

AGENDA

May 9, 2012 5:00 p.m.

Vice Chairman Grattidge 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, Daniel Lewza, Thomas Richardson, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward D. Kinowski, John Lawler 21. ABSENT –Preston L. Jenkins, Jr., Arthur J. Johnson 2.

On a motion by Mr. Collyer seconded by Mr. Richardson, the minutes of the April 11th meeting were unanimously approved.

Chairman Wood made a presentation to Joe Ritchey. Mr. Ritchey retired from the County effective May 10th and was given a proclamation. Mr. Ritchey thanked the Board.

Spencer Hellwig, County Administrator, reviewed the following:

“Under E & A we have one resolution which is a tender offer from the Village of Schuylerville. The village will acquire the property for the development of a new village park.

Under the Veterans’ Committee, there are two resolutions. Essentially both of these resolutions were home rule requests. One was for the renaming the Route 9P Bridge over the Fish Creek as the Saratoga County Veterans Memorial Bridge and the second is a renaming of a section of county highway as the Saratoga County Veterans Memorial Highway. Both home rule requests were approved by the Board and sent down to the State for approval. They have both now received bill numbers from Senate and Assembly which need to be added and resubmitted.

Under Personnel and Insurance we have two proposed amendments to the Compensation Schedule. The first is as a result of a recent retirement of the Sewer District’s Administrative Assistant. The position will be reclassified as a Confidential Secretary with a base salary of \$38,334 which is approximately \$8,000 less than the Administrative Assistant’s base salary that is being replaced by this new position. The second amendment included in the resolution is to insure compliance with the State’s Judiciary Law which sets the District Attorney’s salaries at a rate not less than that of the County Court Judge. The salary adjustment was triggered by the adoption of the 2012-2013 OCA budget and will result in an additional \$2,576 being paid to the District Attorney this year which will be covered through additional State aid.

Under Economic Development, there is one resolution supporting a rail service application that’s currently pending before the Surface Transportation Board. The inclusion of this additional railway has already been endorsed by Warren and Essex County’s as well as the Town of Corinth.

Under Legislative and Research, one resolution declaring May 15, 2012 to be “Mayday for Mandate Relief” which is a renewed declaration that the financial burden of the State’s mandates has not been adequately addressed.

Under Buildings, one resolution which is the approval of interim rules and regulations that were prepared by McFarland Johnson who is the County’s Airport consultant. These will be in place until such time that the permanent rules are approved by the FAA and a public hearing is held before the ultimate approval of the Board.

Under Public Health, they are recommending amendments to Maplewood’s collection policy. As you may recall last September the policy was revised and over the past year the Committee has identified additional changes that are going to improve the way that fees are collected from residents and admissions are approved.

Public Safety – three resolutions – The first one is a renewal of a contract with the Village of Corinth for the Sheriff to continue to provide law enforcement services. There will be no change to the contract amount which is \$298,800 based on the fact that the labor negotiations for the highway patrol are ongoing. The second

resolution is for authorization to enter into an agreement with Martin Deposition to provide stenographic services for the County. And the third item is authorization for fee increases for fees charged by Forensic Medical Services for autopsy, death certificate and external examinations that are performed at the direction of the County Coroner's Office as well as the District Attorney's Office.

Under Social Programs we have five resolutions essentially house keeping that involve acceptance of Workforce Investment Act Funding; in addition, authorizing the contracts with the agencies that provide various job services. We are also asking for the Board's approval for the Summer Youth Employment Program to accept the funding and to amend the budget. The program does have funding available this year to provide employment opportunities to approximately 80 youths. The third resolution is renewal of a contract with Captain Youth and Family Services which is essentially pass through funding to provide services in helping youth to prepare for employment with obtaining GED, filling out job applications as well as writing a resume. The funding does require that the County contract with an outside agency to provide this service. We are also asking for the Board's approval of the Workforce Investment Board's budget which has already been endorsed by the Workforce Investment Board which is made up of 38 separate individuals which include representatives from Warren, Washington and Saratoga Counties. And the final resolution is a contract with J.J. Young to provide not only job training services but administrative services to the Workforce Investment Board.

There will also be a Chairman's appointment brought to the Board to fill a vacancy on the Sewer Commission.

Under Law and Finance there will be one resolution to initiate eminent domain proceedings for a piece of real property located on the shore of Saratoga Lake which is one of the nine pump stations that are currently undergoing design work for an upgrade. Access is going to be needed to complete the design work as well ongoing maintenance so that action is currently awaiting appraisal by a realtor so a value can be established on what an appropriate fee can be.

On a motion by Mr. Lucia, seconded by Mrs. Johnson the agenda was unanimously adopted as recited by the County Administrator.

Vice Chairman Grattidge acknowledged Mr. Peck. Mr. Peck asked the members of Public Safety to see him before leaving as he would like to schedule a meeting and would like to see what worked for the members.

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

Respectfully submitted,

Pamela Hargrave, Clerk

REGULAR SESSION
TUESDAY, MAY 15, 2012
AT 4:00 P.M., E.S.T.

Board called to order by Chairman Wood.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Dan Lewza, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward Kinowski, John Lawler, Arthur J. Johnson – 21. ABSENT —Preston L. Jenkins, Jr., Willard H. Peck 2.

The invocation was given by Patricia Southworth, Chaplain.

PRESENTATION

Chairman Wood introduced Mr. Mike Russo from GlobalFoundries. Mr. Russo thanked the Board for the opportunity to appear before them and show a video entitled “Sand to Chip”.

PUBLIC INPUT

Paul Safran, City of Saratoga Springs, said he is a pilot who flies out of the Saratoga County Airport. He said he had two issues he wanted to address before the Board. The first was with regards to the Open Meetings Law and encouraged the Board to look at their policies and procedures for keeping the public notified of meetings, minutes, agenda and notices as well as documents that are distributed and discussed at meetings. The second item he spoke about was the interim airport rules that were being discussed and before the board for adoption today. He encouraged the Board to take more time to review the rules and to seek more input from the public, the soaring clubs and pilots before these rules were put into place.

Nick Berardi, employee at Maplewood Manor, thanked the Board for the policy changes they were voting on today. He said it was a step in the right direction towards filling the empty beds. He encouraged all the supervisors, one at a time, to go over to the facility, walk around, talk to staff and residents, to see what the staff does and to hear their concerns.

PRESENTATIONS

Penny Heritage and Jaime O’Neill (Planning Department) invited all the Supervisors to the Sundae on the Farm. Ms. Heritage gave a brief history of this event as well as an agenda of what would be occurring this year.

Supervisor Mary Ann Johnson called to the podium Supervisor Mindy Wormuth, Andy Davis and Richard Strojil. Ms. Wormuth presented Mr. Strojil with a proclamation from the Town of Halfmoon for his actions the day a fire broke out in an apartment complex in Halfmoon. Mrs. Johnson said the Veterans Committee developed an “Above and Beyond Award” and Mr. Strojil is the first recipient. She said Mr. Strojil who is a Veteran awoke to a fire in the morning hours of May 8th. He jumped into action as he helped save the life of his neighbors. Because of this unselfish act, he lost everything in the fire including all of his medals. Mrs. Johnson said Andy Davis is working to replace all the medals that were lost. Mr. Strojil thanked Mrs. Johnson, Ms. Wormuth, Andy Davis and the entire Board for the award. He said his military training came into play and didn’t give it a second thought to put others before himself.

On a motion by Mr. Lucia, seconded by Mr. Rowland the minutes of the April 17, 2012 meeting were unanimously approved.

The Clerk presented the following:

Letter from Renee Barchitta from ACNH Core Family Council Member regarding Maplewood Manor.

Copied to Public Health Committee.

Letter from the Family of Lorraine Fitzgerald regarding Maplewood Manor.

Copied to Public Health Committee.

REPORTS:

2011 Annual Financial Report of Saratoga County

Received and Filed.

Report No. 8 – Mortgage Tax Report

To the Honorable Board of Supervisors of Saratoga County:

The following is a report of the Mortgage Tax collected and to be distributed to Cities, Towns and Villages; and the County Treasurer is hereby authorized and directed to pay such amounts.

Amount in the hands of the County Treasurer for distribution in County after adjustments, deduction of expenses and payments of State's share is 3,707,585.85 distributed to Cities, Towns and Villages as follows:

BALLSTON	\$ 242,359.63
BALLSTON SPA (BALL)	\$ 8,444.10
MILTON	\$ 199,756.41
BALLSTON SPA (MILTON)	\$ 24,130.59
CHARLTON	\$ 88,248.48
CLIFTON PARK	\$ 789,209.35
CORINTH	\$ 28,941.22
CORINTH (VILLAGE)	\$ 12,855.21
DAY	\$ 12,615.30
EDINBURG	\$ 22,645.59
GALWAY	\$ 40,157.12
GALWAY (VILLAGE)	\$ 659.05
GREENFIELD	\$ 118,947.65
HADLEY	\$ 14,711.63
HALFMOON	\$ 427,683.73
MALTA	\$ 252,032.69
ROUND LAKE (VILLAGE)	\$ 4,843.72
MECHANICVILLE	\$ 28,117.08
MOREAU	\$ 201,957.82
SO. GLENS FALLS (VILLAGE)	\$ 23,027.99
NORTHUMBERLAND	\$ 59,719.97
PROVIDENCE	\$ 21,666.73
SARATOGA	\$ 57,982.42
SCHUYLERVILLE (VILLAGE)	\$ 4,321.31
VICTORY (VILLAGE)	\$ 1,549.99
SARATOGA SPRINGS	\$ 490,115.50
STILLWATER	\$ 121,367.94
STILLWATER (VILLAGE)	\$ 8,048.84
WATERFORD	\$ 80,881.75
WATERFORD (VILLAGE)	\$ 4,074.46
WILTON	\$ 316,512.58
TOTAL	\$3,707,585.85

On a motion by Mr. Richardson, seconded by Mr. Sausville, Report No. 8 was approved by a unanimous vote.

REPORTS OF COMMITTEE

Mr. Sausville told the Board they would be considering a resolution today about “Mayday for Mandate Relief”. Mr. Sausville said mandate relief was one of Legislative and Research’s priorities for this year and said that it was presented to the Legislature at their annual meeting.

On a motion by Mr. Hargrave, seconded by Mr. Barrett, with the exception of Resolution No. 110-12, Resolution No.’s 104 through 123 were adopted by a unanimous vote.

RESOLUTION 104 - 12

Introduced by Supervisor Wood

APPOINTING A COMMISSIONER TO THE SARATOGA COUNTY SEWER DISTRICT COMMISSION

WHEREAS, Resolution 230-71, as amended by Resolution 127-72, established the nine member Commission for the Saratoga County Sewer District No. 1 and its initial membership; and

WHEREAS, as a result of the decision of Commissioner Peter J. Crowley not to seek reappointment to the Sewer District Commission past the expiration of his term on December 31, 2011, there exists a vacancy on the Commission; now, therefore, be it

RESOLVED, that the following person is appointed as a member of the Saratoga County Sewer District Commission for the stated term:

<u>NAME/ADDRESS</u>	<u>MUNICIPALITY</u>	<u>TERM EXPIRES</u>
Charles Marshall 21 North Lane Saratoga Springs, NY 12866	Saratoga Springs	12/31/14

RESOLUTION 105 - 12

Introduced by Supervisors M. Johnson, Hargrave, Kinowski, Lucia, Richardson, Rowland and Wright

REQUESTING HOME RULE LEGISLATION TO DESIGNATE THE NEW YORK STATE ROUTE 9P BRIDGE OVER FISH CREEK LINKING THE CITY OF SARATOGA SPRINGS AND THE TOWN OF SARATOGA AS THE “SARATOGA COUNTY VETERANS MEMORIAL BRIDGE”

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 Military 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, the State of New York recently replaced the New York State Route 9P Bridge over Fish Creek between the City of Saratoga Springs and the Town of Saratoga with a new and greatly improved bridge that allows for safer and more efficient vehicular and pedestrian access between the City and the Town; and

WHEREAS, New York State Route 9P is a popular route traversed by people seeking to visit the foregoing historical and military related facilities; and

WHEREAS, by Resolution 61-12 this Board of Supervisors requested Home Rule Legislation designating the New York State Route 9P Bridge over Fish Creek linking the City of Saratoga Springs and the Town of Saratoga as the “Saratoga County Veterans Memorial Bridge”; and

WHEREAS, Senate Bill No. S6967 and Assembly Bill No. A9835 have been introduced in the State Legislature and would designate the New York State Route 9P Bridge over Fish Creek as the “Saratoga County Veterans Memorial Bridge”; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors requests the enactment of Senate Bill No. S6967 and Assembly Bill No. A9835 entitled “An act to amend the highway law, in relation to designating the New York State Route 9P Bridge over Fish Creek linking the City of Saratoga Springs and the Town of Saratoga as the Saratoga County Veterans Memorial Bridge”; and be it further

RESOLVED, that a necessity exists for the enactment of such legislation as it is in the sole discretion of the Legislature to officially designate the names of state bridges; and be it further

RESOLVED, that the Clerk of the Board forward certified copies of this Resolution to our local state legislators.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 106 - 12

Introduced by Supervisors M. Johnson, Hargrave, Kinowski, Lucia, Richardson, Rowland and Wright

REQUESTING HOME RULE LEGISLATION TO DESIGNATE A PORTION OF NEW YORK STATE HIGHWAY 4 STARTING IN THE VILLAGE OF SCHUYLERVILLE AND ENDING AT THE SARATOGA COUNTY LINE IN THE VILLAGE OF WATERFORD AS THE "SARATOGA COUNTY VETERANS MEMORIAL HIGHWAY"

WHEREAS, Saratoga County is the home of two prominent facilities related to the military heritage and history of our nation, to wit, 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 4 runs past these facilities and constitutes an efficient and convenient connection among them; and

WHEREAS, by Resolution 131-09 this Board of Supervisors originally requested Home Rule Legislation designating those portions of New York State Highway 29 from the New York State Military Museum in the City of Saratoga Springs eastward to its intersection with New York State Highway Route 4 in the Village of Schuylerville, then south along Route 4 to the Saratoga County line in the Village of Waterford as the "Saratoga County Veterans Memorial Highway"; and

WHEREAS, the original bills introduced in the Senate and Assembly in response to this Board's home rule request were subsequently amended to delete State Highway 29 due to the fact that previous home rule legislation requested by this Board in 1996 had been signed into law designating State Highway 29 from Henning Road in the City of Saratoga Springs to the Village of Schuylerville as the "General Philip Schuyler Commemorative Highway; and

WHEREAS, Senate Bill No. S2160-A and Assembly Bill No. A04739A have been introduced in the State Legislature and would designate that portion of New York State Highway 4 starting in the Village of Schuylerville and ending at the Saratoga County line in the Village of Waterford as the "Saratoga County Veterans Memorial Highway"; and

WHEREAS, this Board of Supervisors deems it fitting to have the foregoing section of Highway 4 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; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors requests the enactment of Senate Bill No. S2160-A and Assembly Bill No. A04739A 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 State Legislature to officially designate the names of state highways; and be it further

RESOLVED, the Clerk of the Board forward certified copies of this resolution to our local state legislators.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 107 - 12

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

AMENDING 2012 COUNTY COMPENSATION SCHEDULE

WHEREAS, the Personnel and Insurance Committee and the Director of the Department of Personnel have recommended certain changes to the 2012 Saratoga County Compensation Schedule; and

WHEREAS, Judiciary Law §183-a requires that the District Attorney shall receive a salary equivalent to that of the County Court Judge; and

WHEREAS, as a result of recent statewide salary increases authorized for judges throughout the State, the salary of the Saratoga County Court Judge was increased to \$140,300 effective April 1, 2012; now, therefore, be it

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

UNDER SEWER DISTRICT:

Abolish: Administrative Assistant

Create: Confidential Secretary

and, be it further

RESOLVED, that in compliance with Judiciary Law §183-a the salary of the District Attorney shall be increased to \$140,300 effective as of April 1, 2012.

BUDGET IMPACT STATEMENT: None. The additional cost of this adjustment will be an increase of \$2,576 in the District Attorney's Office and will be covered entirely by New York State.

RESOLUTION 108 - 12

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

SUPPORTING THE APPLICATION OF SARATOGA AND NORTH CREEK RAILWAY, LLC BEFORE THE SURFACE TRANSPORTATION BOARD TO PROVIDE RAIL SERVICE ON THE EXISTING APPROXIMATELY 29.71 MILES OF RAIL TRACK KNOWN AS THE "TAHAWUS LINE" RUNNING FROM NORTH CREEK, NEW YORK WITH TERMINUS AT NEWCOMB, NEW YORK

WHEREAS, Saratoga and North Creek Railway, LLC has made application to the Surface Transportation Board for permission to re-activate the Tahawus railway line running from North Creek, New York to Newcombe, New York; and

WHEREAS, once approved for use Saratoga and North Creek Railway, LLC intends to utilize the Tahawus line to haul freight and support economic development, and

WHEREAS, existing rail lines have become an increasingly important alternative for shipping and receiving for small to medium size Adirondack businesses as the price of gasoline and diesel fuel increases, and

WHEREAS, the North Country Regional Economic Council Plan identified rail importance as a major component of the region's economic health and calls for the retention of all existing rail lines, and

WHEREAS, the rehabilitation and use of the Tahawus rail line as proposed by Saratoga and North Creek Railway, LLC holds the potential for additional future passenger and tourism services, while accommodating freight shipments to existing businesses and

WHEREAS, the application of Saratoga and North Creek Railway, LLC to re-activate the Tahawus line has been met with vehement opposition by Protect the Adirondack!, Inc. as well as resistance by the NYS DEC, Division of Lands and Forest, now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby expresses strong support for the application of Saratoga and North Creek Railway, LLC to the Surface Transportation Board for permission to operate the Tahawus line, and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall cause certified copies of this Resolution to be presented to the Surface Transportation Board, the New York State Department of Environmental Conservation, Division of Lands and Forest, the Essex County Board of Supervisors, Senator Elizabeth Little, Assemblywoman Teresa Sayward, the Adirondack Association of Towns and Villages and such other officials and entities as deemed appropriate by the Chair of this Board.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 109 - 12

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

DECLARING MAY 15, 2012 TO BE “MAYDAY FOR MANDATE RELIEF” IN SARATOGA COUNTY, URGING THAT REFORMS BE MADE TO THE MANDATE RELIEF COUNCIL, AND URGING THE MANDATE RELIEF COUNCIL TO TAKE SWIFT ACTION IN SUBMITTING A PACKAGE OF MANDATE RELIEF PROPOSALS TO GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE IN 2012

WHEREAS, the State of New York mandates the delivery of State programs using local resources; and

WHEREAS, these State mandates are the root cause of high county property taxes in New York State; and

WHEREAS, the State’s failure to provide the mandate relief promised when State lawmakers enacted a property tax cap in 2011 is rapidly eroding the ability of county elected officials to implement the tax cap locally while maintaining essential services and passing responsible budgets; and

WHEREAS, when the State enacted a property tax cap, a Mandate Relief Council was established to review specific mandates and advance legislative proposals to reduce the statutory and regulatory burden on municipalities; and

WHEREAS, the Mandate Relief Council’s membership consists of seven appointees who serve as State Executive Branch officials, four appointees of the State Legislature, and no members who have direct responsibility over a county budget; and

WHEREAS, Saratoga County’s 2012 Adopted Budget anticipates a net cost to the County of \$23.3 million for Medicaid, \$8.4 million for additional Social Services, \$12.3 million for pensions, \$7.4 million for Early Intervention and Pre-School Special Education, \$6.9 million for community college tuitions, \$1.8 million for probation, and \$1.4 million for indigent legal defense; and

WHEREAS, the total net cost to Saratoga County of these mandates equals \$61.5 million, an amount that represents 121% of Saratoga County’s \$50,774,998 property tax levy; and

WHEREAS, year after year, the Saratoga County Board of Supervisors has passed resolutions calling for mandate relief, its members have traveled to Albany to lobby our State lawmakers for mandate relief, and its Legislative Program has called for an amendment to the State Constitution barring the imposition of unfunded mandates no fewer than thirteen times over the past fifteen years, including in 2012, 2011, 2008, 2006, 2005, 2004, 2003, 2002, 2001, 2000, 1999, 1998, 1997; and

WHEREAS, the 2012 Legislative Program adopted by the Saratoga County Board of Supervisors on February 28, 2012 and presented to our State lawmakers in Albany on March 6, 2012 called for specific mandate relief measures including: a full takeover of all local costs of the Medicaid program; adoption of Pension Tier VI; a Constitutional Amendment banning new unfunded mandates, and a statutory ban that would provide protection until such an amendment may be passed in final and ratified; a more equitable share of the New York State Public Safety Surcharge, which was designed to defray the cost to counties of implementing emergency 9-1-1 systems but instead has historically been swept to cover other state expenses; state reimbursement for 100% of the costs associated with hosting an unprecedented third primary election in 2012; and reforms to ensure more timely state reimbursement for state mandated services; and

WHEREAS the Saratoga County Board of Supervisors and its members have, in 2012, hosted or participated in a wide variety of public events that have highlighted the burden imposed on our county by unfunded mandates, including but not limited to a public forum held in the Board of Supervisors meeting room on March 14, 2012, additional public forums held in numerous Towns throughout the County, and the annual “State of the County” event hosted by the Saratoga County Chamber of Commerce on April 19, 2012; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby declares May 15, 2012 to be “Mayday for Mandate Relief” to further demonstrate that the decisions made in Albany have a direct impact on the property tax levy and local community services in Saratoga County; and be it further

RESOLVED, that the Saratoga County Board of Supervisors calls upon Governor Cuomo and the State Legislature to amend the law that established the Mandate Relief Council to ensure that the Council includes county elected officials who have direct responsibility over county budgets; and be it further

RESOLVED, that the Saratoga County Board of Supervisors urges Governor Cuomo and the State Legislature to establish specific budgetary targets for the Mandate Relief Council that quantify the relief that must be delivered to counties, and ensure that the Council’s mandate relief proposals actually hit these targets; and be it further

RESOLVED, that the Saratoga County Board of Supervisors calls upon the Mandate Relief Council to take swift action in submitting a package of mandate relief proposals to Governor Cuomo and the State Legislature to be voted upon by our State Representatives during 2012; and be it further

RESOLVED, that the Saratoga County Board of Supervisors urges that these proposals include all of the mandate relief proposals contained in the 2012 Legislative Program adopted by the Saratoga County Board of Supervisors, as outlined previously in this Resolution; and be it further

RESOLVED that the Clerk of the Saratoga County Board of Supervisors forward a certified copy of this Resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, each member of the Mandate Relief Council, and Saratoga County's representatives in the State Legislature.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Lewza asked for a separate vote on Resolution No. 110. He said there should be an end date and these should not be interim rules.

Ms. Yepsen said she agrees with Mr. Lewza and believes there should be an end date. She also believes more consideration and participation should be given to the pilots who use the airport. Mr. Rowland and Mr. Wright both responded that the pilots did have representation on the advisory council. She also suggested that county personnel should review the open meetings law to be sure the County is abiding by it.

Mr. Veitch said he supported the comments by Mr. Lewza and Ms. Yepsen. He said he believes there should be an end date to the rules.

Mrs. Southworth asked if she could address Mr. Rowland. Chairman Wood agreed. She said it is her understanding that the Rules have gone to the FAA for comment about the action/plans of the glider clubs and that is when the rules become finalized. Mr. Rowland said yes the report would go to the FAA and recommendations would come from them.

Mr. Sausville said it was his understanding this was about the safety of the airport.

Mr. Lawler said he agrees with Supervisor Sausville that it was his understanding that the point of this was to get some operational safety at the airport in view of everyone agrees as the increase in use. He said to Mr. Rowland that this is an effort to try to get an operational safety policy in place on how the airport gets used with the understanding that the word interim is here with the full expectation that based on input from FAA, input from all the different stakeholders there is nothing to prevent your committee to come back and revisit this. Mr. Rowland said that is correct.

Mr. Lewza said he wanted to clarify his position as he agrees we need rules and regulations at the airport. He said he completely agrees with that and he thanks Mr. Rowland for putting this forth. He thinks that if the FAA doesn't come through by the end of the year there should be a sunset clause put in that way the Buildings and Grounds Committee can take a look and definitely has to revisit this situation again. He said the way some of the things are worded in the rules and regulations we may have difficulties over there when the traffic gets a little busier during track and SPAC season.

On a motion by Mr. Rowland, seconded by Mrs. Wormuth Resolution No. 110 PASSED by the following vote: AYES: (154,631) Patricia Southworth 9,776, Philip C. Barrett 18,352.5, Anita Daly 18,352.5, Alan Grattidge 4,133, Richard Lucia 6,531, Mary Ann Johnson 856, Jean Raymond 1,214, George J. Hargrave 3,545, Richard Rowland 7,775, Arthur M. Wright 2,048, Mindy Wormuth 21,535, Paul Sausville 14,765, Thomas Richardson 5,196, John Collyer 1,995, Thomas N. Wood III 5,674, Edward D. Kinowski 8,287, John Lawler 8,423, Arthur J. Johnson 16,173. NOES: (64,976 which includes the absent votes) Daniel Lewza 18,575, Matthew E. Veitch 13,293, Joanne Dittes Yepsen 13,293. ABSENT: Preston L. Jenkins, Jr. 14,728, Willard H. Peck 5,087.

RESOLUTION 110 - 12

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

ADOPTING INTERIM RULES AND REGULATIONS FOR THE SARATOGA COUNTY AIRPORT

WHEREAS, Saratoga County has retained the services of McFarland Johnson of Binghamton, New York, to draft Rules and Regulations to establish basic guidelines for aeronautical activities at Saratoga County Airport; and

WHEREAS, the objective of said Rules and Regulations is to ensure the safety of County employees, tenants, patrons, and users of the County Airport both on the ground and in the air; and

WHEREAS, this Board is authorized pursuant to County Law §215(11), to adopt by resolution or local law, rules, regulations and ordinances covering the use of, parking on, and traffic in and through any county owned property; and

WHEREAS, the draft Rules and Regulations prepared by McFarland Johnson have been submitted to the Federal Aviation Administration (FAA) for its review and comment, and it is anticipated that it may take several months for the FAA to complete its review; and

WHEREAS, it is appropriate that interim Rules and Regulations for the Saratoga Airport be adopted pending the FAA's review of the draft Rules and Regulations, in order that sufficient rules are in place to address and remediate ongoing safety issues posed by certain practices and behaviors of users of the Saratoga County Airport; and

WHEREAS, our Public Safety Committee and our airport consultant McFarland Johnson have recommended that this Board adopt interim Rules and Regulations for the Saratoga County Airport; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby approves and adopts the "Interim Rules and Regulations of the Saratoga County Airport" attached hereto; and be it further

RESOLVED, the Interim Rules and Regulations of the Saratoga County Airport shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

(See Attachment for Interim Rules and Regulations)

RESOLUTION 111 - 12

Introduced by Supervisors Wright, Grattidge, Kinowski, Raymond, Southworth, Veitch and Yepsen

APPROVING AMENDMENTS TO THE SARATOGA COUNTY MAPLEWOOD MANOR COLLECTION OF LATE PAYMENTS POLICY AND PROCEDURE

WHEREAS, by Resolution 118-02 this Board of Supervisors did adopt the "Saratoga County Maplewood Manor Collection of Late Payments Policy and Procedure" to establish County procedures for the collection of unpaid resident charges at Maplewood Manor; and

WHEREAS, the Administrator of Maplewood Manor has proposed certain amendments to said Policy and Procedure intended to ensure that potential residents have the financial resources needed to pay Maplewood Manor's charges and to expedite the payment of delinquent resident accounts; and

WHEREAS, the Public Health Committee has reviewed, revised, and approved the proposed amendments to the "Saratoga County Maplewood Manor Collection of Late Payments Policy and Procedure" and recommends their adoption by the Board of Supervisors as governing agency of Maplewood Manor; now, therefore, it is

RESOLVED, that the Saratoga County Maplewood Manor Collection of Late Payments Policy and Procedure be, and hereby is, amended in accordance with the recommendations of the Administrator of Maplewood Manor and the Public Health Committee, and as amended, is set forth in the attached Schedule A; and, be it further

RESOLVED, as amended, said Policy and Procedure shall now be known as the "Saratoga County Maplewood Manor Collection Policy and Procedure".

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A

SARATOGA COUNTY MAPLEWOOD MANOR - COLLECTION POLICY AND PROCEDURE

POLICY STATEMENT

MAY 2012

All residents are responsible to pay for the services they receive while at Maplewood Manor. The private pay rate is established by the Saratoga County Board of Supervisors. In the event residents are unable to pay the private pay rate, they or their Financial Agent(s) are required to apply for Medicaid services as per a signed financial agreement.

If the potential resident does not have any private financial resources and it is determined that the potential resident will need to apply for Medicaid, the application must be completed and submitted to Medicaid with a copy provided to Maplewood Manor prior to the potential applicant being admitted to the facility.

Every effort will be made to collect funds from those residents who do not pay for services as required. This may include litigation.

A security deposit is collected from every private pay resident which is used if the resident does not pay his/her whole obligation, or used the last month prior to becoming Medicaid covered. In the event the entire security deposit is not used, it will be refunded to the appropriate party upon resident's discharge.

Security deposits are not collected from new admissions that are covered under Medicare. The security deposit becomes payable when the resident is no longer Medicare covered.

All residents admitted into Maplewood Manor must either have a Durable Power of Attorney in place with the attorney-in-fact residing in New York State or must have a guardian who resides in New York State. The resident's attorney-in-fact must be the resident's financial agent and sign the financial agreement prior to the resident being admitted into the facility and the resident, when able, must also sign the financial agreement as soon as feasible after admission into the facility.

An interest charge of 1.5% per month (18% per annum) or the maximum allowed by law will be added to any outstanding bills after the fifteenth of each month.

During the completion of the financial paperwork prior to the resident entering the facility, a discussion will be held regarding transfer of resident income to come directly to the facility. The appropriate paperwork will be completed if applicable. In the event the resident has a spouse in the community and it is determined by Medicaid that some of the resident's income is to be used by the spouse in the community, if the resident's income is coming to the facility, the facility will return the overpayment amount to the spouse each month. If the resident returns to the community and the resident's income is coming to the facility the resident's income will be transferred back to the resident as soon as possible. In the interim, any income received by SCMM (after discharge and after resident's bill has been paid), shall be sent to the resident in the community.

Monthly, the Administrator, Accountant, Director of Social Work and Senior Account Clerk will meet to review outstanding bills and determine the next step in the collection process. An attorney from the County Attorney's office will be contacted regarding any outstanding debt to assist in determining the next step in collection process.

The Vacancy Review process will be implemented to enable the County of Saratoga to review applications of potential residents to Maplewood Manor to determine whether or not specific admission policy criteria will be waived based upon the potential resident's individual and unique circumstances and/or hardships. Among the factors to be considered and examined during the Vacancy Review process are where the potential resident's power of attorney resides, the amount of the security deposit the potential resident should tender and the amount of money to be prepaid towards care.

GUIDELINES for Vacancy Review Process:

1. Approval to fill any and all vacancies entailing the waiver of any admission criteria will only be considered upon the submittal of completed Application for Admission, which includes a complete Medicaid application. The Application for Admission should be submitted in duplicate to the Maplewood Manor Office.

2. If the Administrator of Maplewood Manor wishes to request a waiver of any admission criteria regarding a potential resident, he/she must submit the request to the Chairman of the Public Health Committee and provide justification in writing. The request, including justification, must be attached to the Application for Admission.
3. All vacancies subject to a waiver request may be subject up to a fourteen (14) day post-submission waiting period before being reviewed by the Vacancy Review Committee.
4. The Vacancy Review Committee will meet on an as needed basis as determined by, and at the call of, the Chairman of the Public Health Committee.

Vacancy Review Committee shall include the following members:

1. Chairman, Public Health Committee
2. Chairman, Board of Supervisors or designee
3. Chairman, Law & Finance
4. Treasurer or designee
5. County Attorney or designee

ALL RESIDENTS

1. Prior to admission, the applicant or applicant's attorney-in-fact must complete an Application for Admission which includes a financial disclosure.
2. Prior to admission, the applicant and the attorney-in-fact must complete a Financial Agreement and execute regarding services provided, payments required, and responsibilities for payment. If the resident is capable of signing the agreement, the resident will do so upon admission. The paperwork to have the resident's income sent to Maplewood Manor will be completed during the admission process, if applicable.

PRIVATE PAY RESIDENTS

1. Residents who are private pay are required to pay a one month's security deposit upon admission. The resident shall also be required to pay up to six months of private pay money, if available.
2. In the event the resident is discharged or no longer in residence, any unused amount will be refunded.
3. If a resident's bill is not paid as per the signed financial agreement, the Late Bills Procedure below will be followed.

MEDICARE COVERED DAYS FOR PRIVATE PAY RESIDENTS

1. The coinsurance days for residents who are being covered under Medicare and have secondary insurance, will be billed to the secondary insurance. In the event the resident does not have secondary insurance, the resident will be billed.
2. Once the resident is no longer covered under Medicare, the resident will be required to pay a one month's security deposit as well as pay for the remaining days in the month.

RESIDENTS APPLYING FOR MEDICAID

1. When a resident's resources have been exhausted or an applicant has applied for Medicaid, the senior account clerk will contact the Medicaid Office to determine if a Medicaid application has been submitted and the status of the application.
2. In the event there may be a problem with the Medicaid application of a current resident:
 - a. The senior account clerk will inform the accountant who will send a certified letter to the Financial Agent indicating that there is a problem with the Medicaid application and that the resident is considered private pay and that payment is expected within 10 business days.
 - b. If there is no response, the attorney will be notified who will send out a certified letter to the Financial Agent requesting payment to the facility or application to Medicaid with follow-up call to the facility within 10 business days.
 - c. If there is no payment to the facility within the designated time frame or the facility has not been contacted regarding the Medicaid status, the attorney will be notified.
 - d. The attorney will then review the file with the facility and assess options including lawsuit. The case will be discussed with the chairman of the Public Health Committee and the county administrator.
3. If there is a problem with the Medicaid application with a potential resident, the resident will not be admitted until Medicaid has been approved.
4. As soon as the facility receives a budget letter from Medicaid (which may take several months):
 - a. The senior account clerk will mail the Financial Agent a bill, including all amounts due by the resident from time of admission less any income received to that point, along with a copy of the Medicaid budget letter.

b. In the event there is no payment within the allotted time and no one has contacted the accountant, the Late Bills Procedure below will be followed.

LATE BILLS

1. At the end of the month a late bill with interest will be generated for all outstanding accounts and sent out to the resident and the Financial Agent with a letter requesting payment within 10 business days. A request will be made to contact the facility regarding the status of applying for Medicaid.
2. If there is no response within 10 business days, the accountant will send a certified letter requesting payment within five business days.
3. If there is no response within five business days, the information will be sent to the county attorney who will send out a letter requesting payment within 10 business days.
4. If no response within 10 business days the county attorney will send out a second letter demanding payment within 5 business days.
5. The attorney will then review the file with the facility and assess options including lawsuit. The case will be discussed with the chairman of the Public Health Committee and the county administrator

VACANCY REVIEW PROCESS

1. In each case, the Administrator of Maplewood Manor shall submit the Application for Admission and written justification for the waiver request to the Chairman of the Public Health Committee for consideration by the Vacancy Review Committee.
2. The request shall be reviewed by the Chairman of the Public Health Committee and placed on the agenda for the next meeting of the Vacancy Review Committee.
3. A decision will be reached during the Vacancy Review Committee meeting or the matter will be referred to the Administrator of Maplewood Manor for further information or action. The Administrator of Maplewood Manor will follow up as appropriate.

RESOLUTION 112 - 12

Introduced by Supervisors Peck, Jenkins, Lawler, Lucia, Southworth, Veitch and Wormuth

AUTHORIZING THE CHAIR AND THE SHERIFF TO ENTER INTO A CONTRACT FOR ADDITIONAL POLICE SERVICES FOR THE VILLAGE OF CORINTH

WHEREAS, Resolution 88 - 11 last authorized a contract with the Village of Corinth for additional law enforcement services within the Village; and

WHEREAS, the Village wishes to extend this contract; and

WHEREAS, the proposed contract includes reimbursement by the Village for all County expenses including salaries, benefits, training, all transportation expenses, and a patrol car; and

WHEREAS, the County and the Village recognize that the amount of the County's expenses for salaries and benefits is contingent upon ongoing negotiations for a new contract with the Patrolmen's Union; now, therefore, be it

RESOLVED, that the Chair of the Board and the Sheriff are authorized to execute a contract with the Village of Corinth for additional County law enforcement services within the Village from June 1, 2012 through May 31, 2013 for a sum not to exceed \$298,800, the form and substance of said contract being subject to the approval of the County Attorney; and, be it further

RESOLVED, that, if this contract is terminated, the additional positions of "Deputy Sheriff, Patrolman" necessary for these services shall be abolished.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 113 - 12

Introduced by Supervisors Peck, Jenkins, Lawler, Lucia, Southworth, Veitch and Wormuth

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH MARTIN DEPOSITION SERVICES, INC. TO PROVIDE STENOGRAPHIC SERVICE FOR SARATOGA COUNTY

WHEREAS, the County currently has a minor contract dated July 5, 2011 with Martin Deposition Services, Inc. for the provision of stenographic services to County Departments, including, the District Attorney, the County Attorney and the Public Defender; and

WHEREAS, due to the unavailability of another stenographer utilized by the District Attorney's Office for the preparation of stenographic transcripts for grand jury proceedings, and the utilization of the services of Martin Deposition Services, Inc. in place of said stenographer, the contract limit of \$10,000 for said minor contract with Martin Deposition Services, Inc. has been or will be exceeded; and

WHEREAS, it is necessary to increase the limits of the County's contract with Martin Deposition Services, Inc. beyond the \$10,000 limit of a minor contract; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Martin Deposition Services, Inc. of Malta, New York, for stenographic services for Saratoga County at the rates set forth in the rate schedules attached to the County's current minor contract with Martin Deposition dated July 5, 2011, as amended on December 20, 2011, with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The costs associated with increasing the limits of this contract will be paid out of the budget for transcripts in the District Attorney's Office.

RESOLUTION 114 - 12

Introduced by Supervisors Peck, Jenkins, Lawler, Lucia, Southworth, Veitch and Wormuth

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH FORENSIC MEDICAL SERVICES

WHEREAS, Resolution 221-08 authorized an agreement with Forensic Medical Services to perform forensic autopsies and provide related services at the direction of the County Coroners and District Attorney; and

WHEREAS, Forensic Medical Services increased its professional fees effective January 1, 2012 as follows: for issuance of a death certificate (without autopsy): \$50.00; for performing an external examination: \$300.00; and for performing an autopsy and issuing a death certificate: \$900.00; and

WHEREAS, Forensic Medical Services has agreed to waive its \$500 fee to the County for performing a neuropathology examination effective January 1, 2012; and

WHEREAS, it is necessary to amend the County's agreement with Forensic Medical Services to reflect these fee changes; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the County's agreement with Forensic Medical Services providing for the following fee increases and fee waiver: increase fee for issuing a death certificate without an autopsy to \$50; increase fee for performing an external examination to \$300; increase fee for performing an autopsy and issuing a death certificate to \$900; and waiver of \$500 fee for performing a neuropathology examination, with the form and content of such amendment being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The total impact of these fee increases will be determined by case volume.

RESOLUTION 115 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

ACCEPTING FEDERAL FUNDS FOR WORKFORCE INVESTMENT PROGRAM YEAR 2012 AND AUTHORIZING FUNDING APPLICATION AND CONTRACTS

WHEREAS, Saratoga County is the designated grant recipient for \$1,817,160 in grant funds provided through the Workforce Investment Act (WIA) to be awarded to Saratoga, Warren and Washington Counties; and WHEREAS, Saratoga County’s available share of said federal funds for its Workforce Investment Program for the 2012 program year is \$738,357; 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 for the program year 2012, the form and substance of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 116 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

ACCEPTING \$133,979 FOR THE TANF SUMMER YOUTH EMPLOYMENT PROGRAM AND AMENDING THE 2012 COUNTY BUDGET IN RELATION THERETO

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

WHEREAS, funds in the amount of \$133,979 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; and

WHEREAS, acceptance of these funds will require an amendment to the 2012 County budget; now, therefore, be it

RESOLVED, that the County of Saratoga will accept funding from the New York State Office of Temporary and Disability Assistance in the amount of \$133,979 to assist in the administration of the TANF Summer Youth Employment Program; and be it further

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

EMPLOYMENT & TRAINING:

APPROPRIATIONS:

Increase Acct. #1-68-681-6800 Program Participant	\$65,000
Increase Acct. #1-68-681-6930 Social Security	\$ 5,283

REVENUES:

Increase Acct. #1-68-4609 TANF Summer Program	\$70,283
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BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 117 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

AUTHORIZING CONTRACT RENEWAL WITH CAPTAIN YOUTH AND FAMILY SERVICES TO ADMINISTER THE WORKFORCE INVESTMENT ACT YOUTH PROGRAM

WHEREAS, Federal Workforce Investment Act funds are available to Saratoga County for the administration of the Workforce Investment Act Youth Program which assists youth in preparing them to become productive members of the work force; and

WHEREAS, pursuant to Resolution 109-11, this Board authorized a contract with Captain Youth and Family Services for the administration of the Workforce Investment Act Youth Program for the period July 1, 2011 through June 30, 2012 at a cost not to exceed \$45,000, with an option to renew up to two years; and

WHEREAS, the proposal to fund a contract with Captain Youth and Family Services to administer the WIA Youth Program for the one year period from July 1, 2012 – June 30, 2013 was approved by Saratoga-Warren-

Washington Workforce Investment Board and its Emerging Workers Council review committee; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with Captain Youth and Family Services of Clifton Park, New York for the administration of the Workforce Investment Act Youth Program for the period July 1, 2012 through June 30, 2013, for a sum not to exceed \$45,000, the form and content of such contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal aid.

RESOLUTION 118 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

APPROVING WORKFORCE INVESTMENT BOARD BUDGET FOR PROGRAM YEAR 2012 FOR \$90,902 AND AUTHORIZING AGREEMENTS WITH WARREN AND WASHINGTON COUNTIES TO FUND WIB SERVICES

WHEREAS, Saratoga County, Warren County and Washington County are the component counties in the local Workforce Investment Area; and

WHEREAS, Saratoga County acts as Grant Recipient for Workforce Investment Act funding for the local Workforce Investment Area; and

WHEREAS, as one of the component counties of the Workforce Investment Area, Saratoga County must approve the budget for the Workforce Investment Board (WIB) and authorize expenditures thereunder for WIB services; and

WHEREAS, Saratoga County's share shall not exceed \$12,059; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors approves the attached Workforce Investment Board Budget totaling \$90,902 for its fiscal year 2012; and be it further

RESOLVED, that the Chair of the Board is authorized to execute any necessary agreements with Warren and Washington Counties and other entities to fund the Workforce Investment Board and its services, the form and content of such agreements being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

Saratoga - Warren - Washington Counties Workforce Investment Board
WIB Budget 2012 – 2013

Reflecting 2 part time positions for Program Year

Expenses:

Executive Director (Part time - 19 hours per week) - Responsibility: Job focus will be Career Center Program and Director liaison, business outreach/contacts and social networking. Committee liaison for Program and Business. Additional job focus will be Board meetings/services, grant development. Policy, State and regional WIB liaison, education contact, regulatory compliance and administrative management. \$ 29,000.00
Benefits \$2,218.50

Associate Executive Director (Part time - 19 hours per week) - Responsibility: Job focus will be Career Center Program and Director liaison, business outreach/contacts and social networking. Committee liaison for Program and Business. Additional job focus will be Board meetings/services, grant development. Policy, State and regional WIB liaison, education contact, regulatory compliance and administrative management. \$ 29,000
Benefits \$2,218.50

Administrative \$7,745

Tuition/Education	\$2,800
Mileage	\$5,000 (based on current rate of \$.555 per mile)
Meeting Expenses	\$2,500 (WIB and committee meetings)
Telephone	\$ 720 (includes telephone and broadband computer connection)

Equipment	\$1,600
Office Expenses	\$3,600 (includes supplies and postages)
Marketing	\$3,000
Miscellaneous	\$1,500

All Totals: \$92,902

RESOLUTION 119 - 12

Introduced by Supervisors Lucia, Barrett, Collyer, M. Johnson, Veitch, Wormuth and Yepsen

AUTHORIZING A CONTRACT RENEWAL WITH J. J. YOUNG, LLC TO PROVIDE ADMINISTRATIVE SERVICES FOR THE WORKFORCE INVESTMENT BOARD

WHEREAS, the Workforce Investment Act as administered by the New York State Labor Department prohibits the Workforce Investment Area, comprised of Saratoga, Warren and Washington Counties, and its staff from providing core, intensive or training services to customers and administrative services to the Workforce Investment Board; and

WHEREAS, the Work Investment Board (WIB) needs to obtain administrative services to assist in coordinating activities of the WIB for the Workforce Investment Area; and

WHEREAS, Saratoga County is the Grant Recipient for WIB funding, and WIB expenditures are paid through County employment and training funds and adjustments are made in the allocation of WIB funding among Saratoga, Warren and Washington Counties; and

WHEREAS, additional revenue to fund this contract are received from system partners that include the NYS Department of Labor, VESID, Adirondack Community College, WSWHE BOCES and Saratoga-Warren-Washington Counties Offices for the Aging; and

WHEREAS, quotes were obtained for the provision of these necessary administrative services, and our Social Programs Committee has recommended that the current contact with J.J. Young, LLC, the lowest quote received for said services, be renewed for an additional year; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with J. J. Young, LLC, 1500 Central Avenue, Albany, New York 12205 for administration services to be rendered to the Workforce Investment Board serving Saratoga, Warren and Washington Counties for the period of July 1, 2012 through June 30, 2013 for a sum not to exceed \$90,902, the form and content of said contract subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 120 - 12

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

AUTHORIZING SARATOGA COUNTY SEWER DISTRICT NO. 1 TO COMMENCE EMINENT DOMAIN PROCEEDINGS TO OBTAIN A FEE INTEREST AND EASEMENTS NEEDED FOR SARATOGA LAKE PUMP STATION NO. 2 IN THE CITY OF SARATOGA SPRINGS

WHEREAS, pursuant to Resolution 231-10, this Board authorized a contract with John D. McDonald Engineering, P.C. for engineering services for the upgrade of Saratoga County Sewer District No. 1's sewer system around Saratoga Lake; and

WHEREAS, Saratoga County Sewer District No. 1 needs to acquire a fee interest for Saratoga Lake Pump Station No. 2 and sewer easements for the District's sewer system located on Tax Parcel #180.-4-8 in the City of Saratoga Springs; and

WHEREAS, protracted negotiations between the Sewer District and the owner(s) of Tax Parcel #180.-4-8 for the acquisition of said fee interest and easements have been unsuccessful; and

WHEREAS, the Saratoga County Sewer District Commission has requested authorization for Saratoga County Sewer District No. 1 to initiate eminent domain proceedings to acquire the fee interest and easements

needed for Saratoga Lake Pump Station No. 2, the District’s sewer system located on Tax Parcel #180-4-8, and all planned sewer improvements related thereto; now, therefore, be it

RESOLVED, that Saratoga County Sewer District No. 1 and the Saratoga County Attorney are hereby authorized to undertake all necessary and appropriate steps, including but not limited to, the initiation of proceedings pursuant to the Eminent Domain Procedure Law, to acquire a fee interest for the site of the Sewer District’s Saratoga Lake Pump Station No. 2, as well as easements for the District’s sewer system located on Tax Parcel #180.-4-8 in the City of Saratoga Springs.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 121 – 12

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

AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE VILLAGE OF SCHUYLERVILLE

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

WHEREAS, the said lands were scheduled to be sold at the County auction of tax acquired properties on March 13, 2012; and

WHEREAS, the Village of Schuylerville has requested pursuant to Resolution adopted on March 12, 2012 by the Village of Schuylerville Board of Trustees to buy said lands for municipal purposes for an amount equal to the unpaid taxes, penalties and interest; and

WHEREAS, the owners of these lands have not made any indication that they wish to reacquire said lands; and

WHEREAS, Board policy and the Real Property Tax Law allow the sale of lands to a municipality under these circumstances; and

WHEREAS, the Equalization and Assessment Committee recommends the approval of the request of the Village of Schuylerville; now, therefore, be it

RESOLVED, that the Chair execute and deliver a quit claim deed to the Village of Schuylerville conveying the following lands to the Village, upon payment of all delinquent taxes, penalties and interest in the amount set forth below:

CONVEY TO:	YEAR	TOWN	S/B/L	AMOUNT
Village of Schuylerville PO Box 56 35 Spring Street Schuylerville, NY 12871	2009, 2010, 2011 & 2012	Saratoga	157.57-1-2	\$20,511.81

and, be it further

RESOLVED, that said Deed shall contain a provision conditioning the conveyance upon the use of the lands for the municipal purposes by the Village of Schuylerville, and requiring the Village to reconvey the property to the County of Saratoga at such time as the Village ceases to use said property for municipal purposes.

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

RESOLUTION 122 - 12

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

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

WHEREAS, a former owner has requested the pre-auction conveyance of one of the said parcels in consideration of the 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 party or her designee, the lands set opposite her name, upon payment of the indicated amount, which includes penalties, interest and charges:

CONVEY TO:	YEAR	TOWN	S/B/L	AMOUNT
Patti J. Quirion 13 Oakwood Drive So. Glens Falls, NY 12803	2008, 2009, 2010 & 2011	Moreau	49.50-1-23	\$20,151.33

BUDGET IMPACT STATEMENT: These amounts include all appropriate penalties and interest.

RESOLUTION 123 - 12

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

AUTHORIZING THE MAKING OF A MOTION FOR PERMISSION TO APPEAL TO THE COURT OF APPEALS IN THE ACTION AGAINST THE HUDSON RIVER-BLACK RIVER REGULATING DISTRICT AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, in accordance with Resolution 51-10 Saratoga County, in conjunction with the counties of Albany, Rensselaer, Warren and Washington, commenced litigation to challenge and appeal the Hudson River-Black River Regulating District’s apportionment of its operating expenses to the five counties; and

WHEREAS, HRBRRD apportioned to Saratoga County 28.5% of its costs, with said costs being in the amount of \$1,270,897 for its fiscal year July 2009 – June 2010, in the amount of \$1,542,089 for its fiscal year July 2010 – June 2011, and in the amount of \$1,542,089 for its fiscal year July 2011 – June 2012; and

WHEREAS, the five counties retained the services of the law firm of Miller, Mannix, Schachner and Hafner, LLC as special counsel to prosecute their legal challenge to HRBRRD’s apportionment scheme; and

WHEREAS, the Supreme Court granted summary judgment against the counties, thereby dismissing the counties’ Complaint and denying the counties’ request for an order and judgment invalidating and declaring unenforceable and void HRBRRD’s apportionment plan; and

WHEREAS, pursuant to Resolution 75-11 this Board authorized the retention of special counsel Miller, Mannix, Schachner & Hafner, LLC to prosecute an appeal of the Supreme Court’s decision to the Appellate Division, Third Judicial Department, at a cost not to exceed Saratoga County’s proportionate share with the other counties participating in the appeal of the total appellate cost of \$30,000; and

WHEREAS, on May 10, 2012, the Appellate Division, Third Judicial Department issued an opinion and order that reversed the Supreme Court’s decision, in part, and remitted the matter to the Hudson River Black River Regulating District for a determination as to the amount of the District’s costs that should be chargeable to the State of New York; and

WHEREAS, this Board believes that the Appellate Division erred in rejecting certain of the counties’ legal arguments, including the counties’ argument that Environmental Conservation Law §15-2121(2) also requires HRBRRD to apportion an appropriate share of its operating costs to the individual parcels of real estate benefited by the flood protection benefits provided by HRBRRD; and

WHEREAS, special counsel has agreed to make a motion for permission to appeal the Appellate Division’s decision to the Court of Appeals at a total cost not to exceed Saratoga County’s proportionate share with the other counties joining in the motion of \$7,500 plus costs and disbursements; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the County’s agreement with special counsel Miller, Mannix, Schachner & Hafner, LLC, authorizing special counsel to take all appropriate legal action necessary to make a motion to the Court of Appeals for leave to appeal the Opinion and Order of the Appellate Division, Third Judicial Department, dated and entered May 10, 2012 in the Matter of County of Albany, et al. v. Hudson-River-Black River Regulating District, et. al., at a cost not to exceed the County’s proportionate share with the other counties joining in the motion of the total motion costs of \$7,500 plus costs and disbursements; and, be it further

RESOLVED, that the form and content of such amendment shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. The Saratoga County share of the total costs of submitting this motion to the Court of Appeals is available within the 2012 County Attorney's budget.

Chairman Wood announced the following appointments:

Office for the Aging Advisory Council

Mary Zlotnick, Saratoga Springs (term expires 12/31/2012)

Mr. Lucia thanked the Board for its support of Resolution 108. He said Senator Schumer announced that it had passed and we will all see good things coming down the track.

Mrs. Southworth said she wanted to thank the Chairman Wood and Supervisor Grattidge for the support they gave her through the mandate relief process; developing the resolution and also the County Administrator's Office. In particular, Ryan Moore for really towering the resolution that NYSAC helped us put together with all of Saratoga County's information. She said it was a great help and she thinks it made a stronger resolution and Ryan is also working to put together some County specific numbers to put in to the power point presentation that Supervisor Wescott and she put together. She said she is more than happy to go to any municipality to present it at the Supervisor's request.

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

Respectfully submitted,

Pamela Hargrave, Clerk of the Board

Cash Statement for Taxes Collected Pursuant to Article 11

Basic Tax Distributed

Months	Taxes Collected	Interest Received by Recording	Recording Officer's Expense	Refunds	Amount Paid Treasurer
2011 Oct	534,150.26	233.16	5,095.10		529,288.32
Nov	623,902.48	256.42	5,128.84		619,030.06
Dec	762,411.71	174.78	5,045.79		757,540.70
2012 Jan	585,287.31	178.96	5,061.10		580,405.17
Feb	558,955.00	107.54	5,102.79		553,959.75
Mar	669,141.90	97.57	5,075.76		664,163.71
TOTALS	3,733,848.66	1,048.43	30,509.38		3,704,387.71

Treasurer

All Other Taxes Distributed

	Interest Received by Treasurer	Tax Districts Share	Additional Tax	Special Additional Tax
2011 Oct	835.58	530,123.90	248,106.45	218,140.80
Nov	448.60	619,478.66	289,357.28	248,283.08
Dec	246.54	757,787.24	358,677.42	322,558.48
2012 Jan	417.62	580,822.79	273,149.94	245,460.37
Feb	535.89	554,495.64	260,766.28	225,643.89
Mar	713.91	664,877.62	314,227.16	275,593.54
TOTALS	3,198.14	3,707,585.85	1,744,284.53	1,535,680.16