

A G E N D A

September 9, 2009 5:00 p.m.

Vice-Chairman Peck called the meeting to order.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, Arthur J. Johnson – 22. ABSENT - John Lawler – 1.

On a motion by Mr. Veitch, seconded by Mr. Lucia, the minutes of the meeting of August 12, 2009 were approved by a unanimous vote.

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

ECONOMIC DEVELOPMENT

Authorizing the Chairman to enter into agreements to accept \$89,000 in snowmobile funding. (Jason Kemper, Planning Director)

Mr. Wickerham stated there will be SEQRA resolutions because that is a requirement for new trails. This is essentially pass-through money, he said.

Authorizing the Chairman to apply for and accept a New York State Stormwater Management Grant in the amount of \$400,000. Grant will be matched by in-kind services at no additional cost to the County or municipalities. (Jason Kemper, Planning Director)

Approving modifications to IDA bonds for the American Housing Foundation, Inc. (Jason Kemper, Planning Director)

Mr. Wickerham said they were unable to complete their bond sales last year.

Authorizing the Chairman to enter into agreements with K.B. Logging to log a lot in the Town of Moreau at a revenue of \$11,976. (George Hodgson, Environmental Management Director)

Mr. Wickerham stated they were the high bidder of the two companies that bid on that lot.

Designating the Saratoga County Chamber of Commerce as the county TPA and authorizing them to apply for \$263,850 in "I Love New York" grants. (Barbara Plummer, Clerk to the Board)

Mr. Wickerham said we expect about \$50,000 of those funds.

Introducing a Local Law revision Empire Zone boundaries to include relative portions of the Luther Forest Technology Site. (Jason Kemper, Planning Director)

PERSONNEL

Amending the Policies and Procedures manual relative to the workplace violence policy, orientation process, date of longevity increments, and managerial sick leave benefits. (Jack Kalinkewicz, Personnel Director)

Mr. Wickerham stated all Supervisors received a copy in their box.

PUBLIC HEALTH

Authorizing the Chairman to enter into a renewal agreement with Christy Britton-Hare for speech pathology services at a cost of \$45 per hour not to exceed 520 hours annually from June 1, 2009 through July 31, 2010. (Diane Brown, Maplewood Manor)

Mr. Wickerham said this is the same cost as previously.

Amending Resolution No. 86 of 2008 to correct the contract amount for Saratoga Center for the Family to \$18,758. (Dale Angstadt, Mental Health Director)

Mr. Wickerham said this is an additional \$312 to the Center that will come from the Mental Health budget.

Authorizing the Chairman to enter into an amended contract with Community, Work and Independence, Inc. to accept an additional \$129 in Cola funding from OMRDD and amending the budget in relation thereto. (Dale Angstadt, Mental Health Director)

Authorizing the Chairman to enter into an amended contract with Unlimited Potential to accept an additional \$126 in Cola funding from OMRDD and amending the budget in relation thereto. (Dale Angstadt, Mental Health Director)

EQUALIZATION AND ASSESSMENT

Authorizing the acceptance of tender offers in Galway (\$3,251.65) and Northumberland (\$3,347.65). (Mark Rider, County Attorney)

PUBLIC SAFETY

Authorizing the Chairman to enter into an agreement with Dr. Stephen B. Feldman to provide psychological services for the Public Defender's Office related to family court proceedings. (John Ciulla, Public Defender)

Mr. Wickerham stated this has gone beyond the \$10,000 minor contract.

Authorizing the Chairman to enter into a lease agreement with Clifton Park Center to provide exhibition space for the Saratoga County Animal Shelter to house adoptable felines. (Dan Butler, Animal Shelter Supervisor)

Mr. Wickerham said this will be manned solely by volunteers at no cost to the County.

Authorizing the Chairman to enter into an amended agreement with Chazen Companies to authorize an additional \$49,400 for unanticipated costs associated with eminent domain proceedings in Lake Luzerne, additional engineering for Mt. McGregor site and work required by the US Army Corps of Engineers at the Fraker Mountain site. (Paul Lent, Emergency Services Director)

SOCIAL PROGRAMS

Amending the 2009 Compensation Schedule to extend the Employment and Training Counselor Aide, temporary position, to December 31, 2009 for an additional cost of \$10,674. (Tony Scavone, Employment and Training Director)

Mr. Wickerham said the funds are available from the Federal government.

LAW AND FINANCE

Amending Resolution 124 of 1977 relative to the publication of the notice for the Public Hearing on the annual scale of sewer charges. (Jim DiPasquale, Sewer District Director)

Authorizing a settlement with Rist Frost Associates in the amount of \$25,000 and Diment Construction Co., Inc. in the amount of \$10,000 in damages for a defective propane system at the Fire Training Center. (Mark Rider, County Attorney)

Appointing Lauren Roberts as Saratoga County Historian effective September 16, 2009. (Barbara Plummer, Clerk to the Board)

Mrs. Johnson introduced Lauren to the Board. She said Lauren is very easy going, cooperative, friendly and creative. She said she is the Town of Day Historian. She thanked the Committee for choosing Lauren, because

she knows this was a difficult task. I am confident she will fill this position to our expectations, she said. She mentioned she is a resident of the Town of Edinburg, and her roots come from Corinth. Ms. Roberts thanked the Board for this opportunity. I am excited about starting this new position, she added.

Chairman Johnson stated there will be a appointment resolution to the Community Services Board on Tuesday.

Mr. Veitch thanked Jen Ciulla for putting together the Saratoga County Day at the Races last week. He also thanked everyone from the towns and cities who participated along with Supervisors M. Johnson, Grattidge, Yepsen and Southworth.

Vice-Chairman Peck reminded everyone of Chairman Johnson's golf tournament on Friday.

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, SEPTEMBER 15, 2009
AT 4:00 P.M., D.S.T.

Board called to order by Chairman Johnson.

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

The invocation was given by Tom Wood, Chaplain.

PUBLIC INPUT

Robert Brignola, City of Troy, said he is a deaf person. He does not have an interpreter because there was a great demand for interpreter services, and he was not allowed sufficient time to have one here to help him facilitate discussions with the Board today. He said the Town of Corinth and Supervisor, Mr. Lucia, have declined to get him an interpreter when he goes to the Town meetings, and this is in violation of law. He discussed an issue he has with the Sheriff's Department regarding a Freedom of Information request not being answered to his satisfaction regarding property that he owns in the Town of Corinth that was broken into.

Mike Maenza, from ProAct, introduced Harrison Rodriguez, also from ProAct. Mr. Maenza stated they have sent out 91,000 mailers to various households in the County. There have been a lot of calls and questions coming to the help desk from various agencies, and that is to be expected. Some of the questions are what is ProAct about, who is paying for this, and why are pets included. He said a number of calls have been going out to County agencies, but they want those calls to go to them. We are in the business of administering this program, and we can answer the questions, he said. The calls should be referred to our 800 number, and we have received almost 400 calls from the County, he stated. He mentioned they are currently doing this program in 23 other counties in New York State. In looking at statistics from other counties, within the first year, we will see an average of 1500 cards being used per month; they anticipate 3,000 prescriptions being filled per month for a savings of \$100,000 per month or \$1.2 million the first year. He said he believes those are conservative numbers. He stated the mailing went out bulk mail. It is an anonymous program, and the mailer was addressed to the Resident of a Household, so individuals who live in apartments may not get the card, he said. He said as of tomorrow morning, Harrison and he will be delivering the cards to various agencies as well, and he has extra cards for the Supervisors to take with them today. He mentioned the most successful county in the program so far has been Onondaga County and that is due in part to the Legislature talking to their constituents about the program, and he encouraged the Supervisors to do the same.

Mr. Maenza said most pet meds that a veterinarian gives are typically human drugs. If a vet gives a prescription to an individual (for their pet) to be filled at a retail store, they are eligible for the discount with this program, he stated. The prescription card has to be used at a retail store, he added. If a vet dispenses the medication, the card cannot be used. He mentioned the pharmacies pay for these discounts. He said all pharmacies belong to the network so that they can access third party insurance. We sent a letter to all pharmacies informing them the County is moving forward with this program, he said. The bottom line is the pharmacies are the sacrificing margin, and that is where the discount comes from. Pharmacies know who their constituents in need are.

Ms. Raymond asked Mr. Maenza how they came up with the list of households to mail the cards to. Mr. Maenza stated a mail house out of Plattsburgh. He pointed out the only numbers on the card are for pharmacies to process thorough the network. Ms. Raymond stated her town did not receive these cards because their zip code is in another county, but she will give him the information. Mr. Menza said if folks did not receive a card, they can call the Help Desk.

Ms. Southworth thanked Mr. Maenza for being here today. She clarified that none of their information is sold or utilized in any other way. We just get numbers on how many prescriptions, how many cards and the dollars,

she stated. Mr. Maenza said at no time do they know who got what drug. Ms. Yepsen said one card was intended to be sent to each household. If there are more users in the household, they can use the same card or download a card from the website, she said. Mr. Maenza said he will be leaving extra cards in the back of the room.

On a motion by Mr. Hargrave, seconded by Mr. Barrett, the minutes of the meeting of August 18, 2009 were approved unanimously.

The Clerk presented the following:

Copy of an application to the NYS Office of the State Comptroller for the Establishment of Rivercrest Sewer District Extension No. 1.

Received and filed.

Copy of a resolution adopted by the Cayuga County Legislature “Urging Senators Schumer and Gillibrand And Congressman Arcuri To Oppose Any ‘Carcieri Fix’.”

Referred to Supervisor Rowland and the County Administrator.

Correspondence from the NYS Dept. of Agriculture and Markets certifying the inclusion of predominantly viable agricultural land as proposed in a plan to modify Saratoga County Agricultural District No. 2.

Received and filed.

Copy of a resolution adopted by the Schoharie County Board of Supervisors “Encouraging Immediate Relief For Dairy Farmers And Supporting Changes At The Federal Level Establishing The Price Of Fluid Milk At The Farm Gate.”

Referred to Supervisor Rowland and the County Administrator.-

Thank you note from Carole A. Romanini, of Waterford, thanking the Board for their efforts to alleviate the cost of prescription drug costs for County residents because of ProAct.

Received and filed.

Correspondence from the Family Fun Day Committee of the Village of Ballston Spa thanking the Board for their County Youth Week contribution.

Received and filed.

Board of Supervisors
Support Staff at County

Thank you for the fruit basket which you sent to me while in the hospital. The fruit was excellent, and I enjoyed it. Morale support is a great incentive to get better. I really appreciated the thought that was behind the gift. Thank you again.

Preston Jenkins

REPORTS

2008 Annual Report for the Saratoga County Mental Health Center.

Received and filed.

REPORT NO. 4

ESTIMATE OF EXPENDITURES FOR SARATOGA COUNTY SELF-INSURANCE

(For fiscal year beginning January 1, 2010)

ADMINISTRATION	2010	2009
Salaries & Wages -----	\$169,389	\$169,389
Prof. Services Postage -----	1,300	1,300
Equipment Repair & Maintenance ---	-0-	-0-
Telephone -----	1,200	1,200
Postage -----	3,000	3,000
Reproduction Expense -----	300	300
Books & Periodicals -----	300	300
Membership, Dues -----	55	55
Misc. Office Supplies -----	1,000	1,000
Mileage Reimbursement -----	225	225
Misc. Auto & Travel -----	100	100
Educational Conference -----	1,500	1,500
Office Equipment Rental -----	1,800	900
	<u>\$180,169</u>	<u>\$179,269</u>
Third Party Liability Ins. Premium	\$ 30,000	\$ 30,000
EMPLOYEE BENEFITS		
Retirement, Soc. Sec., DBL, Health, U.I., WCB	\$ 83,475	83,475
<i>WORKERS' COMPENSATION AWARDS</i>		
VOLUNTEER FIREFIGHTER BENEFITS		
Medical Services -----	\$100,000	\$100,000
Awards & Compensation -----	250,000	250,000
State Assessments--VF -----	25,000	25,000
	<u>\$375,000</u>	<u>\$375,000</u>
WORKERS' COMPENSATION		
Medical Services -----	\$500,000	\$500,000
Awards & Compensation -----	1,360,000	1,360,000
State Assessment-W.C.B.-----	100,000	100,000
State Assessment-15-8 & 25A ----	328,955	329,856
State Ass't - Clinics,OSHA,EOSH --	20,000	20,000
	<u>\$2,308,955</u>	<u>\$2,309,856</u>
VOLUNTEER AMBULANCE CORPS		
Medical Services -----	20,000	20,000
Awards & Compensation -----	15,875	15,875
State Assessment for V.A. -----	2,500	2,500
	<u>\$ 38,375</u>	<u>\$ 38,375</u>

LEGAL FEES		
Legal Fees	55,000	55,000
Investigative Fees, etc./Misc. Fees	30,000	30,000
Transcript Fees	4,000	4,000
	\$ 89,000	\$ 89,000
SAFETY PROGRAMS	\$ -0-	\$ -0-
CONTRIBUTORY RESERVE	\$ 200,000	\$ 200,000
TOTAL ESTIMATED EXPEND.	\$3,304,974	\$3,304,974
REVENUES		
Participants -----	\$3,159,974	\$3,159,974
Cash Flow Interest -----	25,000	100,000
Litigation & Other Sources -----	120,000	45,000
TOTAL ESTIMATED REVENUES	\$3,304,974	\$3,304,974

On a motion by Mr. Wood, seconded by Mr. Rowland, Report No. 4 was approved unanimously.

Ms. Raymond thanked all of her members of the NYSAC Conference Committee and staff for the work going into it. She stated the Conference begins at 8:30 tomorrow morning and runs through Friday in Saratoga Springs. She said she believes as of yesterday, 679 people were registered which does not include spouses. She encouraged everyone to attend whatever times and sessions they can.

Mr. Sausville, Chairman of the Social Program Committee, said he is pleased to announce that Saratoga County, for the ninth year in a row, has won a State record for child support collection. He said there was a ceremony about a week ago in Bob Christopher’s office. State folks were in to express their appreciation and to announce this award, he said. We were first in the State identifying responsible parties regarding child support; the first in the State in developing a payment plan; and first in the State in terms of collections we received. It is a great credit to our Social Services Department, to Bob Christopher and his staff of hard-working people, and it shows in their faces as you walk through the Department how dedicated they are to the jobs that they do. The fact that we have won this nine years in a row is a great credit, he said.

Mrs. Johnson announced the County lands auction will be held next Tuesday at 5:30 p.m., and there are seven parcels.

Mr. Barrett reminded everyone of the September 25th U.S. Army Field Band & Soldiers’ Chorus concert at SPAC. Gates open at 5:30 p.m. at SPAC, and we do need Supervisors to hand out programs. The program starts at 7:00 p.m., and Supervisors should congregate back stage just prior to that to be introduced on stage, he said. We will be joined by Senator McDonald, he stated.

On a motion by Mr. Veitch, seconded by Mr. Lucia, Resolution Nos. 158 through 176 were adopted by a unanimous vote.

RESOLUTION 158 - 09

Introduced by Supervisor A. Johnson

APPOINTING LAUREN ROBERTS AS COUNTY HISTORIAN

WHEREAS, since June 8, 2009 the position of the County Historian has been vacant; and

WHEREAS, Lauren Roberts of the Town of Edinburg, New York has been recommended for this position; now, therefore, be it

RESOLVED, that Lauren Roberts is appointed as County Historian for the County of Saratoga, effective September 16, 2009.

RESOLUTION 159 - 09

Introduced by Supervisor A. Johnson

APPOINTING A MEMBER TO THE COMMUNITY SERVICES BOARD

WHEREAS, Mental Hygiene Law §41.11 requires the appointment of a community services board to advise a local mental hygiene director on the policies and performances of the local programs; and

WHEREAS, there is one opening on the County's Community Services Board; and

WHEREAS, the Director of the Community Services Board and our Community Services Board have recommended an appointment to an expired term; now, therefore, be it

RESOLVED, that the following individual be appointed as a member of the Community Services Board for the County of Saratoga for the following term:

<u>NAME/ADDRESS</u>	<u>REPRESENTING</u>	<u>EXPIRES</u>
Lillian McCarthy 346 Stone Church Road Ballston Spa, NY 12020	Alcoholism and Substance Abuse	12/31/10

RESOLUTION 160 - 09

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

AUTHORIZING CHAIR TO ENTER INTO THE NECESSARY AGREEMENTS TO ACCEPT A SNOWMOBILE GRANT AND DETERMINING NO ENVIRONMENTAL IMPACT RELATIVE TO THE CONSTRUCTION OR MODIFICATION OF SNOWMOBILE TRAIL ROUTES

WHEREAS, on an annual basis since 1988, this Board has authorized acceptance of State aid for the maintenance of snowmobile trails and the administration of such aid by the Saratoga County Association of Snowmobile Clubs (Association); and

WHEREAS, the Association has requested that Saratoga County apply for a SFY 2009/10 grant and to serve as a conduit between the State and the Association for the distribution of grant funds; and

WHEREAS, that the Association has submitted to our Economic Development Committee a list of the approved trail mileage for each snowmobile club within the County and the Committee approved said list; and

WHEREAS, the approved trail mileage includes new or modified trails in the Towns of Galway and Malta/Stillwater which require environmental impact review pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Board has caused a short environmental assessment form to be prepared describing the potential environmental impacts that may result from the proposed new trails; and

WHEREAS, it is appropriate that this Board act as Lead Agency in the review of these actions; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors declares itself to be lead agency in the environmental impact review of the new trail in the Town of Galway and of the new trail in the Town of Malta/Stillwater; and be it further

RESOLVED, that upon review of the draft Short Environmental Review Assessment Form for the new trail in the Town of Galway it is hereby declared that the construction of said trail will not have an environmental impact on the environment, and the Chair of the Board is authorized to execute said Short Environmental Review Form on behalf of this Board to the effect; and it is further

RESOLVED, that upon review of the draft Short Environmental Review Assessment Form for the new trail in the Towns of Malta/Stillwater it is hereby declared that the construction of said trail will not have an environmental impact on the environment, and the Chair of the Board is authorized to execute said Short Environmental Review Form on behalf of this Board to the effect; and it is further

RESOLVED, that the Chair of the Board execute all appropriate documents for application for, acceptance and receipt of a State Snowmobile Trail Development Fund Grant not to exceed \$89,000 and for its administration by the Saratoga County Association of Snowmobile Clubs; and it is further

RESOLVED, that, the County Auditor is authorized to approve payment of the actual grant funds to the Association for use in the development of locally maintained snowmobile trails throughout the County; and it is further

RESOLVED, that, the expenditure of grant funds is subject to receipt of Certificates of Insurance from each participating snowmobile club in the appropriate form and content as required by the County.

BUDGET IMPACT STATEMENT: None. All funding is passed through to Snowmobile Clubs.

RESOLUTION 161 – 09

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

AUTHORIZING A GRANT APPLICATION TO NEW YORK STATE FOR A MS4 STORMWATER ASSISTANCE GRANT

WHEREAS, New York State has made funds available to MS4 municipalities in Saratoga County to assist them with the implementation of mandated local stormwater management programs; and

WHEREAS, Saratoga County and fifteen local municipalities within the County have New York State mandated MS4 stormwater management requirements which became effective on March 10, 2003, and

WHEREAS, the submission of the grant application for said funding, if approved, would provide \$400,000 in state assistance funds to assist each of the participating MS4 municipalities in meeting the mandated stormwater management requirements of their respective state MS4 SPDES permits, and

WHEREAS, the local match value for this program will be met by in-kind service or monetary match; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the Chair of the Board to execute and file an application for MS4 funding in the amount of \$400,000 with the New York State Department of Environmental Conservation, and any documents needed to accept such funding subject to the review and approval of the Saratoga County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 162 - 09

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

APPROVING MODIFICATIONS TO IDA BONDS FOR AMERICAN HOUSING FOUNDATION, INC.

WHEREAS, Resolutions 9-09 and 10-08 appointed the current members of the County of Saratoga Industrial Development Agency (the "IDA"); and

WHEREAS, to accomplish its stated purposes, the IDA is authorized and empowered under the Act to issue its civic facility revenue bonds to finance the cost of acquisition, construction and installation of one or more "projects" (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey or lease said projects with the obligation to purchase; and

WHEREAS, the IDA has previously issued its Tax-Exempt Civic Facility Revenue Refunding Series 2006A Bonds (American Housing Foundation, Inc. Project - Letter of Credit Secured), Series 2006A in the aggregate principal amount of \$4,495,000 and having a current outstanding principal amount of \$4,495,000 (the "Bonds") upon application of American Housing Foundation, Inc., a New York not-for-profit corporation having its principal office at 100 State Street, Albany, New York 12207 in order to (1) refinance a project previously undertaken by the IDA and described in the following paragraph (the "Original Project"); (2) finance a portion of the costs associated with such refinancing, and (3) finance certain capital costs associated with the initial development of the Project Facility (as defined below); and (B) to lease (with an obligation to purchase) or sell

the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the IDA; and

WHEREAS, the Original Project consisted of the following: (1) the acquisition of an interest in an approximately 6.04 acre parcel of land located on Route 9 and Cramer Road in the Town of Malta, Saratoga County, New York (the "Land"), (2) the construction on the Land of an 82 unit senior citizen residential rental facility (the "Facility") and (3) the acquisition and installation in the Facility of certain machinery and equipment (the "Equipment" and together with the Land and the Facility, the "Project Facility"); and

WHEREAS, this Board has been advised by the IDA that it proposes to enter into certain modifications to the Bonds (the "Modifications"); and

WHEREAS, the Company has requested that interest on the Bonds continue to be treated by the Federal government as excludable from gross income for federal income tax purposes pursuant to Sections 103 and 145 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, pursuant to Section 147(f) of the Code, said interest will not be excludable from gross income for federal income tax purposes unless the execution of the Modifications shall be approved by this Board of Supervisors after the IDA has conducted a public hearing thereon following reasonable public notice; and

WHEREAS, on August 24, 2009, the IDA held a public hearing to the entering into of the Modifications, and a report of said public hearing has been made available to each member of this Board prior to this meeting; and

WHEREAS, pursuant to Section 147(f) of the Code, this Board desires to allow the interest on the Bonds to continue to be treated as excludable from gross income for federal income tax purposes; and be it

RESOLVED, that, for the sole purpose of continuing to allow the interest payable on the Bonds to be qualified for exclusion from gross income for federal income tax purposes pursuant to Section 147(f) of the Code, this Board of Supervisors, as the elected legislative body of Saratoga County, New York, hereby approves the entering into of the Modifications by the IDA, provided that the Bonds, and the premium (if any) and interest thereon, shall continue to be special obligations of the County of Saratoga Industrial Development Agency, shall never be a debt of the State of New York, the County of Saratoga, or any political subdivision thereof (other than the County of Saratoga Industrial Development Agency), and that neither the State of New York, the County of Saratoga nor any political subdivision thereof (other than the County of Saratoga Industrial Development Agency) shall be liable thereon.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 163 - 09

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

AUTHORIZING LOGGING REVENUE AGREEMENT WITH K.B. LOGGING FOR TIMBER HARVESTED IN THE TOWN OF MOREAU

WHEREAS, The County owns 15 acres of forest lands located within the Town of Moreau, known as the "Sweet Lot" (tax parcel #77.-1-105) which has been inventoried and marked for selective cutting; and

WHEREAS, Bids were solicited and KB Logging is the highest responsible bidder for that harvest; and

WHEREAS, Acceptance requires Board of Supervisors approval; now, therefore, be it

RESOLVED, That the Chairman of the Board execute an agreement with K.B. Logging of Fort Ann, New York for its selective harvesting of timber on a 15 acre parcel of County forest lands in the Town of Moreau known as the "Sweet Lot" (tax parcel #77.-1-105) for the amount of \$11,976.00, its form and content being subject to the approvals of the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 164 - 09

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

DESIGNATING THE SARATOGA COUNTY CHAMBER OF COMMERCE AS THE COUNTY TPA (TOURISM PROMOTION AGENCY) AND AUTHORIZING THE SARATOGA COUNTY CHAMBER OF COMMERCE TO APPLY FOR "I LOVE NEW YORK" GRANTS FOR 2009-2010

WHEREAS, Article 5-A of the Economic Development Law authorizes matching funds for tourism promotion to be administered through a County's Tourism Promotion Agency; and

WHEREAS, Approval of any application for such State funds requires the designation of a Tourism Promotion Agency and a local commitment for an amount at least equal to the grant request; and

WHEREAS, The maximum possible grant approximates \$263,850; and

WHEREAS, The 2009 Budget for tourism promotion includes a sufficient amount for the required local commitment for that maximum grant request with a total possible program expenditure of \$263,850; and

WHEREAS, Tourism promotion has long been a commitment of the Boards of Supervisors of Saratoga County; and

WHEREAS, The Saratoga Chamber of Commerce has been successful in promotion of tourism for Saratoga County for many years, and is well suited to be designated as Tourism Promotion Agency for Saratoga County; now, therefore, be it

RESOLVED, That the Saratoga County Chamber of Commerce is designated as Tourism Promotion Agency for Saratoga County; and be it further

RESOLVED, That the Chairman of this Board of Supervisors is authorized and directed to execute and file necessary applications, acceptance and subrecipient documents required by the New York State Department of Economic Development for the maximum award of tourism matching funds for 2009-2010 with a possible total program expenditure of \$263,850.

BUDGET IMPACT STATEMENT: We expect to receive about \$50,000 in state grants in 2010.

RESOLUTION 165 - 09

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

INTRODUCING LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2009 TO REVISE THE BOUNDARIES OF THE SARATOGA COUNTY EMPIRE ZONE

WHEREAS, The Saratoga County Empire Zone Administrative Board and the Economic Development Committee have recommended amendments to the present boundaries of the Saratoga County Empire Zone to revise the boundaries of the Saratoga County Empire Zone (formerly known as an Economic Development Zone); and

WHEREAS, such action requires review under the State Environmental Quality Review Act (SEQRA); now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 1, Print No. 1, of 2009, entitled "A LOCAL LAW TO REVISE THE BOUNDARIES OF THE SARATOGA COUNTY EMPIRE ZONE", is hereby introduced before the Saratoga County Board of Supervisors, and the Board of Supervisors shall hold a Public Hearing on October 14, 2009 at 4:45 p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of this Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law; and be it further

RESOLVED, that the Clerk of this Board give notice of such public hearing in the manner prescribed by law; and be it further

RESOLVED, that the Saratoga County Board of Supervisors declares itself to act as lead agency for the conduct of the environmental review of the proposed amendment.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 166 - 09

Introduced by Supervisors Wood, Daly, Hargrave, Lucia, Peck, Richardson and Rowland

AMENDING POLICIES AND PROCEDURES MANUAL

WHEREAS, Resolution 330-82 adopted a manual of Policies and Procedures for the conduct of County government; and

WHEREAS, since adoption, Board of Supervisors have enacted several amendments to the Manual; and

WHEREAS, the annual review of the Manual, mandated by §104-b of the General Municipal Law, has disclosed the appropriateness of other incidental revisions; and

WHEREAS, copies of this proposal was provided to each member of this Board; and

WHEREAS, implementation of any legislative revisions to the Manual requires the approval of the Board; now, therefore, be it

RESOLVED, that the following sections of the Saratoga County Policies and Procedures Manual are amended as more particularly described in the Personnel Officer's proposal:

<u>CHAP./SECTION</u>	<u>TITLE</u>	<u>LAST AMENDED</u>	<u>RES.</u>
1 O	Workplace Violence	3/20/07	69-07
3 J	Orientation Process	9/21/99	169-99
4 C	Longevity Increments	5/13/80	
4 T	Managerial Benefits	3/20/07	69-07

and, be it further

RESOLVED, that the Personnel Department distribute copies of these amendments to all County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 167 - 09

Introduced by Supervisors Lucia, Barrett, Connelly, Richardson, Southworth, Wood and Wormuth

AUTHORIZING A RENEWAL AGREEMENT WITH CHRISTIE BRITTON-HARE FOR SPEECH PATHOLOGIST SERVICES

WHEREAS, necessary professional services for Maplewood Manor are provided by contracts with outside consultants; and

WHEREAS, the May 5, 2004 Public Health Committee meeting established the current maximum rates for the Speech Pathologist for 520 hours; and

WHEREAS, Christie Britton-Hare is the current speech pathologist; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute a renewal agreement with Christie Britton-Hare, at a cost of \$45.00 per hour not to exceed 520 hours annually from June 1, 2009 through July 31, 2010 the form and content thereof being subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 168 - 09

Introduced by Supervisors Lucia, Barrett, Connelly, Richardson, Southworth, Wood and Wormuth

AMENDING THE CONTRACT WITH CENTER FOR THE FAMILY

WHEREAS, Resolution 28-96, as amended by Resolution 41-97 and by Resolution 181-08, authorized ongoing contracts for mental health services, subject to annual appropriations, with various agencies; and

WHEREAS, additional funds are available for inclusion in the contract with Saratoga Center for the Family in the amount of \$312.00; and

WHEREAS, an amendment to the current contract with Saratoga Center for the Family is necessary; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended contract with Saratoga Center for the Family to provide for an increase of \$312.00 in funding for its services the form and content subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: The additional \$312 is available within the Mental Health budget.

RESOLUTION 169 - 09

Introduced by Supervisors Lucia, Barrett, Connelly, Richardson, Southworth, Wood and Wormuth

AMENDING MENTAL HEALTH CONTRACTS AND 2009 BUDGET TO ACCEPT ADDITIONAL STATE FUNDS

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

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

WHEREAS, amendments to the current contracts with the following agencies and the 2009 Budget are necessary to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute amended contracts with the following agencies to provide for the indicated increase in funding for their services:

<u>ORGANIZATION</u>	<u>REVISED INCREASE</u>	<u>FUNDING TOTAL</u>	<u>LINE</u>
Community Work and Independence, Inc.	\$ 129	\$ 31,428	NYS OMH (Reinv) - \$8,172 NYS OMRDD (OT620) - \$13,329 Saratoga County - \$9,927
Unlimited Possibilities, Inc. dba Unlimited Potential	\$ 126	\$ 974,826	NYS OMH (ICM) - \$0 NYS OMH (CSS) - \$475,410 NYS OMH (LA) - \$19,868 NYS OMH (SE/PR) - \$38,556 NYS OMH (Reinvest) - \$234,508 NYS OMH (ISE) - \$50,656 NYS OMH (IJR) - \$108,552 NYS OMRDD (OT620) - \$12,046 Saratoga County - \$35,230

and be it further

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

MENTAL HEALTH:

Appropriations:

Increase Acct. #1-43-442-8730.001 (CWI LA)	\$129
Increase Acct. #1-43-442-8727.001 (Unlimited LA)	\$126

Revenues:

Increase Acct. #1-43-3473 (Agency Non-620)	\$129
Increase Acct. #1-43-3473 (Agency Non-620)	\$126

and, be it further

RESOLVED, that the form and content of such contract being subject to the approval of the County Attorney and Contract Administrator.

BUDGET IMPACT STATEMENT: None. 100% State funding.

RESOLUTION 170 - 09

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

AUTHORIZING AN AGREEMENT WITH DR. STEVEN B. FELDMAN FOR PSYCHOLOGICAL SERVICES

WHEREAS, Article 18B of the County Law requires counties to supply counsel, investigators, expert and other services to persons charged with a crime or involved in a Family Court proceeding who are financially unable to obtain these services; and

WHEREAS, our Public Defender from time to time requires psychological services to assist in the representation of persons who are financially unable to obtain these services; and

WHEREAS, Dr. Steven B. Feldman, PSYD, PHD, DAPA, LMHC has offered to provide psychological services to indigent defendants represented by the Public Defender's Office; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Agreement with Dr. Steven B. Feldman, PsyD, PhD, DAPA, LMHC, of Ballston Spa, New York to provide psychological services to the Public Defender on behalf of persons being represented by that office at the rates set forth in his proposal, the form and substance of said Agreement subject to approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 171 - 09

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

AUTHORIZING A LEASE AGREEMENT WITH CLIFTON PARK CENTER TO PROVIDE EXHIBITION SPACE FOR THE SARATOGA COUNTY ANIMAL SHELTER TO HOUSE ADOPTABLE FELINES

WHEREAS, Clifton Park Center has offered to lease space in Clifton Park Center Mall to the County of Saratoga at no cost to the County for use as exhibition space for the Saratoga County Animal Shelter for adoptable felines; and

WHEREAS, the term of said lease is for one year, with additional terms of one (1) year each; however, the County may cancel said Lease at any time; and

WHEREAS, the landlord will provide heat, ventilation and air conditioning throughout the term of such Lease; now, therefore, be it

RESOLVED, that the Chairman of this Board of Supervisors be and he hereby is authorized to execute a Lease with Clifton Park Center, in the Town of Clifton Park, at no cost to the County of Saratoga, for space for exhibition of adoptable animals, subject to the approval of the County Attorney as to form and content.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 172 - 09

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

AUTHORIZING CONTRACT WITH CHAZEN ENGINEERING & LAND SURVEYING, P.C. FOR ADDITIONAL ENGINEERING SERVICES FOR THE EMERGENCY RADIO SYSTEM

WHEREAS, Resolution 49-07 authorized a contract with Chazen Engineering & Land Surveying, P.C. for engineering services for the construction of the Emergency Radio System; and

WHEREAS, in the course of construction, additional engineering services have become necessary which are not within the scope of the contract, including resolution of wetland issues with the U.S. Army Corps of Engineers, engineering consulting in connection with a eminent domain proceeding, and engineering required by the New York State Department of Corrections for the Mt. McGregor site; and

WHEREAS, the services are necessary to complete the projects; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Chazen Engineering & Land Surveying, P.c. of Poughkeepsie, New York in an amount not to exceed \$49,400 for additional engineering services for the Emergency Radio System, the form and content subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funding is available within the funds budgeted for radio project engineering.

RESOLUTION 173 - 09

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

AMENDING 2009 COUNTY COMPENSATION SCHEDULE

BE IT RESOLVED, that the 2009 Saratoga County Compensation Schedule is amended as follows:

UNDER EMPLOYMENT AND TRAINING:

EXTENSION (1) Employment and Training Program Counselor Aide, Temp (Sept-December 31, 2009)

(NOTE: This position will terminate upon Federal Funding no longer becoming available.)

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 174 - 09

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

AMENDING RESOLUTION NO. 174 OF 1977 TO CHANGE CERTAIN ADMINISTRATIVE PROCEDURES BY WHICH SARATOGA COUNTY SEWER DISTRICT'S NO. 1'S ANNUAL SCALE OF CHARGES IS ADOPTED

WHEREAS, by Resolution No. 174 of 1977 this Board of Supervisors did establish the administrative procedures by which the Saratoga County Sewer District Commission and this Board shall adopt Saratoga County Sewer District No. 1's annual scale of sewer charges for the following year; and

WHEREAS, Section One of said procedures requires the Saratoga County Sewer District Commission to hold at least one public hearing on the proposed scale of charges prior to establishing same; and

WHEREAS, said Section One further requires that notice of such public hearing "shall be given by publishing a notice thereof in the Saratogian and the Ballston Journal, the official county newspapers and in the Schenectady Gazette"; and

WHEREAS, Section Two of said procedures requires that after all public hearings held on the proposed scale of charges have concluded, the Sewer Commission shall establish the scale of charges and publish notice of such established scale of charges "in the Saratogian and the Ballston Journal, the official newspapers of Saratoga County and the Schenectady Gazette and in the official newspaper or newspapers of each political subdivision in whole or in part contained within the boundaries of the Saratoga County Sewer District No. 1"; and

WHEREAS, by Resolution 60-09 this Board of Supervisors designated the Daily Gazette as one of Saratoga County's official county newspapers, replacing the Ballston Journal which intended to cease publication; and

WHEREAS, the Saratoga County Sewer District Commission has recommended to this Board that Resolution No. 174 of 1977 be amended to clarify and improve the manner of publicizing the notice of public hearing and notice of proposed scale of sewer charges, as well as to lower the cost of such publications; and

WHEREAS, this Board of Supervisors deems it appropriate that Resolution No. 174 of 1977 be amended in accordance with the Saratoga County Sewer District Commission's recommendation; now, therefore, be it

RESOLVED, that Resolution No. 174 of 1977 be, and the same hereby is, amended to revise the administrative procedure that Saratoga County Sewer District No. 1 and this Board of Supervisors must abide by when adopting the Sewer District's annual scale of sewer charges, as follows:

SECTION ONE – PUBLIC HEARING ON PROPOSED SEWER CHARGES is amended by deleting the first sentence of the second paragraph and substituting the following sentence in its place:

Notice of such public hearing shall be given by publishing a notice thereof in the official county newspaper(s) of Saratoga County, and on Saratoga County's official website, not less than five nor more than ten days before the date set for the public hearing.

SECTION TWO – FILING AND PUBLIC NOTICE OF PROPOSED SEWER CHARGES is amended by deleting the second sentence of such section and substituting the following sentence in its place:

Notice of such established scale of charges shall be published in the official newspaper(s) of Saratoga County and on Saratoga County's official website.

; and be it further

RESOLVED, that said Resolution No. 174 of 1977 as amended is ratified and reaffirmed.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 175 - 09

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

AUTHORIZING SETTLEMENT OF LEGAL ACTION AGAINST RIST FROST ASSOCIATES AND DIMENT CONSTRUCTION CO. INC. AUTHORIZING SETTLEMENT OF LEGAL ACTION AGAINST RIST FROST ASSOCIATES AND DIMENT CONSTRUCTION CO. INC.

WHEREAS, by Resolution 200 of 2001, this Board authorized litigation against Rist Frost Associates and Diment Construction Co., Inc. for faulty design and construction of the propane fueled fire training simulator system at the Fire Training Center; and

WHEREAS, after extensive litigation and negotiating, a compromise settlement of this action has been proposed, whereby Rist Frost Associates will pay \$25,000.00 and Diment Construction Co., Inc. will pay \$15,000.00; and

WHEREAS, it has been recommended by the County Attorney that acceptance of this settlement proposal is in the best interests of the county; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby authorizes settlement of the legal action entitled "Saratoga County against Rist Frost Associates, P.E., R.A., P.C. and Diment Construction Co., Inc. for the sum of \$35,000.00, \$25,000 to be paid by Rist Frost Associates and \$10,000 to be paid by Diment Construction Co., Inc.; now, therefore, be it further

RESOLVED, that the County Attorney and Chair of the Board are authorized to sign all Releases, Stipulations and other documents necessary to effectuate this settlement.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 176 - 09

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

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

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

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

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

CONVEY TO:	YEAR	TOWN	S/B/L	AMOUNT
David Harney Lynn Harney 311 Ash Street Corinth, NY 12822	2006, 2007 & 2008	Corinth	74.37-2-4	\$7,259.18
Mary Boscherini 29 Crestwood Road Cumberland Center, ME 04021	2006, 2007 & 2008	Galway	185.-3-67	\$3,251.65
Penny Hargett 1666 Route 32 Gansevoort, NY 12831 & Tessie Winslow 17 Kobor Road Gansevoort, NY 12831	2006, 2007 & 2008	Northumberland	104.-1-77	\$3,347.65
Alan Clicquennoi Patricia Snover 5 Meadow Lane Ballston Spa, NY 12020	2006, 2007, 2008 & 2009	Providence	158.-1-30	\$10,539.17

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

Mr. Grattidge said all Supervisors should have received in their mailbox a flyer touting the first annual Explore Charlton weekend. He invited the Supervisors to drive over to Charlton to take a tour of the town.

Chairman Johnson announced the following appointment:

NYRA LOCAL ADVISORY BOARD

Lauren Roberts, County Historian (Exp. 12/31/09)

Chairman Johnson stated the groundbreaking for the new Animal Shelter is scheduled for September 30th at 11:00 a.m., and everyone will receive a notice of that.

Chairman Johnson said he had hoped to host a picnic this summer at the racetrack, but for a variety of reasons, it never happened. Ms. Daly has graciously offered have that party at her home on September 26th. Ms. Daly said she is happy to host this event, and Chairman Johnson does want everyone to participate. We are asking Supervisors to RSVP, and they are encouraged to bring their favorite appetizer, side dish or dessert, she said. She said she would like to challenge the Supervisors to choose recipes from the County Fair Cookbook, and she will be inviting Chef J. Maxwell to stop by her house to judge the recipes that are made. Mr. Rowland said he may be able to locate some blue ribbons for that contest.

Ms. Daly stated the Economic Development Committee meeting in October will be changed to October 13th at 3:45 p.m.

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

Barbara J. Plummer, Clerk