	\$1,162.50	\$613.47

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 148 - 10

Introduced by Supervisor Thompson

AUTHORIZING THE TOWN OF MILTON TO REPRESENT COUNTY INTERESTS IN NEGOTIATING A PILOT AGREEMENT FOR THE KESSELRING SITE

WHEREAS, by Resolution 91-05, this Board of Supervisors joined the Town of Galway, the Galway School District and the Ballston Spa School District in authorizing the Town of Milton to act on their behalf in applying for and negotiating a Payment In Lieu Of Taxes (PILOT) agreement with federal government covering the land located in the Towns of Milton and Galway known as the Kesselring Site; and

WHEREAS, the current PILOT agreement is due to expire, and similar authorization is needed in order to apply for and negotiate a new agreement; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the Town of Milton and its officers and employees, to act on behalf of and represent the County of Saratoga in the application for and negotiation of a Payment In Lieu Of Taxes agreement with the United States government regarding the lands located in the Towns of Galway and Milton known as the Kesselring site; and be it further

RESOLVED, that a certified copy of this Resolution be delivered by the Clerk of the Board to the Supervisor of the Town of Milton.

Chairman Peck announced the following appointments:

WORKFORCE INVESTMENT BOARD

Ronald Bentley
Sr. HR Specialist
Saratoga Hospital
211 Church Street
Saratoga Springs, NY 12866
(Exp. 12/31/11)

SOIL & WATER CONSERVATION DISTRICT

Supervisor Tom Wood (Supervisor Rep.)
Supervisor Dick Rowland (Supr. Alternate)

Mr. Rowland stated the Spier Falls/Rotterdam public hearing by the Public Service Commission will be held Thursday, 6:30 p.m. at the Milton Community Center. Just prior to that at 5:00 p.m., there will be a reception for the Supervisors and Board staff at the Fair Office

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

Barbara J. Plummer, Clerk