

Agenda Session  
January 9, 2013 5:00 p.m.

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, Daniel Lewza, Willard H. Peck, John Collyer, Thomas N. Wood III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward D. Kinowski, John Lawler, Arthur Johnson 20. ABSENT – Paul Sausville, Preston L. Jenkins, Jr., Thomas Richardson 3.

On a motion by Mr. Hargrave, seconded by Mr. Wright the minutes of the December 12, 2012 meeting were unanimously approved.

Spencer Hellwig, County Administrator presented the following:

EQUALIZATION AND ASSESSMENT

- \* Accepting conditional tender offers in the Town of Stillwater and the Town of Providence.
- \* Accepting tender offers on three parcels in the Town of Clifton Park.
- \* Authorizing the County Auditor to approve tax corrections and refunds less than \$2,500.

There are three resolutions to go before the Board. The first is for two conditional tender offers where the owners are applying for reverse mortgages to cover the back taxes. The second is for regular tender offers on three parcels in the Town of Clifton Park. The final item will be a housekeeping one giving authorization to the County Auditor to approve tax corrections and refunds that total less than \$2,500.

BUILDINGS AND GROUNDS

- \* Amending the 2013 budget to re-appropriate \$524,399 in expenses and revenues to complete projects.

There will be one resolution authorizing reappropriation of the above stated amount in expenses and revenues. This funding will be used to cover some unfinished projects at the Saratoga County Airport as well as the decommissioning of the Co-generation facility at Maplewood Manor.

VETERANS

- \* Requesting Home Rule Legislation to designate a portion of Routes 9P and 32 and Route 432 as the Saratoga County Veterans Memorial Highway.

Under Veterans there is one item which will be the naming of county routes to the Saratoga County Veterans Memorial Highway. This resolution will be sent down to the legislature for authorization and then will be returned to the County with Bill numbers for the Board's adoption.

PUBLIC WORKS

- \* Amending the 2013 budget to re-appropriate \$3,495,579 in expenses and revenues for engineering and construction costs for roads, bridges and professional services.
- \* Authorizing the Chairman to execute a supplemental agreement with NYSDOT to accept additional funding with regards to the replacement of CR7 over Stewart's Dam in the Town of Hadley.

Under Public Works we have two resolutions. The first resolution will authorize the reappropriation of the above stated amount for costs related to engineering and construction for various capital projects. And the second item will be a supplement agreement with NYSDOT for additional inspection services that are required as part of the replacement of the bridge in Hadley.

PERSONNEL & INSURANCE

- \* Appointing Steven R. Bayle as Director of the Saratoga County Probation Department effective January 18, 2013.

There is one item which is the appointment of Steven Bayle as the new Probation Director.

#### PUBLIC HEALTH

- \* Authorizing a renewal agreement with Christine Britton-Hare for Speech Pathologist services at a rate of \$45 per hour.

There is one resolution under Public Health which is a renewal agreement for a speech pathologist contract at the same rate as 2012, \$45 per hour. The work provided by this service is required as part of the Medicaid Federal reimbursement that the County receives.

#### CHAIRMAN'S ITEM

- \* Appointing Donald McPherson to the Saratoga County Planning Board.

There will be one Chairman's Item and that is the appointment of Donald McPherson to the Saratoga County Planning Board to fill a vacancy when Stephen Porto resigned.

#### LAW & FINANCE

- \* Authorizing the Chairman to enter into an agreement with SCI Distribution for a fuel management system of the Saratoga County Sewer District.
- \* Authorizing a settlement of Claim of Rita Esposito against the Saratoga County Sewer District.
- \* Appointing Wayne Howe to the Saratoga County Sewer Commission.
- \* Approving the issuance of tax exempt bonds by the Saratoga CRC.
- \* Authorizing the Chairman to enter into an agreement with MM Hayes for time and attendance.
- \* Setting a Public Hearing on the proposed amendments of the Saratoga County Consolidated Agricultural District #2.
- \* Authorizing the disposition of real estate and certain equipment known as Maplewood Manor to the MMLDC.

Under Law and Finance there will be an agreement with SCI Distribution which will be for the replacement of the District's fuel management system. The second item will be a resolution for authorization to reimburse a homeowner for property damage that resulted as a failure in the main sewer line. The District has taken measures to remedy the cause of the back up and don't believe there will be any future problems at this location. The third item is from the Sewer Commission for the appointment of Wayne Howe from the Town of Milton. The next item is a resolution from the Saratoga Capital Resource Corporation which is for authorization to issue tax exempt bonds up to \$25M for Saratoga Hospital which will be used to cover some of the costs associated with refunding earlier issuances. The next item will be for authorization for the Chairman to enter into a contract with MM Hayes Co. The Technology Committee did review proposals from vendors to provide hardware and software for time and attendance and selected MM Hayes as the qualified vendor to provide those services. The next item is to set a public hearing for consideration to amend the Saratoga County Consolidated Agricultural District #2 for the inclusion of three additional parcels from the Town of Malta. And the final item will be the property disposition resolution to the Maplewood Manor Local Development Corporation. The resolution will authorize the LDC to move forward with the sale of Maplewood to a qualified private sector operator while at the same time allow the County to continue to operate the facility until the sale is finalized and the new operator is licensed by the State of New York. The resolution will also state that the employees will remain County employees until the new owner has been licensed by the state.

On a motion by Mr. Collyer, seconded by Mr. Peck the agenda was unanimously set for the January 15, 2013 Board Meeting.

On a motion by Mr. Wood, seconded by Mr. Peck the meeting was adjourned unanimously.

Respectfully submitted,

Pamela Hargrave, Clerk

REGULAR SESSION  
TUESDAY, JANUARY 15, 2013  
AT 4:00 P.M., E.S.T.

Board called to order by Chairman Grattidge.

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, Daniel Lewza, Preston L. Jenkins, Jr., Willard H. Peck, John Collyer, Thomas N. Wood III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward D. Kinowski, John Lawler, Arthur Johnson 21. ABSENT – Anita Daly, Paul Sausville 2.

The invocation was given by Patti Southworth, Chaplain.

PUBLIC INPUT

Diane Clements, Town of Ballston, Re: Capital Region Sustainability Plan. She expressed to the Board her view on this plan. She believes this plan has little to do with private responsibility management of resources but rather it has to do with changing the form of government from local control. She asked the Board to pass a resolution to disassociate the county from this. She passed out packets of information to the Board.

Dorothy Tyler, Town of Northumberland, Re: Maplewood Manor. She said she has spoken before the board these past few months to encourage the Board to rethink the decision to develop an LDC, to meet with the employees and residents of Maplewood Manor to see how they will be affected by this. She asked the Board to think towards to future and she added that she had encouraged the Board to look at the budget to make cuts that would save Maplewood. Ms. Tyler said she is concerned for the future of the residents and is looking for assurance from the Board of their future. She asked the Board to table the resolution before them today so the whole County may make a vote on the decision.

Fred Polish, Town of Clifton Park, Re: Capital Region Sustainability Plan. He expressed his displeasure with the Plan and urged the Board to pass a resolution to disassociate the County from the Plan. He said the County is already providing a clean, safe environment and believes they should be the ones to continue to do this.

Barbara Brower, Town of Northumberland, Re: Maplewood Manor. She thanked the Board for the opportunity to speak. She came before the Board to ask them to reconsider the LDC and the sale of Maplewood. She said Maplewood is a great facility and has been a long time employee. She said she feels a strong need for the facility. Maplewood has a reputation for good quality care and people want to transfer there because of that care. She urged the Supervisors to vote no to transfer Maplewood to the LDC.

Mary Buszuwki, City of Saratoga Springs, Re: Maplewood Manor. She said this is a needed facility as part of the public health of the County. It provides care to the most vulnerable residents of the County. She said she realizes the financial challenges. She said selling Maplewood to a private owner is not the answer as it will reduce the quality of care and the employees will be making less. There will be a decline in the quality of services.

On a motion by Mr. Rowland, seconded by Mrs. Wormuth the minutes of the December 12, 2012 meeting were unanimously approved.

The Clerk presented the following:

Letter from John Ciulla appointing the following Assistants for a term of January 1<sup>st</sup> thru December 31<sup>st</sup> 2013: Oscar Schrieber 1<sup>st</sup> Assistant; Andrew Blumenburg, John DeLong, Joseph Hammer, Diane Turo and Van Zwisohn.

Received and filed.

Letter from the Capital District Youth Center regarding a vacancy on the their board.

Received and filed.

Letter from Reed Lehan, Supervisor, Adult & Family Services Unit of Saratoga County Department of Social Services thanking the Board for their support of the Children's Christmas Program.

Received and filed.

## Reports:

2012 Annual Report from the Veterans Director, Andy Davis.

Received and filed.

## Report No. 1

## Public Works Committee 2012 Annual Report

This report offers an overview of the accomplishments of this Committee and the Public Works Department over the past 12 months. The Public Works Committee and Department take pride in the following projects that have been completed this year:

Highway Projects:

- Reconstructed 14.08 miles of county-owned highways. Reconstruction work includes but is not limited to such tasks as reconstructing the drainage system, roadside ditches, road-base, asphalt pavement and resurfacing. Supplementary tasks include upgrading traffic signage and guiderail, as well as installing new shoulder fill and new roadway striping. County roads that received a significant amount of maintenance included; part of County Road 4 (Northville Road), all of County Road 8 (Conkingville – Linwood Road), the northerly part of County Road 14 (Fishhouse and Hagadorn Mills Road), the south part of County Road 25 (Spier Falls and North Greenfield Road), and finally the westerly part of County Road 71 (Cedar Bluff Road).
- Completed the replacement of culvert, LIN 271.00, carrying County Road 63 (Malta Ave) over the Kayaderosseras Creek in the Town of Malta.
- Completed the repairs to culvert, LIN #342.10, carrying County Road 8 over a tributary of Stewarts Pond in the Town of Hadley. The repairs include extensive concrete repair to the existing wing walls and headwalls and installing a new concrete invert. The waterway was also cleared of any debris.
- Completed the flagged repairs to bridge, BIN # 3304280, carrying County Road 14 (Fish House Road) over the Kenyetto Creek in the Town of Providence. This is a two span arch bridge with repairs made to the center pier on the inlet side of the bridge.
- Completed the re-lining of culvert LIN 330.00, carrying County Road 24 (Spier Falls Road) over the Stoney Brook in the Town of Corinth. The ten foot diameter multi plate pipe had deteriorated to the extent that it was not functioning as designed. Due to the amount of cover associated with this culvert and the length of the detour, re-lining was the most economical solution.
- Made repairs to culvert LIN 342.20, carrying County Road 8 (Conkingville-Linwood Road) over the Mink Brook in the Town of Hadley. We replaced sixty lineal feet out of approximately two hundred. The remainder of the pipe is owned by the Hudson River Black River Regulating District.
- The bridge carrying County Road 7 (South Shore Road) over Stewarts Dam (BIN 3364160) in the Town of Hadley was replaced. This was a major federally funded project.

Engineering Projects

- Our engineering staff continues to examine and study traffic issues as requested by towns or county residents. These requests may be as simple as for the installation of a traffic sign or be as complex as a request for a traffic signal. Studies completed this year included; County Road 4 (North Shore Road), in the town of Edinburg and County Road 75 (Lake Road) in the town of Stillwater.
- Comprehensive inspection of thirty five (35) county owned culverts were completed by our engineering staff.
- Our engineering staff also plays a key role in providing guidance and assistance to the maintenance and construction crews.

- In addition, engineering consultants progressed the engineering for the following federally funded bridge projects:
  - BIN 2202960 carrying U.S. 4 (Central Avenue over the Anthony Kill in the City of Mechanicville. This bridge is scheduled for replacement in 2014.
  - BIN 3304460 carrying County Road 45 (North Line Road) over the Kayaderosseras Creek in the Town of Malta. This bridge is scheduled for rehabilitation in 2015.
  - BIN 3306380 carrying Clark's Mills Road over the Hudson River in the Counties of Saratoga and Washington (Dix Bridge). The rehabilitation of this bridge will begin in early January 2013.
  - BIN 330440 carrying Stafford Bridge Road over Fish Creek in the Town of Saratoga. The bridge is scheduled for rehabilitation in 2015.
  - BIN 3304470 carrying Mott Road over the Snook Kill in the Town of Moreau. This bridge is scheduled to be rehabbed in 2015.

#### Maintenance Projects

Our Public Works Department continues to complete various maintenance projects as required along our entire highway system. Maintenance projects are typically scheduled and completed based upon priority and need basis. Some of the projects are as follows;

- On County Road 339 (Lake Hill Road) 15 drop inlets were repaired to aid in the drainage of the roadway.
- Rehabbed and repaired areas of damaged concrete at the Saratoga Springs Recycling Center.
- A new gate assembly was fabricated by the DPW work force to block an open type shed structure located near the fire training center. The shed had become an anonymous dumping area for unwanted household trash (couches, TV sets etc.);
- DPW crews regraded the berm behind the current glass crushing building. Finished product was seeded for grass.
- The DPW work forces replaced the existing guide cable along County Road 7 along Stewart's Dam with box beam guiderail. The total amount of guiderail used was approximately 3,264 lineal feet. DPW forces also demolished the vacant forestry building located on County Road 24 at the Fawn Road intersection in the Town of Moreau. The building had been unused for several years and had become a liability.
- The Corinth Recycling Center was completely scraped and repainted.
  - As part of the ongoing maintenance of the Saratoga County Roadway system; crack sealing is performed as a proactive approach to preserving the integrity of the road thereby extending its useful life. The following county roads were crack sealed; portion of County Road 7 (South Shore Road), County Road 13 (Fishhouse Road), County Road 19 (North Creek Road), County Road 33 (Ballard Road), County Road 21 (Middle Grove Road), County Road 104 (Murray Road), County Road 52 (Jockey Street), County Road 45 (Galway Road), County Road 43 (Geysers Road), County Road 47 (Rowland Street), County Road 50 (Greenfield Ave.) County Road 63 (Malta Ave. and Malta Ave ext.), all of County Road 22 (Crescent Ave.), a portion of County Road 64 (Nelson Ave.), County Road 75 (Mechanicville-Stillwater Road), County Road 56 (Hop City Road), County Road 51 (Charlton Road), County Road 80 (Schauber Road and Round Lake Road), and finally a portion of County Road 82 (East Line Road).
- The entire 360-mile county highway system has been restriped, consisting of centerline and edge lines. Additionally, we striped nearly 342 miles of centerline and 440 miles of edge line for several municipalities across the County.
- Guiderail was upgraded / repaired and installed at several locations within the county highway system.
- Thirty-two (32) culverts at various locations have been cleared of overgrown vegetation in preparation for 2013 inspections.
- Vegetation and trees were cleared along select areas within the county highway system.
- During the 2012 season, approx. 2,600 bags of roadside trash had been collected along the 360 mile highway system.

#### Adopt a Roadside

- The Saratoga County Adopt-A-Roadside Program continues to play an important role in keeping our roads clean. In 2012, fifty-two (52) community groups remain listed as active. Our inventory of adopted county highways is almost eighty (80) miles. Our county D.P.W. provides orange garbage bags and safety vests to all participants. In addition, the county D.P.W. coordinates the pick-up, recycling, and disposal of all material collected in these efforts throughout the year.

### Recycling

- Saratoga County Recycling is now completing its 25<sup>th</sup> year of operation. Through November 30<sup>th</sup> 2012, over 200,674 tons of material has been successfully recycled since the program inception in 1988. Thousands of county residents participate either curbside or by visiting a center on a weekly basis. In 2010, a major change took place for many curbside customers with the introduction of “Single Stream Recycling”. While this has represented a 24% increase in material collected by waste haulers, our recycling centers have seen a decrease in the quantity of recycling that is being received. Through November 2012, 3,262 tons of material has been collected by Saratoga County compared to 3,704 through November 2011. This represents a 12% drop in tonnage.
- Due to negative recycling market conditions for the duration of 2012, revenues are down. The county has anticipated \$461,396 through 11/30/12. Last year at this same time \$609,201 was realized. This year’s revenue will reimburse over 50% of our entire recycling budget expenditures. Recycling continues to be an important part of our community and our Department of Public Works continues to provide a valuable service to our Saratoga County residents.

### Landfill/Solid Waste Division

- In compliance with our N.Y.S.D.E.C. permit and the landfill “Interim Operational Plan”, all maintenance functions have been performed.
- The county filed all documentation necessary for a landfill permit renewal early in 2008. The permit was renewed on August 6, 2012.
- All required annual and quarterly reports regarding this facility have been submitted to N.Y.S.D.E.C.
- A Draft Local Solid Waste Management Plan is currently under review by N.Y.S.D.E.C.
- A Landfill Privatization subcommittee is proceeding with negotiations for the sale/lease of the Landfill Facility.

### Machinery

- Continual maintenance of 280+/- vehicles for D.P.W., Sheriff, Sewer and ten (10) other county departments. Continual maintenance is also provided on 120+/- pieces of large construction equipment for D.P.W. activities.

Special thanks is offered to the Public Works Department Staff for completing the many tasks and to the Committee members and Board for providing direction, support and the financial resources necessary to ensure that our county highway infrastructure and operations meet the needs of Saratoga County residents for the future. We look forward to another successful year in 2013.

Jean Raymond – Chair

Alan Grattidge

George Hargrave

Preston Jenkins

Art Johnson

Bill Peck

Patti Southworth

Report No. 2

Buildings & Grounds Committee 2012 Annual Report

This report offers an overview of the accomplishments of this committee and the Building and Grounds Department over the past 12 months. The Buildings and Grounds Committee and Department takes pride in the following projects that have begun this year as well as those that have been completed:

### Airport:

- The design for new taxiway lights, precision approach path indicator lights and the reconstruction of the tie-down apron was progressed in anticipation of F.A.A. funding for the construction of these projects in 2013.
- New Interim Rules and Regulations were adopted by the Board of Supervisors.
- An airport land lease was fully executed for Adirondack Soaring Association.
- F.A.A. Funding was received for a Master Plan Update and the update is in progress.

Projects Completed by Public Works Personnel:

- Completed the construction of a new cold storage building to replace the storage building at the landfill that was destroyed by heavy snow in 2011.
- Installed electrical power and lighting in the new cold storage building.
- Painted the exterior roof and walls of the Fire Training Center Building.
- Painted the Hay Storage Building at the Fire Training Center.
- Completed repairs to the D.P.W. Administration Building exterior foundation and handicapped ramp.
- Installed a handicapped entrance and ramp at the Woodlawn Office Building.
- Patched and painted all interior spaces at the Woodlawn Office Building.
- Installed a new main entrance ramp at Maplewood Manor.
- Progressed with the installation of new pipe insulation in two (2) air handler rooms at Maplewood Manor.
- Completed the labeling of all electrical circuits in Maplewood Manor.
- General masonry repairs were progressed at the county complex.
- Completed two Judges Chambers Renovations in Building 3.
- Installed new carpet in Judge Chauvin's Office in Building 3.
- Sealed the brick floors in Building 2.
- Landscaped around Building 2.
- Constructed cabinetry for the Treasurer's Office.
- Installed air conditioning in the 911 area and the Department of Emergency Services.
- Power washed the Complex Courtyard walls.
- Installed a new dishwasher at the jail.
- Retrofit 11 Roof Top HVAC Units at the Jail with upgrade parts due to a recall.
- Replaced a section in the hot water boiler in Building 5.
- Rehabbed the exterior benches at Building 5.
- Continued reclaiming copper wire in spaces above the ceiling at the complex.
- Cleaned all exterior building windows.
- Installed new domestic hot water storage tanks and reconfigured the piping in the jail.
- The building lighting and controls were upgraded to more efficient technology in most county buildings.
- The design for the decommissioning of the Maplewood Manor CoGeneration Plant was completed and bids were received. This project will be completed in early 2013.
- Installed new exterior lighting for the overflow parking at the Services Building.
- Installed Bike racks at Services Building and Complex.
- Installed a water chemical treatment system at Building # 1.
- Replaced the domestic hot water heater in Building # 4.
- Maintained and repaired the taxiway and runway lighting at the county airport.

The Buildings and Grounds Department maintains 650,000 square feet of county building space, including cleaning and ensuring the proper operation of the heating, ventilating and air condition systems. In addition and in support of county employees, this year 1,533 work requests were processed. All of these functions are part of our day to day mission to provide a reasonably safe and comfortable work place for our employees and the public who utilize the services that the County provides.

Dick Rowland – Chairman  
Phil Barrett  
George Hargrave  
Preston Jenkins  
Dan Lewza

Dick Lucia  
Mo Wright

Report No. 3

Equalization & Assessment Committee 2012 Annual Report

The Equalization and Assessment Committee carried out its task of supervising assessment and tax collection policies with an objective of maintaining and promoting the equity of the tax collection and auction process for all county residents.

During this past year, the Committee oversaw the activities of two property auctions held on March 13<sup>th</sup> and September 18<sup>th</sup>. The auctions contained a total of 130 parcels, of which 29 were removed prior to the auction and 40 were removed by payment of taxes owed in the cumulative amount of \$612,721. A total of 61 parcels were presented for auction, with 39 of these actually being sold. According to the County Treasurer's Office, the sales resulted in a net profit of \$330,769. The County completed its foreclosure of 2010 delinquent taxes on December 10<sup>th</sup> and took title to 78 parcels on December 11<sup>th</sup>. Those parcels not redeemed or pulled from the auction list will be offered for sale at auction in March 2013.

One of the committee's main initiatives this year was to study and improve the auction process, and to that end a subcommittee recommended several reforms that were subsequently enacted. From an administrative perspective, the flow of information between all the departments involved in the auction process was improved by transitioning to an email-based notification system to track tender offers and auction pulls. With the new system in place, the offices of the County Attorney, County Treasurer, Real Property Tax Service, County Administrator and the Board of Supervisors have real-time access to the most current information. The full committee also ratified improvements to the official Terms and Conditions of Sale and Information to Bidders, which included barring individuals and entities with delinquent taxes from bidding on auction parcels. Finally, in October, the committee recommended changes to the County's auction and conveyance policies, subsequently adopted by the Board of Supervisors, that would allow municipalities (with Board approval) to purchase properties off the auction list prior to the auction date. This reform will reduce the amount of penalties and interest that municipalities must pay to acquire foreclosed properties that they would like to use for public purposes.

With assistance from the Planning Department, the subcommittee also conducted a review of county-owned lands for potential divestment in an effort to raise revenue and eliminate potential liability issues that accompany ownership of these sites. Among these lands were parcels in the Towns of Edinburg and Day that were purchased as parkland but were not subsequently developed, and reforested land in Clifton Park that is currently being used as a town park. The subcommittee will be passing the results of its review on to next year's Equalization & Assessment Committee for further study.

Saratoga County, together with Albany, Rensselaer, Warren and Washington Counties, continued legal action this year opposing the efforts of the Hudson River Black River Regulating District (HRBRRD) to bill the counties for its operating costs. Although the courts did not rule in our favor on the question of whether the Regulating District could assess the counties, our efforts did lead to the nullification of the initial 2010 apportionment. New York State, which was previously not included in the apportionment, will now be assessed for as much as 22.2% of the Regulating District's operating costs. The counties will work toward an ultimate settlement with the Regulating District as we simultaneously continue our efforts with our federal and state officials for a legislative solution.

In closing, I would like to thank my fellow supervisors on the Equalization and Assessment Committee for their support and insight over the past year. In addition, the committee would also like to recognize the contributions made by the following employees: County Attorney Steve Dorsey and Janet Sabin from the County Attorney's Office; County Treasurer Sam Pitcherale, Cindy Baker, Terri Wrisley, Betsy Garnsey, Denise Canary, Katie Purcell and Mary Ellen Sweeter from the County Treasurer's Office; Director Joanne Bosley, Christine Aldrich, Valerie Dussault, Anna Stanko, Todd Bapp and Amy Frederiksen from Real Property Tax Services; County Auditor Brian O'Connor; and Carol Bedard from the County Administrator's Office.

Respectfully Submitted,

Jean Raymond, Chair  
John Collyer  
George Hargrave  
Preston Jenkins  
Mary Ann Johnson  
Dan Lewza  
Paul Sausville

Report No. 4

Veterans Committee 2012 Annual Report

HAPPY NEW YEAR 2013 to everyone! Let's hope that you had as good a year as we did here at the Saratoga County's Veteran's committee. We started the year off by establishing what our goals would be for 2012 and set up a sub-committee to oversee them.

The committee set the following as our primary goals:

1. Hold a 3.5k mile run, named the Revolutionary run for Veterans, with all monies going to the Veterans Trust and Agency Fund;
2. Get legislation passed in Albany for the designation of Routes 9P, 32 and 423 as the Saratoga County Veterans Memorial Highway and the 9P Bridge as the Saratoga County Veterans Memorial Bridge;
3. Participate with the City of Mechanicville in their recognition ceremony of 52 WWII veterans;
4. Work to increase the fund balance of the Veterans Trust Fund so that funds will be available to assist veterans in need.

All of our objectives were met either if full or in part:

1. Our first 3.5k mile run had about 100 participants raised over \$2,000 to increase our Trust Fund balance. We look forward to scheduling and improving upon this project in 2013.
2. Legislation was passed in Albany to designate the 9P Bridge in the Town of Saratoga/City of Saratoga Springs as the Saratoga County Veterans Memorial Bridge and a dedication ceremony was held in October. Due to a minor error in the legislation for the renaming of the highways, we could not get this passed this year. For 2013, we will need to submit corrected legislation for this to happen.
3. Director Andy Davis and I participated with Mechanicville Supervisor Tom Richardson and other city officials in the recognition ceremony honoring 52 of the Mechanicville High School graduates who were killed during WW II.
4. We continued promoting the Veterans Trust Fund and its benefits to veterans and we received a donation of \$1,800.00 raised by the Schuylerville American Legion Veterans Walk. The 2012 year-end balance in the Veterans Trust Fund was \$5,956.50, a significant increase over the 2011 year-end balance of \$1,201.00

Throughout 2012, Director Davis maintained his own awareness program through which he covered many topics at our monthly meetings to keep committee members informed of what his office is doing for the county's veteran population. He also utilized those briefings to review some of the specific benefits available through his office such as Veterans Dependency Indemnity Compensation, Non-Service Connected Compensation, Disability Compensation, Education, Re-training (VRAP) and many more.

One of the most exciting new programs for the Saratoga County Veterans Service Agency is the Peer-to-Peer Mentoring program that Director Davis will head up in 2013. Saratoga County was one of only four counties in the state chosen to receive funding (\$200,000) for this program, which will provide veteran-to-veteran counseling services to veterans with PTSD symptoms. For 2013 this program will strive to provide outreach

and education, improved connectedness with family, friends and community, and improved access to suicide prevention/intervention measures for these veterans.

The Veterans Committee approved a request from Director Davis to change the number of days of service the van is scheduled to take veterans to Albany-Stratton Veterans Medical Center. This schedule went into effect on 11/1/2012 and as a result, the van is now 90% full on those days. The new schedule allows for more efficient usage of county resources, frees up staff time to provide additional services to a broader base of veterans, and is estimated to save \$19,000 a year in the department's budget.

In 2012, the committee approved funding for three grant requests from the Veterans Trust Fund for Veterans in need. We also presented Afghanistan Veteran Richard Strojil of Halfmoon with our first ABOVE AND BEYOND Award for his assistance in aiding victims in an apartment house fire. Director Davis, Gene Corsale and I presented proclamations at a ceremony honoring Jewish WWII and Korean War Veterans.

One of the Veterans strongest voices, Korean War Veteran Gene Corsale, suffered a heart attack while participating in a Veterans ceremony in the City of Saratoga Springs in July. He is on the recovery path and doctor's orders are that he is to rest and slow down his involvement in his many community activities. We have missed seeing him at our Veterans committee meetings and our deceased Veterans ceremonies, but his health is our primary concern. As Chairman, I cannot thank him enough for all the guidance and information he has provided to me over the last 3 years and for his dedication to veterans affairs. We look forward to his complete recovery.

For the support they provided to the Veterans Committee agenda, I have to thank all the Veterans Committee members: George Hargrave, Ed Kinowski, Dick Lucia, Tom Richardson, Dick Rowland and Mo Wright; sub-committee members Tom Richardson and Ed Kinowski; Management Analyst Ryan Moore; County Attorney Steve Dorsey; Clerk Chris Sansom; to the press for your coverage of veterans; and to the Board of Supervisors. To Director Davis and his staff, I extend my sincere appreciation for your contribution to the success of the Veterans programs, which we endeavor to improve continually so that our veterans – who served us so well – may be just as well served by us.

Respectfully Submitted,

Mary Ann Johnson, Chair

Report No. 5

Legislative & Research Committee 2012 Annual Report

The Legislative & Research Committee had a very active year in 2012. We developed a Legislative Program early in the year and met with our leaders in Albany on March 6<sup>th</sup> to advocate for County residents on those issues. As the year progressed, we also passed two new Local Laws and two resolutions on significant issues, participated in a statewide awareness campaign regarding unfunded mandates, and resolved a critical business and tourism issue in the City of Saratoga Springs. The following is a summary of those activities:

#### 2012 Legislative Program

The committee's first act of the year was outlining and discussing Saratoga County's 2012 Legislative Program, which consisted of the following twelve items:

1. Calling on the Governor and State Legislature to Implement a Full Takeover of All Local Costs of the Medicaid Program.
2. Urging the State Legislature and Governor to Honor Home Rule Requests, Enabling Local Officials to Better Manage Local Finances and Protect Property Taxpayers.
3. Urging a Legislative Solution to protect County Taxpayers from Assessments Charged by the Hudson River-Black River Regulating District (HRBRRD) to Close its Revenue Shortfall.
4. Supporting Pension Tier VI.
5. Urging Reforms to Ensure More Timely State Reimbursement for State Mandated Services.
6. Calling on the State Legislature to Maintain Restored VLT Revenues in the State Budget.
7. Absent an Agreement to Schedule the State and Federal Primaries the Same Day, Requesting 100% State Reimbursement of the Costs Associated with Holding a Third Primary.

8. Requesting a More Equitable Share of the New York State Public Safety Surcharge to Support Statewide Interoperable Public Safety Communications.
9. Supporting Expanded Collection of DNA while Ensuring that Counties are Fairly Compensated for Implementation Costs.
10. Supporting Provisions Allowing Counties to Save Money in Procurements.
11. Supporting a Constitutional Amendment Banning New Unfunded State Mandates, and Urging the Governor and State Legislature to Demand Significant Relief from Existing Mandates.
12. Urging the Governor and State Legislature to Consult Fully with Saratoga County and Other Local Stakeholders on State Actions that Impact Racing, Especially the Proposed Constitutional Amendment Allowing Full Casino Gambling.

#### Mayday for Mandate Relief

Saratoga County's 2012 budget projected net expenses of more than \$61 million on mandates including Medicaid, Early Intervention, Preschool Special Education, pension contributions, community college tuitions, probation and indigent legal defense. This amount represented over 120% of the county's \$50,774,998 property tax levy. As part of our continuing and multi-faceted effort to obtain relief from these costs, we participated with NYSAC and county governments across the state in the "Mayday for Mandate Relief" public relations campaign. Our "Mayday" resolution, adopted by the Board of Supervisors, proposed two reforms to the state's Mandate Relief Council. Saratoga County was the first county in the state to call for these reforms. First, the resolution requested representation for county officials on the Governor's Mandate Relief Council. Second, the resolution urged the establishment of specific budgetary targets quantifying the relief that the Council must deliver to counties.

Saratoga County's additional "Mayday for Mandate Relief" activities included the preparation and distribution of a Mandate FAQ Flyer to educate county residents about unfunded mandates, a presentation at the County Fair on unfunded mandates, an in-depth Power Point presentation for town hall-style meetings, and participation in several other public events. The Committee would like to thank Supervisor Patti Southworth for her work on these initiatives. Our participation in "Mayday for Mandate Relief" continues many years of advocacy on these issues. Year after year, the 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.

#### Local Law – Truth in Taxation

As an additional tool in our arsenal against unfunded mandates, the committee developed a Local Law enacting "Truth in Taxation," which the full Board adopted in July. The law directs the County Administrator and Director of Real Property Tax Services to identify on property tax bills the portion of each bill that pays for unfunded mandates. The law also allows a flyer to be included with tax bills summarizing financial information regarding these mandates. This process will help remind county property taxpayers about the crushing burden created by unfunded mandates each year as they pay their taxes. The Board adopted the very first Tax Bill Flyer in November, and "Truth in Taxation" information was included in all 2013 tax bills. We look forward to this being a useful educational exercise far into the future.

#### Local Law – Occupancy Tax

In August, the Board of Supervisors adopted an important Local Law developed by this committee that was designed to close a loophole in the County's existing Occupancy Tax law. Saratoga County was the first county in the state to adopt such a law. Due to the loophole, online travel companies would buy rooms from hotel owners at a wholesale rate that they would sell to online customers at a higher rate. These companies would remit occupancy tax based on the lower wholesale rate, not the actual rate they charge customers. This practice was problematic for two main reasons. First, it allowed large international companies including Expedia, Travelocity and Orbitz to play by different rules than local hotel operators. Second, it deprived local tourism, convention and economic development promoters of uncollected occupancy tax revenue that was rightfully due to them. Despite aggressive pushback by the online travel companies and their lobbyists, the Board of Supervisors adopted this Local Law with the support of many local hotel operators and tourism promotion groups who made their voices heard at an August 15<sup>th</sup> public hearing.

Saratoga Springs Last Call

Over the summer, the committee studied the issue of changing “last call” hours at establishments that serve alcohol in Saratoga County. The subject came to the committee due to an opinion issued by the State Liquor Authority (SLA) in response to the Saratoga Springs City Council’s attempt to change last call hours in the city. The opinion affirmed that the city by itself cannot change last call hours because such an action would have to be done countywide with approval from the Board of Supervisors and the State Liquor Authority. After a thorough discussion, this committee declined to move the issue forward due to a number of concerns, including our belief that it is not appropriate for the Board of Supervisors to dictate to otherwise law-abiding and state-regulated businesses how they must operate. The committee also had concerns about the potential negative impact on the local economy. At the July Board of Supervisors meeting, a half dozen leading representatives of the downtown business community in Saratoga Springs spoke during the public comment period to thank the Board for its decisive action on this issue.

#### Bath Salts Resolution

In October, the Committee recommended a resolution urging the state to ban unregulated synthetic drugs commonly known as “bath salts.” These drugs are specifically synthesized with a similar, but slightly modified structure of a Schedule 1 controlled substance in order to avoid existing drug laws. They cause effects similar to those caused by cocaine and amphetamines, including increased heart rate and blood pressure, hallucinations, paranoia, suicidal thoughts and violent behavior. The presence of these drugs in Saratoga County, though not yet reaching problem levels, was reported this year by our area hospitals, public health agencies and law enforcement agencies. For these reasons, the Board of Supervisors adopted the resolution calling upon the State Legislature and Governor to pass further meaningful and effective legislation criminalizing the manufacture, distribution, sale and possession of these substances, and to provide resources to counties for the development of education, prevention, and treatment services related to synthetic drugs.

#### Clean Water Act Resolution

In October, the Committee recommended a resolution opposing Clean Water Act draft guidance proposed by the Environmental Protection Agency (EPA). The guidance document, entitled “Identifying Waters Protected by the Clean Water Act (CWA)” was also opposed by the Farm Bureau. In short, it would expand the CWA’s scope far beyond the initial intent of the legislation by including ditches and other channels through which water flows intermittently. This expansion would come at a great expense to taxpayers with little, if any, environmental benefit. Its financial impact on local governments would be significant, with additional costs to roadside ditch projects and ongoing public works projects due to the need for jurisdictional determinations by the Corps or CWA permitting. It would also pose a serious threat to Saratoga County’s farms, which are important pillars of our local economy. For these reasons, the Board of Supervisors adopted the resolution urging the EPA to withdraw the draft guidance immediately and work collaboratively with states and local governments to enforce the current scope of the CWA.

In conclusion, the issue of unfunded mandates will continue to be the primary focus of this committee’s future efforts with the State Legislature. A full state takeover of Medicaid costs must be a major part of future legislative agendas. State mandates will cost the County a net \$63.8 million in 2013, which is 125% of our property tax levy. These figures are getting worse every year, and the path that state has set us on is clearly unsustainable. Just as we are doing here in Saratoga County, our state government needs to live within its means and find savings through greater efficiency. We will keep fighting for the state to assume financial responsibility for its bloated, inefficient programs.

Respectfully submitted,

Paul Sausville, Chairman

Jean Raymond, Vice-Chair

Anita Daly

Dan Lewza

Tom Richardson

Dick Rowland

Joanne Yepsen

As chairman, Art Johnson was faced with a number of challenges going into 2012 for the Personnel and Insurance Committee. These challenges were brought forth with clarity in the last weeks of 2011. Employee and Retiree Health Insurance needed to be addressed both in benefit levels and even in its administration. To address this, Chairman Johnson appointed a sub committee in February 2012 consisting of himself and Supervisors Daly and Mary Ann Johnson with the task of continuing to explore necessary changes in the County's Health Insurance Program.

Other issues such as Employee/Management Training, Department Head Evaluations, Renewal of the Third Party Administrator for Self Insurance/Worker's Compensation as well as the more regular functions such as filling of Department Head Vacancies and renewing the County's Comprehensive Insurance Coverage had to be completed.

The following represents the accomplishments of the Committee in 2012.

- Surveyed the Department Heads with respect to staff training needs and possible sources of trainers.
- Requested and received a new Health Insurance Plan to use as a basis of negotiations with the bargaining units, management and retirees.
- A new Department Head Evaluation form and process to be delivered by the County Administrator. Amending the County Policy and Procedure Manual.
- Renewal of excess liability coverage for the Workers Compensation Program. The renewal is \$110 more than the previous year.
- Renewal of the contract with Sedgwick as the TPA for Workers Compensation for a 2 year period.
- Renewal of the contract with Girvin and Ferlazzo, the County's Labor Attorney's for a 3 year period with a slight increase in the hourly rate for the year's 2013 and 2014.
- Appointing a new Commissioner of Public Works, upon the recommendation of the Search Committee, Keith Manz.
- County's contract for General Liability Insurance was approved with Cool Insuring Agency as recommended by Marshall & Sterling the County Consultant.
- Appointing a new Commissioner of Social Services upon the recommendation of the Search Committee, Tina Potter.
- Approving a change in the County's Health Insurance provider from BSNENY to Empire effective 1/1/2013.
- Approving the setting of fees for all applications to take Saratoga County Civil Service Exams at \$10.00 and \$20.00 for uniformed exams.

Chairman Johnson also initiated a monthly agenda item which was to keep this Committee informed of the actions of the Vacancy Review Committee. Significant actions reported to the Committee were:

- Moving 3 nurses from Public Health to Social Services for the home care program.
- Abolish the Deputy Director of Probation.
- Create 3 temporary Social Services Social Welfare Examiner positions to food stamps to end 12/31/2012.
- Creating a P/T Health Educator position in Public Health.
- Approving the filling of the Deputy Director of Social Services.

New goals were set by the Committee for 2013 which included a continued effort to review the Health Insurance Program for County Employees/Retirees in an effort to mitigate costs, however being mindful of the County's Collective Bargaining Agreements. The results of the Eligibility Audit for Health Insurance subscribers and dependents, which had many hurdles to overcome, is finally due in early 2013. Also, a need to RFP for a consultant in this area was identified. The Committee will continue to assist Departments in reorganizing/restructuring staff through Vacancy Review.

Lastly, it is with sincere appreciation that Chairman Johnson wishes to acknowledge the hard work and dedication of the Personnel and Insurance Committee members: Supervisors Grattidge, Peck, Kinowski, Collyer, and a special acknowledgement to Sub Committee members Ms. Daly and Ms. Mary Ann Johnson.

Respectfully Submitted  
Art Johnson, Chairman

Report No. 7

Public Health Committee 2012 Annual Report

This was a critical year for the Public Health Committee with respect to the steps we took to address the deteriorating financial position of Maplewood Manor. The subcommittee appointed in December 2011 by Chairman of the Board Tom Wood to address this issue began the year consulting with NYSAC, other county governments and experts in the field. In February, the committee adopted the subcommittee's recommendation to issue an RFP for an expert consultant to perform a comprehensive analysis of Maplewood Manor and recommend steps that the County should take to either continue ownership on a more financially stable basis, or move toward selling the facility. In March, the lowest bidding team of Harris Beach and the Arthur Webb Group were chosen to perform the assessment.

After an intensive four-month review of the facility's operations that included the examination of thousands of pages of documents, on-site inspections, a comparative review of the facility against other area nursing homes and an analysis of recently enacted federal and state healthcare policies, the consultants presented their assessment report to this committee in August. The assessment found that there is "a clear need for a Maplewood-type facility in Saratoga County" while drawing "the undeniable conclusion that under its current model Maplewood is fiscally unsustainable." It also credited the Board of Supervisors, Maplewood administration and county administration for implementing "noble and worthwhile changes" to close the facility's deficit, including the implementation of IV therapy, the introduction of a consultant to improve Medicare and Medicaid reimbursements, increasing the private pay rate, implementing a hiring freeze and comparatively low expenses on supplies and administrative overhead. The report also recommended additional actions including maximizing Medicare revenue, seeking higher acuity residents, exploring contracting out therapy services, changing staffing requirements and working with the union to reduce contracted levels of wages and benefits. Even if all of these recommendations were implemented, however, the report maintained that "it will only help close the deficit on a marginal basis" and concluded that under its current model, Maplewood is fiscally unsustainable.

For the next two months, the committee allowed time for committee members, other Supervisors, county administration, rank-and-file employees, and members of the public to study, ask questions, and fully digest the information and recommendations contained in the Harris Beach assessment report.

On October 24<sup>th</sup>, the Public Health Committee held a special meeting to take the next step forward on this issue, voting to sell Maplewood Manor to a responsible private sector operator and approving the creation of a Local Development Corporation (LDC) to manage the sale. Under the parameters approved by the committee, the County will continue to operate the nursing home while the LDC manages the sale process. Maplewood employees will remain County employees and Maplewood residents will continue to receive the superb care to which they are accustomed. The LDC will be fully accountable to the Board of Supervisors and the Board will demand, as a condition of the eventual sale, that no residents are discharged by a private operator. Five of the LDC's directors will be current members of the Board of Supervisors, meetings of the Board of Directors of the LDC will be subject to the state's Open Meetings Law, and the LDC will be subject to the Public Authority Accountability Act, pursuant to which the LDC's directors will be required to complete mandatory training. The LDC will also be required to have an independent audit conducted annually by a certified independent public accounting firm.

The committee's approval of the LDC also set the stage for a process that began this year and will continue into 2013 and 2014. Under that process, a resolution was adopted in November approving the LDC's creation and Certificate of Incorporation. In early 2013 following a public hearing, a second resolution will approve the disposition of Maplewood manor to the LDC under a lease/leaseback arrangement. Later in the year, once the LDC selects a responsible purchaser, the LDC will enter into agreements to transfer the facility to the purchaser.

The County will continue to operate the facility while the purchaser applies for and obtains a license from the State to operate the facility. Once these regulatory approvals have been met, including a Character and Competency review of the purchaser, the LDC will acquire Maplewood from the County, then transfer the facility to the purchaser. This entire process is expected to take between 1½ to 2½ years to complete.

While the LDC manages a sale, the County will maintain responsibility for Maplewood's operation, including financial responsibility to cover its operating deficit. To ease this burden, the LDC will provide financial flexibility that the County does not have on its own: the ability to borrow against Maplewood's equity. If such funds are needed, the LDC will transfer bond proceeds to the County, alleviating the need to raise taxes or further draw down General Fund reserves to balance Maplewood's yearly budget. When the LDC closes the sale with the purchaser, the proceeds of the sale would pay off the remaining principal and interest on any bonds that the LDC may have undertaken. The LDC would then close out the remainder of its business and dissolve. The balance of the sale proceeds left over when this process is complete will be transferred from the LDC to the County. At this stage, the County would not only potentially stand to receive a multi-million dollar lump sum payment, but would also be rid of a structural deficit of \$10 million or higher for each and every subsequent year.

The Public Health Committee's recommendations on Maplewood Manor and our plan moving forward came after months of deliberation, thoughtful consideration and in-depth examination of Maplewood's operations and all the options available. Significant change is rarely easy, but we strongly believe the course we have chosen is the correct one for the future of the facility, its residents, employees, county taxpayers and the County as a whole. Since 2004, the County's General Fund has invested more than \$40 million in helping Maplewood get by as a publicly operated facility. Those years have taken their toll. Our Fund Balance is at a record low and cannot sustain future subsidies. The County has had to make painful cuts to other vital services to mitigate the financial challenges that originate at Maplewood. The road maintenance program has been reduced for several consecutive years, a pattern that is not sustainable. The Sheriff's Department has lost deputy sheriff positions. Probation officers, nurses, mental health workers and Social Services personnel have not been hired. All county departments are in their second year of a hiring freeze. Funding for economic development programs has been cut. Property taxes have increased. The County's bond rating has been downgraded. By transitioning Maplewood Manor to a responsible private owner, Saratoga County will no longer be forced to jeopardize other vital services in order to support an operating model at Maplewood that is no longer financially sustainable. Under private ownership, Maplewood Manor – and the rest of Saratoga County's operations – can thrive.

In the fall of 2011, the committee revamped Maplewood Manor's Collection Policies and Procedures in an effort to both limit the occurrence of and improve the county's ability to collect bad debts. The policy had last been revised in 2002. In May of this year, while noting that the policy had produced its intended effect of eliminating the creation of new bad debt and better facilitating the collection of existing bad debt, the committee adopted several modifications meant to improve the admission approval process, fill empty beds and secure private pay revenue. These changes included:

- Establishing a Vacancy Review process to determine whether certain specific admission policy criteria should be waived based upon a potential resident's unique circumstances;
- Providing for the optional redirection of income to Maplewood Manor prior to admission;
- Requiring that private pay residents pre-pay up to six months of care (if available) in addition to a one-month security deposit, and providing for the refunding of this pre-payment if the resident is discharged or otherwise no longer a resident.

The committee also revisited Maplewood's private pay rate this year. In November 2011, in an effort to keep up with the rising cost of providing care, the rate had been increased to \$307 per day plus the New York State cash assessment. Reflecting still increasing projected expenses for 2012, the committee decided in June to increase that rate another 4.9% to \$322 per day plus cash assessment. The committee also took the added step of setting a higher "private room" rate for the first time. This rate was set at \$342 per day plus cash assessment. The new private pay rates are comparable to other area nursing homes, and the Harris Beach report praised the County's efforts here to maximize revenue.

One positive development related to the empty beds in the nursing home occurred in December, when this committee approved a lease agreement with the Home of the Good Shepherd to temporarily house 32 of their

residents at Maplewood Manor. A fire at the Home of the Good Shepherd's Malta facility had displaced these residents. We were happy to welcome them on December 2<sup>nd</sup> to their new temporary home in our facility.

Our Public Health Nursing Service (PHNS) continued to deliver a multitude of services to thousands of adults and children residing in Saratoga County. The department provided or contracted for clinical services, lead screening, treatment for rabies, immunizations for communicable diseases, tuberculosis treatment, nutrition training programs, occupational therapy, speech therapy and physical therapy while maintaining the medical portion of the county's Physically Handicapped Children's program and coordinating services under the Early Intervention Program, which treats eligible infants and toddlers who are developmentally delayed or disabled.

In March, the committee approved an internship program to place graduate students from accredited schools of public health in unpaid positions at PHNS. The program was created after students from the SUNY Albany School of Public Health and the Harvard School of Health inquired about internship opportunities. We are excited to begin this program, which will both augment these students' professional development by providing hands-on experience and assist PHNS in fulfilling its many duties to county residents.

Director Karen Levison presented a 2011 Annual Report in April. She reported that 2011 was the first year in which there was no state aid available to support the Long Term Care and Certified Home Health Care Agencies. Grant applications were also more restrictive in paying for administrative costs for programs. We were pleased to learn that the Robert Wood Foundation ranked Saratoga County third out of the 62 counties in New York State under the category of "Health Outcomes."

In June, the committee supported the transition of three registered nurse positions from PHNS to the Department of Social Services (DSS) for the purpose of conducting nursing assessments for DSS programs. This transition will result in greater efficiencies for both departments.

In other PHNS news, the department developed a new billing and collection policy, which the committee approved in October. The new policy will help reduce some of the confusion that patients had been experiencing related to recent changes in Medicaid and Medicare Managed Care plans, as well as clarify billing policies and procedures for PHNS staff. As in other years, the committee approved a number of grants that will be used to further the mission of PHNS including: a NYSDOH Lead Grant (\$36,685); additional COLA funds for the Rabies (\$2,908), Immunization (\$8,760), Children with Special Healthcare Needs (\$2,090) and Lead Prevention (\$2,665) programs; an Early Intervention administration grant (\$127,333); and an Emergency Preparedness Grant (\$194,521). In November, the department updated its Policies and Procedures manual with respect to Home Care Registry protocols and Palliative Care. Finally, a subcommittee consisting of Supervisors Southworth, Raymond and Lucia as well as Spencer Hellwig and Ryan Moore from the County Administrator's Office was established this year to study the potential transition to environmental health services. Their work will continue into 2013.

In the Mental Health Department, Director Hans Lehr notified the committee in March that Saratoga Hospital will be terminating the Mental Health Clinic's lease at Cramer House. The department was told it would have a year to vacate its current space. The committee outlined several priorities for a new location, including accessibility to public transportation, proximity to the hospital and the clinic's clients (a good many of whom reside in Saratoga Springs), the cost of leasing and/or building a new facility, and the county's ability over the long term to consolidate all of Mental Health's functions in the new location and thereby achieve greater efficiency and savings in administrative overhead. With those concerns outlined, the committee referred the issue to the Buildings & Grounds Committee for further action.

In November, the committee approved the acceptance of a \$180,000 legislative grant sponsored by Senator Roy McDonald to initiate a Peer-to-Peer Mentoring program for combat veterans who experience post-traumatic stress symptoms. This is an exciting new pilot initiative conceptualized in Albany, and our county was one of only four in the state to receive funding to develop a program. The Mental Health Department will be working with the county's Veterans Service Agency throughout 2013 and hopefully beyond to administer this program, which will provide veteran-to-veteran counseling services and will strive to provide outreach and education, improved connectedness with family, friends and community, and improved access to suicide prevention/intervention measures.

Additional items for the Mental Health Department included a contract amendment with Burnt Hills-Ballston Lake Community Human Services Corporation for the provision of respite services and a contract amendment with Transitional Services Association to accept additional funding from the state Office of Mental Health for four additional supported housing units. In December, the committee agreed to renew contracts with a number of mental health service providers in the community for a period of one year. This is normally a five-year renewal, but the committee would like an opportunity to study each contract more fully in 2013 to determine whether there are any efficiencies that might be achieved.

In closing, I would like to thank my fellow supervisors on the Public Health Committee and the staff who maintained quality health care services over the past year. I especially thank Maplewood Manor Administrator Diane Brown and Accountant Sandy Fisher, Director of Mental Health Hans Lehr, Director of Public Health Karen Levison and Director of Patient Services Lori Stiles. For their assistance with Maplewood Manor's amended Collection Policies and Procedures, I thank Bob Wilcox of the County Attorney's Office and Director of Finance George Martin.

Respectfully Submitted,  
Mo Wright, Chairman  
Alan Grattidge  
Ed Kinowski  
Jean Raymond  
Patti Southworth  
Matt Veitch  
Joanne Yepsen

Report No. 8

Social Programs Committee 2012 Annual Report

The county departments that report to the Social Programs Committee saw continued success, important new initiatives, and in one case, a transition in leadership this year.

In February, our Department of Social Services (DSS) Commissioner Bob Christopher highlighted the positive results of his department's many years of efforts in preventative programs for children. By contracting with agencies such as Berkshire Farms and the Northeast Parent and Child Association for the provision of such programs, we have not only helped empower families but have also dramatically reduced the County's foster care caseload, saving taxpayers millions of dollars. Commissioner Christopher presented an analysis showing that since 1997, the foster care caseload had decreased 70% to just 49 cases in 2011. This translates into savings of \$14.4 million in 2011 alone, compared to what costs would have been if the caseload had remained constant. The Commissioner estimated that the total savings from 1997 through 2011 was approximately \$68 million, and the cost of the preventative services during that same period of time was only \$9.1 million.

As in previous years, Medicaid costs continued to grow within the constraints of the state-imposed 3% growth cap. The 2012-13 State Budget also saw funding reductions in other service areas, including a higher county contribution toward the public assistance grant, the continuation of administrative funding cuts for the Food Stamp and Safety Net programs, and the continuation of a cost shift to counties for Safety Net and Child Welfare program expenses. The Home Energy Assistance Program (HEAP) opened on November 19<sup>th</sup> and will run through March 15, 2013. Unfortunately, the funding available for this program statewide will also continue to decrease, with a projection of \$303 million for 2012-13 compared to last year's \$375 million and nearly \$518 million in 2010-11. As funding for this important program continues to decrease, the number of applications for assistance has been trending upward.

Finally, 2012 was an important year at DSS from a personnel perspective. In September, after 38 years of county service and 22 as Commissioner, Bob Christopher retired. He was replaced by his capable deputy Tina Potter, a 30-year county veteran. We will miss Bob, who did so much to move the department forward in providing superior service during his years as Commissioner, but we are fully confident in Tina's ability to pick up where he left off. Additionally, in June, the committee supported the transition of three registered nurse positions from Public Health Nursing to DSS for the purpose of conducting nursing assessments for DSS programs. This transition will result in greater efficiencies for both departments.

Our Office for the Aging (OFA) continued providing excellent services to enrich the lives of older people in our county and support their independence. On August 1<sup>st</sup>, the office began an exciting new program called the Community-based Care Transitions Program (CCTP). In partnership with Saratoga Hospital and the Visiting Nurse Service of Schenectady and Saratoga Counties, the office is following up with seniors who are released from the hospital and making sure they are taking proper precautions to avoid readmission down the road. As a program that builds stronger ties between local healthcare providers and takes a cooperative, patient-centered approach to promoting wellness, the CCTP is forward-thinking and will improve the quality of care in our communities in a cost-effective manner that protects taxpayers. We expect to see a lot more of this service delivery model in the healthcare field going forward.

In other OFA news, the committee approved new contracts for the Expanded In-Home Services for the Elderly Program (EISEP) in February. The program helps seniors stay in their homes by providing assistance with household chores, shopping and personal care. Due to the expansion of the County's senior population by more than 13,000 since the 2000 Census, the County qualified for additional aid this year and in future years in programs including EISEP and Community Services for the Elderly (CSE). We now have well over 43,000 residents who are over the age of 60. As always, the Committee approved several resolutions to help towns purchase vehicles to transport their senior citizens to local senior programs. This year's purchases included: a bus for the Town of Moreau in April; vans for the Towns of Stillwater and Clifton Park in June; and a bus for the Moreau Community Center in December. In November, the committee approved a new four-year contract with Prestige Services to provide meals for the Elderly Nutrition Program. The program feeds over 900 seniors each day with a volunteer delivery force of 300. OFA also had an active year administering the Health Insurance Information Counseling and Assistance Program (HIICAP), which educates the public about Medicare, Medicaid, managed care, EPIC, and other health insurance options and issues. Over the course of the year, OFA conducted 156 one-on-one counseling sessions, held "Medicare 101" presentations educating county residents about Medicare basics, and fielded over 700 phone calls related to health insurance.

2012 was another successful year for our Employment & Training Department. Due to our county's status as the grant recipient for Workforce Investment Act (WIA) funding for our local area (comprised of Saratoga, Warren and Washington Counties), it was our duty in May to approve the \$90,902 Workforce Investment Board (WIB) budget and associated service contracts for the three counties. The budget supports the activities of WIB staff, including working with local career centers, businesses and government entities to maximize employment opportunities for the regional workforce. Partners in this effort also include the State Department of Labor, VESID, Adirondack Community College, WSWHE BOCES, and the Offices for the Aging in each of the counties. The committee also approved a resolution to accept \$1,817,160 in WIA funding for the 2012 program year, of which \$738,357 was Saratoga County's portion. That funding was split between three program areas, one for dislocated workers, another for adults and a third for youth. This year's funding level was comparable to last year's. In September, the committee accepted a new \$195,000 grant to be shared by our WIB Board and that of Fulton, Montgomery and Schoharie Counties. This funding was welcome news and will be used to partner with area schools in an effort to better prepare our adult residents for careers in technology, engineering, and math and science-related fields.

The Summer Youth Program, which ran from July 9<sup>th</sup> through August 31<sup>st</sup>, provided summer jobs for 87 eligible youths at 30 different government and not-for-profit worksites throughout the county. This program employed approximately 60 youths last summer. The growth this year was due to a substantial increase in funding, from \$83,737 in 2011 to \$141,661 in 2012. Director Lisa Scaccia was also pleased to host the first annual Summer Youth Employment Recognition Picnic. Over 140 people were in attendance including 43 youth participants, their guests, worksite supervisors and many elected officials.

The committee approved a resolution in May to continue to contract with Captain Youth and Family Services to administer the WIA Youth Program, which prepares young people to become productive members of the workforce including helping them obtain a GED, prepare resumes and complete job applications.

In September, the committee took a major and long-awaited step forward to promote more efficient operations in the Youth Bureau by approving new billing software for the Preschool Special Education (PSSE) program, one of the County's most costly state mandates. The McGuinness System will allow the Youth Bureau to automate the processing of approximately 1,500 STAC forms that allow the County to obtain partial

reimbursement from New York State for the costs of the PSSE program, which counties must pay up front. Traditionally, the Youth Bureau has completed by hand two large automated voucher listings (AVLs) per year, which took at least two full weeks of staff time each to complete and resulted in delayed reimbursement from the state. In September, Director Wes Carr estimated that the state still owed the County approximately \$5.5 million for claims dating as far back as 2008. Moving to the automated system will improve reimbursements by getting Saratoga County closer to the front of the line, free up Youth Bureau staff to focus on service delivery, and allow the Youth Bureau to enter Medicaid claims, which could bring in an additional \$50,000 in revenue annually.

As was the case with DSS, the Youth Bureau again experienced reductions in state funding this year. The allocations from the state Office of Children and Family Services were cut by 19.5% for Youth Development and Delinquency Prevention (YDDP) and 17.2% for the Special Delinquency Prevention Program (SDPP). In June, the committee approved \$125,846 in funding applications and contracts (an 18.6% decrease from last year's funding).

As the prime sponsor of comprehensive youth programs in Saratoga County, the Youth Bureau continued providing many local services to our municipalities including technical assistance in program development, locating and applying for grants, education in how to navigate the claiming process for reimbursement, and general financial management. The Youth Bureau also continued to provide support staff and coordination for the Saratoga County DWI Victim Impact Panels, which bring together offenders and the families of victims to educate those convicted of DWI on the tragic consequences of driving under the influence of alcohol and/or drugs.

I would like to thank my fellow committee members and the county personnel who helped us achieve the committee's goals over the past year, especially Commissioners Bob Christopher and Tina Potter of Social Services, Sandi Cross of the Office for the Aging, Lisa Scaccia of Employment & Training and Wes Carr of the Youth Bureau.

Respectfully submitted,

Dick Lucia, Chairman

Phil Barrett

John Collyer

Mary Ann Johnson

Matt Veitch

Mindy Wormuth

Joanne Yepsen

On a motion by Mr. Hargrave, seconded by Mr. Lucia resolutions No. 13 through 28 with the exception of 26 & 28 were approved by a unanimous vote.

#### RESOLUTION 13 – 13

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

#### ACCEPTING CONDITIONAL TENDER OFFERS IN THE TOWNS OF PROVIDENCE AND STILLWATER

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

WHEREAS, former owners have submitted conditional repurchase offers requesting the pre-auction conveyance of two 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 these requests; 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 names, upon the condition that payment is received by the County

Treasurer, within sixty (60) days of the adoption of this Resolution, of all delinquent taxes, penalties, interest and charges owed through the last day of the month in which such payment is received:

CONVEY TO:	YEAR	TOWN	S/B/L
Larry Northrop 314 Loudon Road, Lot 55 Saratoga Springs, NY 12866	2010, 2011 & 2012	Providence	147.-1-45.2

Lisa Northrop  
125 E. High Street #1  
Ballston Spa, NY 12020

Margaret Masso Gerard A. Masso a/k/a Gerald A. Masso 169 Hudson Avenue Mechanicville, NY 12118	2009 & 2012 plus 2012-2013 school taxes	Stillwater	253.18-3-17.21
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and; be it further

RESOLVED, that the quitclaim deeds to the parties or their designee shall provide that if payment in full is not received by the County Treasurer within sixty (60) days of the adoption of this Resolution, title to the property conveyed shall revert to the County of Saratoga.

BUDGET IMPACT STATEMENT: The amounts to be paid will include all appropriate penalties and interest.

RESOLUTION 14 - 13

Introduced by Supervisors Collyer, Hargrave, Jenkins, M. Johnson, Lewza, Raymond, 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, certain former owners have requested the pre-auction conveyance of one or more 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 these requests; 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 names, upon payment of the indicated amounts, which include penalties, interest and charges:

CONVEY TO:	YEAR	TOWN	S/B/L	AMOUNT
Brendan M. Ryan 12 Plaid Place Clifton Park, NY 12065	2010, 2011 & 2012	Clifton Park	271.9-1-6	\$15,387.89
Christopher Brake 532 State Highway 28 Oneonta, NY 13820	2010, 2011 & 2012	Clifton Park	270.-1-51.12	\$ 8,021.11
Christopher Brake 532 State Highway 28 Oneonta, NY 13820	2010, 2011 & 2012	Clifton Park	270.-1-51.13	\$ 7,116.58

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

RESOLUTION 15 - 13

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

AUTHORIZING COUNTY AUDITOR TO APPROVE TAX REFUNDS AND CORRECTIONS NOT TO EXCEED \$2,500

WEREAS, Real Property Tax Law §554 and §556 authorize delegation to the County Auditor of legislative duties relative to the correction and refund of certain taxes; now, therefore, be it

RESOLVED, that, upon the joint recommendations of the Director of the Real Property Tax Service Agency and the County Treasurer, the County Auditor is authorized pursuant to §556 of the Real Property Tax Law to approve for payment tax bill refunds in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor is authorized pursuant to §554 of the Real Property Tax Law to approve corrections of errors on tax rolls in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor shall report to the Equalization and Assessment Committee all refunds and corrections made pursuant to the authority delegated by this Resolution.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 16 - 13

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

AMENDING THE 2013 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO SARATOGA COUNTY AIRPORT PROJECTS

WHEREAS, unexpended 2012 funds for multi-year projects in the amount of \$524,399 for airport taxiway lights and apron rehab design, airport master plan update, and Maplewood Manor CoGen Decommission need to be reappropriated to the 2013 budget; now, therefore, be it

RESOLVED, that the 2013 Saratoga County Budget is amended as follows:

GENERAL FUND

Appropriations:

Increase Acct: 1-50-513-7091 – Land Acquisition & Improvements	\$392,534
Increase Acct: 1-90-920-9909 – Transfer to Maplewood	<u>\$131,865</u>
	\$524,399

Revenues:

Increase Acct: 1-50-3592 – State Aid	\$ 18,688
Increase Acct: 1-50-4592 – Federal Aid	\$355,158
Increase Acct: 1-0599.M – Appropriated Fund Balance	<u>\$150,553</u>
	\$524,399

MAPLEWOOD MANOR

Appropriations:

Increase Acct: 9-62-648-7099 – Other Capital Expense	\$125,865
Increase Acct: 9-62-000-8190 – Other Professional Services	<u>\$ 6,000</u>
	\$131,865

Revenues:

Increase Acct: 9-62-5031 – Transfer from General Fund	\$131,865
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BUDGET IMPACT STATEMENT: The County share of these project costs is \$150,553 and will be reappropriated from the General Fund Balance.

RESOLUTION 17 - 13

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

**REQUESTING HOME RULE LEGISLATION TO DESIGNATE PORTIONS OF NEW YORK STATE ROUTES 9P, 423 AND 32 FROM EXIT 14 OF INTERSTATE 87 TO THE SARATOGA NATIONAL HISTORICAL PARK AS THE "SARATOGA COUNTY VETERANS MEMORIAL HIGHWAY"**

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

WHEREAS, pursuant to the home rule request of this Board of Supervisors, the New York State Legislature passed, and the Governor signed into law, Chapter 98 of the Laws of 2012, which added Section 344-a of the Highway Law of the State of New York designating the bridge on New York State Route 9P over Fish Creek linking the City of Saratoga Springs and the Town of Saratoga as the "Saratoga County Veterans Memorial Bridge"; and

WHEREAS, a popular and convenient route for visitors seeking to visit the Saratoga National Historical Park or the Gerald Solomon National Cemetery commences at Exit 14 of US Interstate 87, and proceeds southeasterly along New York State Route 9P to its intersection with New York State Route 423, then easterly along State Route 423 to its intersection with New York State Route 32, then northeasterly along State Route 32 to the entrance to the Park, or continuing on Route 32 to its intersection with Wilbur Road towards the Cemetery; and

WHEREAS, visitors taking the foregoing route to the Saratoga National Historical Park or Gerald Solomon National Cemetery naturally travel across the Saratoga County Veterans Memorial Bridge; and

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

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

RESOLVED, that the Saratoga County Board of Supervisors requests enactment of state legislation designating the following portions of state highway as the "Saratoga County Veterans Memorial Highway": NYS Route 9P commencing at Exit 14 of U.S. Interstate 87 in the City of Saratoga Springs and proceeding southeasterly along Route 9P across the Saratoga County Veterans Memorial Bridge into the Town of Saratoga, and continuing along Route 9P to its intersection with NYS Route 423 in the Town of Stillwater, then proceeding easterly along Route 423 to its intersection with NYS Route 32, then proceeding northeasterly along Route 32 to its intersection with Wilbur Road in the Town of Saratoga; 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 highways; 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 18 - 13**

Introduced by Supervisors Raymond, Collyer, Jenkins, A. Johnson, Lewza, Peck and Wright

**AMENDING THE 2013 BUDGET TO REAPPROPRIATE UNSPENT FUNDS FOR DEPARTMENT OF PUBLIC WORKS CAPITAL PROJECTS**

WHEREAS, unexpended 2012 funds in the amount of \$3,495,579 authorized for our Department of Public Works for engineering, construction and/or reconstruction of the CR 7 (Stewarts Dam) Bridge in the Town of Hadley, the CR 45 (Northline Road) Bridge over the Kayaderosseras Creek in the Town of Malta, the U.S. Rt. 4 (Central Avenue) Bridge over the Anthony Kill in the City of Mechanicville, the County Route 42 over the Hudson River (Dix Road) Bridge in the Town of Northumberland, the Stafford's-Quaker Springs Road Bridge

(CR 67) over Fish Creek, the Mott Road Bridge over Snook Kill, the CR 14 (Fish House Road) over Kenyetto Bridge; for the Local Solid Waste Management Plan; and for the Landfill Privatization, need to be reappropriated to the 2013 budget; now, therefore, be it

RESOLVED, that the 2013 Saratoga County Budget is amended as follows:

DEPARTMENT OF PUBLIC WORKS

Appropriations:

Increase Acct: 2-50-510-7502 – Contracted Highway Services	\$2,926,671
Increase Acct: 2-50-510-8130 – Architects/Engineers	\$ 546,908
Increase Acct: 2-50-515-8130 – Architects/Engineers	<u>\$ 22,000</u>
	\$3,495,579

Revenues:

Increase Acct: 2-50-3590 – State Aid	\$ 412,560
Increase Acct: 2-50-4590 – Federal Aid	\$2,765,626
Increase Acct: 2-50-2770 – Unclassified Revenue	\$ 9,738
Increase Acct: 2-0599.M – Appropriated Fund Balance	<u>\$ 307,655</u>
	\$3,495,579

BUDGET IMPACT STATEMENT: The County share of these project costs is \$307,655 and will be reappropriated from the Highway Fund Balance.

RESOLUTION 19 - 13

Introduced by Supervisors Raymond, Collyer, Jenkins, A. Johnson, Lewza, Peck and Wright

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

WHEREAS, a Project BIN 3364160, CR7 (Stewarts Dam Bridge) over Sacandaga Reservoir, County of Saratoga P.I.N. 1756.40 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80 % Federal funds and 20 % non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design;

NOW, THEREFORE, the Saratoga County Board of Supervisors duly convened does hereby

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

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

RESOLVED, that the sum of \$2,973,263.00 (Two Million Nine Hundred Seventy Three Thousand Two Hundred Sixty Three Dollars and no cents) has already been appropriated from the County's Highway Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the additional sum of \$103,500.00 (One Hundred Three Thousand Five Hundred Dollars and no cents) is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

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

RESOLVED, that the Chair of the Saratoga County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and

state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The \$5,175 County share of this project cost is included in the 2013 budget.

#### RESOLUTION 20 - 13

Introduced by Supervisor A. Johnson, Daly, M. Johnson, Kinowski, Peck, Wood and Wormuth

APPOINTING STEVEN R. BAYLE AS DIRECTOR OF THE SARATOGA COUNTY PROBATION DEPARTMENT EFFECTIVE JANUARY 18, 2013

WHEREAS, pursuant to Section 256 of the Executive Law, the Chairman of the Board of Supervisors has appointed Steven R. Bayle as Director of Probation; now, therefore, be it

RESOLVED, that this Board of Supervisors ratifies the appointment of Steven R. Bayle of Glens Falls, New York as Probation Director II of the County of Saratoga, effective January 18, 2013, at Grade 18, Step 1 on the Saratoga County Management Compensation Schedule.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 21 - 13

Introduced by Supervisors Kinowski, Raymond, Sausville, Southworth, Veitch, 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 County's contract with its current speech pathologist at Maplewood Manor has expired; and

WHEREAS, the Administrator of Maplewood Manor and the Public Health Committee have recommended that the contract of speech pathologist Christie Britton-Hare be renewed at the current contract rate of \$45.00 per hour; 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 for the term from January 1, 2013 through December 31, 2013, the form and content thereof being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 22 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH SCI DISTRIBUTION, LLC FOR A WIRELESS FUEL MANAGEMENT SYSTEM FOR SARATOGA COUNTY SEWER DISTRICT NO.

1

WHEREAS, Saratoga County Sewer District No. 1's existing fuel management system at the District's Treatment Plant is in need of replacement and an upgrade; and

WHEREAS, the Saratoga County Sewer District Commission solicited and entertained competitive proposals for the replacement and upgrade of the Sewer Districts fuel management system to a wireless fuel management system with additional security software, which system will allow for tracking consumption on all District vehicles; and

WHEREAS, the Sewer District’s Executive Director and the Sewer District Commission have recommended that a contract for such services be awarded to SCI Distribution, LLC, the lowest bidder on the contract; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute an agreement with SCI Distribution, LLC of Clearwater, Florida to provide a wireless fuel management system for Saratoga County Sewer District No. 1 at a cost not to exceed \$16,239, the form and content of said agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 23 - 13

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

**AUTHORIZING SETTLEMENT OF CLAIM AGAINST THE SEWER DISTRICT FOR A SEWER BACKUP AND AMENDING THE BUDGET IN RELATION THERETO**

WHEREAS, on October 28, 2012, a sewer main owned by Saratoga County Sewer District No. 1, located under the street Tulip Terrace in the Town of Clifton Park, experienced a grease plug that caused sewage to back up into the ground floor bathroom of a residence owned by Ruth Esposito at 22 Tulip Terrace; and

WHEREAS, as a result of said sewage backup, said residence of Ruth Esposito sustained damage to certain of its walls and floors, as well as to certain furniture and personal property of the homeowner; and

WHEREAS, repair and replacement costs to the homeowner’s property have exceeded \$23,000.00; and

WHEREAS, the Sewer District Commission has recommended that Ruth Esposito be reimbursed for the damages sustained to her property at 22 Tulip Terrace, Clifton Park, in an amount not to exceed \$24,000, contingent upon the Sewer District’s receipt of an executed release from Ruth Esposito to the Sewer District for any and all claims resulting from said sewer backup and copies of all invoices and receipts received for repair work performed at the premises; now, therefore, be it

RESOLVED, that this Board of Supervisors authorizes the settlement of the claim of Ruth Esposito against Saratoga County Sewer District No. 1 for damages sustained to her residence at 22 Tulip Terrace, Clifton Park, New York, by a backup of sewage on October 28, 2012, in an amount not to exceed \$24,000, contingent upon receipt by the County of 1) proper invoices evidencing amounts charged or paid for repair work to said premises; and 2) an executed release from Ruth Esposito to the County and the Sewer District for all claims and demands resulting from said sewer backup, with said release to be approved and executed by the County Attorney; and be it further

RESOLVED, that the 2013 Saratoga County Budget is amended as follows:

SEWER DISTRICT

Appropriations:

Increase Acct: 7-81-000-9100 - Claim Settlements	\$24,000
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Revenues:

Increase Acct: 7-0599.M - Appropriated Fund Balance	\$24,000
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BUDGET IMPACT STATEMENT: The funds required to cover the remediation costs will be appropriated from the Sewer District fund balance.

RESOLUTION 25 - 13

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

## APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY SARATOGA COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A CERTAIN PROJECT FOR THE SARATOGA HOSPITAL

BE IT ENACTED by the Board of Supervisors of Saratoga County, New York, as follows:

WHEREAS, Saratoga County Capital Resource Corporation (the "Issuer") is authorized and empowered by the provisions of Section 1411 of the New York State Not-For-Profit Corporation Law (the "NFPCL") to take steps to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities, instruct or train individuals to improve or develop their capabilities for such jobs, carry on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, lessening the burdens of government and acting in the public interest; and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the NFPCL and its certificate of incorporation (the "Certificate") to issue its revenue bonds to finance the cost of the acquisition, construction, reconstruction and installation of one or more "projects" (as described in the NFPCL and the Certificate), to acquire, construct, reconstruct and install said projects or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, The Saratoga Hospital, a New York not-for-profit corporation (the "Institution"), presented an application (the "Application") to the Issuer, which Application requested that the Issuer consider undertaking a project (the "Initial Project") for the benefit of the Institution, said Initial Project to consist of the following: (A) the refunding of the County of Saratoga Industrial Development Agency's Civic Facility Revenue Refunding Bonds (The Saratoga Hospital Project), Series 2003 A in the Aggregate Principal Amount of \$14,385,000 (the "Series 2003A Bonds") issued on August 7, 2003, which Series 2003A Bonds were issued to finance the following project (the "Series 2003A Project"): (1) the refinancing of New York State Medical Care Facilities Finance Agency Saratoga Hospital Project Revenue Bonds, 1995 Series A in the original aggregate principal amount of \$14,150,000 (the "Refunded Bonds") issued by the New York State Medical Care Facilities Finance Agency, which Refunded Bonds refinanced two existing FHA insured taxable mortgage loans of the Institution in the amount of approximately \$14.1 million (the "FHA Loans"), which FHA Loans were used to finance the expansion and renovation of certain of the Institution's facilities; (2) the refinancing of certain other indebtedness of the Institution incurred to finance the expansion and renovation of Institution facilities (the "1997 Mortgage Note"); (3) the acquisition by the Issuer of an interest in certain items of fixtures, furnishings, machinery and equipment (collectively, the "Series 2003A Equipment") to be installed at the Saratoga Hospital campus (the "Series 2003A Facility") located at 211 Church Street in the City of Saratoga Springs, Saratoga County, New York (the "Series 2003A Land") (the Series 2003A Land, the Series 2003A Facility and the Series 2003A Equipment are hereinafter collectively referred to as the "Series 2003A Project Facility"); (B) the refunding of the County of Saratoga Industrial Development Agency's Civic Facility Revenue Bonds (The Saratoga Hospital Project), Series 2003 B-1 in the Aggregate Principal Amount of \$11,770,000 (the "Series 2003B-1 Bonds") issued on August 7, 2003, which Series 2003B-1 Bonds were issued to finance the following project: (1) the acquisition of an interest in a certain parcel or parcels of land comprising approximately 7 acres located at 3040 NYS Route 50 in the Town of Wilton, Saratoga County, New York (the "Series 2003B Land"), (2) the construction on the Series 2003B Land of the tax-exempt portion of an approximately 42,500 square foot building to house hospital ambulatory services, including an ambulatory surgery center together with private physician offices (the "Series 2003B-1 Facility") and (3) the acquisition and installation in the Series 2003B-1 Facility of certain machinery and equipment (the "Series 2003B-1 Equipment" and together with the Series 2003B Land and the Series 2003B-1 Facility, the "Series 2003B-1 Project Facility"); (C) the refunding of the County of Saratoga Industrial Development Agency's Civic Facility Revenue Bonds (The Saratoga Hospital Project), Series 2004B in the Aggregate Principal Amount of \$1,080,000 (the "Series 2004B Bonds") issued on September 21, 2004, which Series 2004B Bonds were issued to finance the following project: (1) the acquisition of an interest in a certain parcel or parcels of land comprising approximately 7 acres located at 3040 NYS Route 50 North in the Town of Wilton, Saratoga County, New York (the "Series 2004B Land"), (2) the construction of improvements to the second floor of the approximately 42,500 square foot building located on the Series 2004B Land to house private physician offices (the "Series 2004B Facility") and (3) the acquisition and installation in the Series 2004B Facility of certain machinery and equipment (the "Series 2004B Equipment" and together with the Series 2004B Land and the Series 2004B Facility, the "Series 2004B Project Facility" and together with the Series 2003A Project Facility, and the Series 2003B-1 Project Facility, the "Initial Project Facility"); (D) the financing of all or a portion of the costs of the foregoing by the issuance of revenue bonds of the Issuer in one or

more issues or Series in an aggregate principal amount sufficient to pay the cost of undertaking the Initial Project, together with necessary incidental costs in connection therewith, in an amount then estimated to be approximately \$25,000,000 (the "Bonds"); (E) paying a portion of the costs incidental to the issuance of the Bonds, including issuance costs of the Bonds and any reserve funds as may be necessary to secure the Bonds; and (F) the granting of potential exemptions from mortgage recording taxes; and

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

WHEREAS, the Board of Supervisors has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Bonds from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Bonds will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Bonds is approved by the "applicable elected representative" of the County of Saratoga, New York after the Issuer has held a public hearing on the nature of the Initial Project and the issuance of the Bonds; and

WHEREAS, in accordance with the requirements set forth in Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the directors of the Issuer (A) caused notice of the Public Hearing to be published in the *Daily Gazette*, a newspaper of general circulation available to the residents of Saratoga County, New York, (B) conducted the Public Hearing on January 3, 2013 at 3:30 o'clock p.m., local time at the Saratoga County Board of Supervisors Meeting Room, Saratoga County Municipal Center, 40 McMaster Street, Ballston Spa, New York and (C) prepared a report of the Public Hearing (the "Hearing Report") which fairly summarized the views presented at said Public Hearing and distributed same to the directors of the Issuer and to the Board of Supervisors; and

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

WHEREAS, the Issuer's certificate of incorporation specifically provides that neither the Bonds nor any other obligation of the Issuer shall be a debt of the County of Saratoga, New York, nor shall the County of Saratoga, New York be liable thereon;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Saratoga, New York as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the Board of Supervisors, as the elected legislative body of the County of Saratoga, New York, hereby approves the issuance by the Issuer of the Bonds, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, the County of Saratoga, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, the County of Saratoga, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

On a motion by Mr. Veitch, seconded by Mr. Kinowski Resolution No. 26 was amended to reflect the correct contract costs. This Resolution then was adopted by a unanimous vote.

RESOLUTION 26 - 13

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

**AUTHORIZING THE CHAIRMAN TO ENTER INTO A FIVE YEAR AGREEMENT WITH MM HAYES CO., INC. FOR AN AUTOMATED TIME AND ATTENDANCE SYSTEM FOR EMPLOYEES**

WHEREAS, most departments of Saratoga County government use an analog system for recording employee time and attendance, relying on punch clocks with paper time cards to monitor employee time; and

WHEREAS, our Technology Committee conducted a study of the costs associated with the current analog time-keeping system, and determined that the labor and material costs of the analog system to be approximately \$9,063 per pay period and \$253,638 per year; and

WHEREAS, the County has utilized the Kronos automated time and attendance system at the Maplewood Manor Nursing Home for several years, with the result that the costs of recording and monitoring employee time and attendance have been significantly reduced; and

WHEREAS, a return on investment analysis commissioned by the Technology Committee relative to a change from an analog to an automated time and attendance system calculated that the County could save hundreds of thousands of dollars by such a change; and

WHEREAS, our Technology Committee solicited and entertained proposals for an automated time and attendance system; and based upon compatibility with existing County software systems and responsiveness to the requirements of the Committee's RFP, the Technology Committee has recommended that a contract for such automated time and attendance hardware and software systems be awarded to MM Hayes Co., Inc.; now, therefore, be it

RESOLVED, that the Chair of the Board execute an agreement with MM Hayes Co., Inc. of Albany, New York, for the purchase, installation and maintenance of an automated employee time and attendance reporting system featuring Kronos hardware and software, together with training services, for a term of five years, at a cost of: \$92,240 for the first year; \$82,740 per year for the second and third years; and \$33,600 per year for the fourth and fifth years of the agreement; with the form and content of such agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 27 - 13

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

#### SETTING A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #2

WHEREAS, New York State Agricultural and Markets Law Article 25-AA allows landowners with viable agricultural lands to petition the County Board of Supervisors to be included in agricultural districts; and

WHEREAS, pursuant to Resolution 133-98, this Board of Supervisors approved the consolidation of Saratoga County Agricultural Districts #2, #5 and #6 into Saratoga County Consolidated Agricultural District #2 within the Towns of Ballston, Charlton, Clifton Park, Galway, Malta, and Milton, and the City of Saratoga Springs; and

WHEREAS, the Board of Supervisors has received a petition from Jennifer L. Brewster, landowner in the Town of Malta, to include 10.57 acres of viable agricultural land on Brownell Road dedicated to the boarding of horses, identified as Tax Parcel #216.-1-43, within the boundaries of Consolidated Agricultural District #2; and

WHEREAS, the Board of Supervisors has received a petition from Erin Christopher-Sisk and James Sisk, landowners in the Town of Malta, to include 14.45 acres of viable agricultural land on Rowley Road, identified as Tax Parcel #192.00-1-31.1, and 5.24 acres of viable agricultural land on Rowley Road, identified as Tax Parcel #192.00-1-32, dedicated to crop production and possibly the boarding or breeding of horses in the future; within the boundaries of Consolidated Agricultural District #2; and

WHEREAS, the Saratoga County Agricultural and Farmland Protection Board has submitted a report to the Board of Supervisors recommending the inclusion of the lands of Jennifer L. Brewster and the lands of Erin Christopher-Sisk and James Sisk within the boundaries of Saratoga County Consolidated Agricultural District #2; and

WHEREAS, pursuant to Agriculture and Markets Law §303-b(3), this Board of Supervisors is required to hold a public hearing to consider the requests for inclusion and the recommendations of the Saratoga County Agricultural and Farmland Protection Board; now, therefore, be it

RESOLVED, that this Board of Supervisors shall hold a public hearing on the request of Jennifer L. Brewster for the inclusion of her lands on Brownell Road in the Town of Malta, and the request of Erin Christopher-Sisk and James Sisk for the inclusion of their two lands on Rowley Road in the Town of Malta, within the boundaries of Saratoga County Consolidated Agricultural District #2, on February 13, 2013 at 4:55

p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York; and be it further

RESOLVED, that the Clerk of the Board shall publish a notice of this hearing in the official County newspapers, and shall mail said notice of public hearing to the Supervisor of the Town of Malta and the New York Commissioner of Agriculture and Markets.

BUDGET IMPACT STATEMENT: No budget impact.

Mrs. Yepsen said that to be clear all along her priority is sound financial planning and quality care for the seniors. The LDC does not insure either. She is in favor of making hard choices and change. She said a public referendum is an excellent idea. She said she has yet to hear from any resident, employee or tax payer in this County who supports the transfer to the LDC as the solution. She said she doesn't know who the Board is representing by voting in favor of this resolution. She said she has been shut out of meetings, lied to and efforts dismissed. She said we can not serve the public well if we don't work together, entertain all good ideas and explore all options. She said there is legislation on the floor to reform the problems with the NYS Law with regards to the LDC.

Mrs. Southworth said that most of Board knows she does have issues with privatizing the nursing home. She said care needs to be the top priority. While keeping loved ones at home would be the ultimate goal, funds aren't there to support this or they have no family for that support. She does not believe the LDC is the answer and the budget should be cut elsewhere to cover the deficit.

Mr. Barrett said it is truly a shame that we are at this point of the process with Maplewood Manor. He thanked the people who have attended the meetings and have met with many of them. Unfortunately, the problem still exists today. We can bash LDC's all day long but it doesn't fix the problem. Like many segments of our health care system, this system is broken. And that's why numerous counties all over the state are divesting themselves of their county owned nursing homes. So where is the problem? Our County's nursing home loses \$25,000 a day. They can't possibility come close to breaking even because of the reimbursement system. It is obvious that the legislative body that have the decision making ability if they had the will to fix the problem it probably would have happened by now. This is not just a problem in Saratoga County. It is a problem across the State.

Mr. Lawler echoed Mr. Barrett's comments. If the State Legislature would have courage to address these concerns, the unfunded mandates that affect not only the nursing homes but every aspect of our lives. The State's continued lack of responsibility is where the fault lies. The Governor mentioned more mandates in his state of the state address. He said he is waiting on some of his fellow supervisors hard decision when they say hard decisions have to be made. Let's continue to wait while we continue to lose \$30,000 a day, let alone the tens of thousands of millions of dollars that have already been spent at Maplewood. If we continue this way, the County would have to be laying off employees at Maplewood as we speak. Let see the Governor, the majority leader, the senator's stand up and issue a bill to save institutions like Maplewood.

Mr. Barrett said he wasn't assigning blame to any one individual or group of individuals. All he knows is that the system is broken and the fixes government puts in place don't fix the problem and actually make it worse. He said he would love to have any idea from any one in the State government that would fix this problem. You don't have to be a former banker to look at the balance sheet and see the deficit. The Supervisors here today did not create this broken system. We can't fix the system. We can't control the system. We are governed and hand-cuffed by the system. He said none of his colleagues like being here to take this vote. Unfortunately he has not seen any idea come forward that will close the gap at this facility. He said one of the ideas spoken to him was to get rid of the Sheriff's Department. Well no one is going to vote for that because there is no other alternative there. In Clifton Park, we contract with the Sheriff and State Police. With this facility there are other options. He promised all those that were concerned that he would stay on top of the process to be sure that as it moves forward everything is done fairly and residents and staff are treated fairly.

On a motion by Mr. Wright, seconded by Mr. Kinowski Resolution No. 28 passed by the following vote: AYES (123,586.5): Alan Grattidge (4,133), Philip C. Barrett (18,352.5), 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), Thomas Richardson (5,196), Willard H. Peck (5,087), John Collyer (1,995), Thomas N. Wood III (5,674), Matthew E. Veitch (13,293), Edward D. Kinowski (8,287), John Lawler (8,423), Arthur Johnson (16,173). NOES (96,020.5): Patricia Southworth (9,776), Anita Daly (18,352.5), Richard Lucia (6,531), Paul Sausville (14,765), Daniel Lewza (18,575), Preston L. Jenkins, Jr. (14,728), Joanne Dittes Yepsen (13,293).

## RESOLUTION 28 - 13

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

AUTHORIZING: (i) THE DISPOSITION (THE "DISPOSITION") OF CERTAIN REAL ESTATE AND RELATED IMPROVEMENTS AND EQUIPMENT KNOWN AS MAPLEWOOD MANOR NURSING HOME (COLLECTIVELY, THE "FACILITY") TO THE MAPLEWOOD MANOR LOCAL DEVELOPMENT CORPORATION (THE "CORPORATION"); (ii) AUTHORIZING THE CORPORATION TO ISSUE CERTAIN TAX EXEMPT BONDS ON BEHALF OF THE COUNTY (THE "FINANCING"); AND (iii) CERTAIN MATTERS RELATING TO THE DISPOSITION AND FINANCING.

WHEREAS, the County of Saratoga (the "County") has the responsibility and burden to promote the health, safety and general welfare of the residents of the County by, among other things, preventing unemployment and economic deterioration, increasing and maintaining employment opportunities, and attracting and sustaining economically sound commerce; and

WHEREAS, the County owns and operates the Maplewood Manor Nursing Home, a 277-bed nursing facility located in the Village of Ballston Spa, New York (collectively, the "Facility"), such Facility being more particularly described as and including (i) an approximately 15.49 acre parcel of real property identified as Tax Parcel #216.00-3-9 and located at 149 Ballston Avenue, Ballston Spa, New York 12020, along with two adjoining parcels of real property identified as Tax Parcel #216.48-3-3.1 consisting of 1.01 acres in the Village of Ballston Spa and Tax Parcel #216.56-1-4 consisting of .09 acres in the Town of Ballston (collectively, the "Land"), (ii) all buildings, fixtures and improvements located thereon (collectively, the "Improvements"), and (iii) all operational equipment and personal property located thereon (collectively, the "Equipment"); and

WHEREAS, pursuant to Resolution 266-12 adopted by the Board of Supervisors (the "Board") of the County on November 20, 2012 (the "Initial Resolution"), the County considered that upon examination of the operations at the Facility, including, but not limited to, business impediments unique to municipalities that include year over year operational deficits, rising municipal labor and employee benefit costs, the unreliability of historically inadequate intergovernmental transfer ("IGT") payments, and the cost of providing for major Facility equipment and infrastructure improvements and/or reconstruction, among other impediments, that it may not be in the best interests of or feasible for the County to continue future ownership and operation of the Facility; and

WHEREAS, despite the identified issues associated with direct ownership and operation of the Facility, the County desires to ensure the continued operation of the Facility as well as maintaining the Facility's 277 licensed beds, and therefore the County desires to examine the possible eventual disposition of the Facility to a responsible private entity to facilitate continued and uninterrupted operation of the Facility, including the provision of improved services in a modern, efficient, and economically stable setting; and

WHEREAS, pursuant to Section 1411(d) of the Not-For-Profit Corporation Law ("N-PCL") of the State of New York (collectively, the "LDC Act"), the Board may by resolution determine that the Land and Improvements are not required for use by the County and may be sold or leased to a not-for-profit local development corporation on such terms as may be agreed upon by the County and a local development corporation (the "Disposition", as more particularly described herein), subject to the Board's notice and conduct of a public hearing in accordance with N-PCL Section 1411 (d)(3) and (4); and

WHEREAS, pursuant to Section 215(9) of the County Law, the County may establish rules by which the Equipment may be disposed of as a component of the Disposition; and

WHEREAS, in furtherance of the foregoing, the Initial Resolution authorized (i) the establishment of Maplewood Manor Local Development Corporation (the "Corporation") pursuant to the LDC Act; and (ii) the scheduling, notice and conduct of a public hearing (the "Public Hearing") pursuant to the LDC Act to consider the proposed Disposition, such hearing to be held in the County Board of Supervisors Chambers at 5:15 p.m. on January 9, 2013, at 40 McMaster Street, Ballston Spa, New York 12020; and

WHEREAS, in accordance with the Initial Resolution, the Chairman of the Board duly executed and caused the filing of a Certificate of Incorporation on November 30, 2012, thereby establishing the Corporation as a domestic, not-for-profit local development corporation pursuant to the LDC Act; and

WHEREAS, also in accordance with the Initial Resolution, the Board duly noticed and conducted the Public Hearing pursuant to the LDC Act, which was held in the County Board of Supervisors Chambers at 5:15 p.m. on January 9, 2013, at 40 McMaster Street, Ballston Spa, New York 12020 (copies of the Public Hearing Notice and affidavit of publication being attached hereto as **Exhibit A**); and

WHEREAS, in furtherance of the public purposes set forth above, the County proposes to undertake the Disposition, which will include the transfer the Facility to the Corporation by lease agreement with exclusive option (the "Lease Agreement"), subject to the County's reserved leasehold interest in the Facility pursuant to a leaseback agreement (the "Leaseback Agreement"), such Disposition allowing the County to continue operation of the Facility until such time as the Corporation transfers ownership of the Facility to a third party or parties; and

WHEREAS, pursuant to the LDC Act and rules established herein pursuant to County Law Section 215(9), the Disposition of the Facility to the Corporation may be on such terms and for such amount or amounts as may be agreed upon by the County and the Corporation, and as provided herein, the County shall require the net proceeds of the Disposition and of any eventual sale to a third party are paid to the County; and

WHEREAS, during the term of the County's retained leasehold interest under the Leaseback Agreement, the employees of the County working at the Facility will continue as County employees with all County rights and benefits associated therewith; and

WHEREAS, to accomplish the purposes and powers as set forth within the LDC Act and the purposes and powers of the Corporation, including relieving the burdens of the County and the undertaking of the Disposition, the County desires to task the Corporation with such burdens and responsibilities and authorizes the Corporation to issue bonds on behalf of the County for such purposes pursuant to and in accordance with applicable provisions of the Internal Revenue Code (the "Code"); and

WHEREAS, in order to facilitate the Disposition pursuant to Section 1411(d) of the LDC Act and to alleviate the financial burdens imposed upon the County in connection with operating the Facility, the Board may authorize the Corporation to undertake the issuance of tax exempt bonds (the "Bonds", as more particularly described herein) on behalf of the County, to be issued in one or more series, the net proceeds of which would be paid to the County by the Corporation as a portion of the total purchase price of the Facility and other costs associated therewith; and

WHEREAS, in furtherance of the foregoing, the County desires to (i) authorize the undertaking of the Disposition of the Facility to the Corporation pursuant the LDC Act and rules established herein, such Disposition to be memorialized with the Lease Agreement and Leaseback Agreement; (ii) appoint the Corporation as an "on behalf of" issuer of tax exempt bonds pursuant to the Code to enable the Corporation to issue the Bonds; (iii) adopt findings under the State Environmental Quality Review Act ("SEQRA") relating to the Disposition; and (iv) authorize certain matters relating to the foregoing.

NOW, THEREFORE, BE IT RESOLVED BY THE SARATOGA COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

**Section 1.** Pursuant to Section 1411(d) (1) of the LDC Act and upon due consideration of the presentations and comments received during the Public Hearing, the County hereby determines that title to the Land and Improvements are not required for use by the County. Pursuant to County Law Section 215(9), the County hereby authorizes the disposition of the Equipment to the Corporation as a component of the Disposition, and the proceeds of any subsequent transfer of same by the Corporation shall be delivered to the County in accordance with the Lease Agreement and Leaseback Agreement. The transfer of title to the Equipment by the Corporation shall be undertaken as a component of one or more Requests for Proposals ("RFP") to be issued by the Corporation with respect to the entire Facility.

**Section 2.** Pursuant to Section 1411(d) of the LDC Act and the provisions hereof, the County hereby authorizes the undertaking of the Disposition of the Facility to the Corporation pursuant to a Lease Agreement with Exclusive Option (in a form to be approved by the County Attorney), whereby the Corporation shall be granted (i) a leasehold interest in the Facility for a term of up to ninety-nine years, and (ii) an exclusive option to acquire title to the Facility pursuant to one or more deeds and bills of sale to evidence title to the Facility once a responsible, private sector purchaser of the Facility identified by the Corporation (the "Purchaser") has secured licensure to operate the Facility from the New York State Department of Health ("DOH"). The consideration for the foregoing Disposition by the County to the Corporation shall include (i) the undertaking by the Corporation of the marketing of the Facility, including the issuance of one or more RFPs for purposes of identifying the highest qualified Purchaser; (ii) transfer by the Corporation to the County of the net proceeds of the Bonds, if and once issued by the Corporation, and (iii) the transfer by the Corporation to the County of the

net proceeds of the Disposition received from the Purchaser. A memorandum of Lease Agreement shall be recorded in the Office of the Saratoga County Clerk.

Section 3. The Disposition is conditioned upon the County's reserved leasehold interest in the Facility for continued operation thereof by the County, such leasehold interest to be memorialized within the Leaseback Agreement (in a form approved by the County Attorney) by and between the County and the Corporation for a term of up to 20 years, provided that rentals paid by the County to the Corporation shall be subject to annual appropriations and be in amounts sufficient for the Corporation to pay all reasonable costs and debt service related to the Corporation's involvement with the ownership interest contemplated herein, including the marketing of the Facility, the issuance of RFPs, and the issuance of the Bonds. A memorandum of Leaseback Agreement shall be recorded in the Office of the Saratoga County Clerk.

Section 4. The Corporation is hereby designated as "on behalf of issuer" of the County pursuant to the Code for the purposes of issuing the Bonds and any other bonds, notes and other instruments in an amount not to exceed \$10,000,000.00 with authority to exercise on the County's behalf all lawful powers as may be deemed necessary to accomplish its public purposes including to enhance, create and preserve employment opportunities for residents of the County, such purposes and powers to include, but not be limited to, those powers contained within the LDC Act and the purposes and powers of the Corporation, with the power to issue tax exempt and taxable bonds, notes, or other instruments on behalf of the County in furtherance of its purposes, provided however that any obligations issued by the Corporation shall never be a debt of the State of New York, the County or any political subdivision thereof (other than the Corporation) and neither the State of New York, the County or any political subdivision thereof (other than the Corporation) shall be liable thereon. In order to effectuate the foregoing, the Corporation shall be granted rights under the Lease Agreement and Leaseback Agreement (hereinafter, the "Leases") to mortgage, pledge, assign and encumber the Leases to one or more lenders in connection with and in furtherance of the issuance of the Bonds.

Section 5. The Chairman of the Board is hereby authorized to execute any and all documents related to the Disposition, including the Leases (and memoranda thereof), subject to approval by the County Attorney, along with any other agreements, forms, certificates or applications necessary to effectuate the foregoing.

Section 6. During the term of the Leaseback Agreement, the County employees working at the Facility will remain employees of the County until such time as the County's leasehold is terminated or modified and/or the Corporation sells the Facility following termination of the Lease Agreement, and such employment during the interim shall be subject to Civil Service law and regulations and applicable collective bargaining agreements.

Section 7. The County has identified the Disposition as an "Unlisted Action" as said term is defined pursuant to the State Environmental Quality Review Act (SEQRA). The County's review of the Disposition pursuant to SEQRA is uncoordinated. Based upon the review by the County of an Environmental Assessment Form (EAF) and related documents, the County hereby finds that (i) the Disposition will result in no major impacts and, therefore, is one which may not cause significant damage to the environment; (ii) the Disposition will not have a "significant effect on the environment" as such quoted terms are defined in SEQRA; and (iii) no "environmental impact statement" as such quoted term is defined in SEQRA, need be prepared for this action. This determination constitutes a negative declaration for purposes of SEQRA.

Section 8. If any part or provision of this resolution or the application thereof to any person or entity is adjudged by a court of competent jurisdiction to be contrary to a statute, local law, regulation or otherwise unconstitutional, such judgment shall not affect or impair any other part or provision of this resolution, or the application thereof to any other person or entity, but shall be confined in its operation to the part, provision, person or entity directly involved in the controversy in which such judgment shall have been rendered.

Section 9. This resolution shall take effect immediately.

**BUDGET IMPACT STATEMENT:** The LDC will have the ability to generate up to \$10,000,000 in revenue through bond issuance. However, the need for bond proceeds is not expected to exceed \$6,000,000 in 2013.

**EXHIBIT A**  
**PUBLIC HEARING MATERIALS**

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 1411(d) of the New York Not-for-Profit Corporation Law ("N-PCL") will be held by the Saratoga County Board of Supervisors (the "Board") in the Supervisors Chambers at 5:15 p.m. on Wednesday January 9, 2013, at 40 McMaster Street, Ballston Spa, New York, in connection with the following matter:

The Board will consider the disposition (the "Disposition") of the Maplewood Manor Nursing Home, a 277-bed nursing facility located in the Village of Ballston Spa, New York (the "Facility"), such Facility being more particularly described as an approximately 15.49 acre parcel of real property identified as Tax Parcel No. 216.00-3-9, and located at 149 Ballston Avenue, Ballston Spa, New York 12020, including all buildings, improvements and operational equipment and personal property located thereon. The Disposition of the Facility shall include two adjoining parcels of real property owned by the County of Saratoga (the "County"), to wit: Tax Parcel #216.48-3-3.1 consisting of 1.01 acres in the Village of Ballston Spa, and Tax Parcel #216.56-1-4 consisting of .09 acres in the Town of Ballston (the "Adjacent Parcels"). The proposed Disposition would involve the Sale and/or Lease of the Facility and Adjacent Parcels by the County to the Maplewood Manor Local Development Corporation, a not-for-profit local development corporation duly established pursuant to N-PCL Section 1411, subject to the County's retained interest to operate the Facility.

TAKE FURTHER NOTICE, that at this hearing, all persons wishing to speak will be heard.  
 Pamela A. Hargrave, Clerk  
 Board of Supervisors

State of New York ss.:  
 City and County of Schenectady

**NOTICE OF PUBLIC HEARING**  
 NOTICE IS HEREBY GIVEN that a public hearing pursuant to Section 1411(d) of the New York Not-for-Profit Corporation Law ("N-PCL") will be held by the Saratoga County Board of Supervisors (the "Board") in the Supervisors Chambers at 5:35 p.m. on Wednesday, January 9, 2013, at 15 McMaster Street, Ballston Spa, New York, in connection with the following matter:  
 The Board will consider the disposition (the "Disposition") of the Maplewood Manor Nursing Home, a 277-bed nursing facility located in the Village of Ballston Spa, New York (the "Facility"), such Facility being more particularly described as an approximately 15.49 acre parcel of real property identified as Tax Parcel No. 216.00-3-9, and located at 149 Ballston Avenue, Ballston Spa, New York 12020, including all buildings, improvements and operational equipment and personal property located thereon. The Disposition of the Facility shall include two adjoining parcels of real property owned by the County of Saratoga (the "County"), to wit: Tax Parcel #216.48-3-3.1 consisting of 1.01 acres in the Village of Ballston Spa, and Tax Parcel #216.56-1-4 consisting of .09 acres in the Town of Ballston (the "Adjacent Parcels"). The proposed Disposition would involve the Sale and/or Lease of the Facility and Adjacent Parcels by the County to the Maplewood Manor Local Development Corporation, a not-for-profit local development corporation duly established pursuant to N-PCL Section 1411, subject to the County's retained interest to operate the Facility.  
 TAKE FURTHER NOTICE that at this hearing, all persons wishing to speak will be heard.  
 Pamela A. Hargrave, Clerk  
 Board of Supervisors  
 12-28 7300

**Donna Venezio of the City of Schenectady being duly sworn says that she is Principal Clerk in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in the Daily Gazette and/or Sunday Gazette as follows:**

1 insertion December 28, 2012

*Donna Venezio*  
 Sworn to me on this 31<sup>st</sup> day of December 2012

LISA J. BALDWIN  
 COMMISSION OF DEEDS NOTARY PUBLIC  
 MY COMMISSION EXPIRES 8-16-2014  
*Lisa Baldwin*

Chairman Grattidge announced the following appointments:

Office for the Aging Advisory Council

Richard Gorman, Town of Milton (term expiring 12/31/2013)

Emergency Services Director

Paul Lent (term expiring 12/31/2013)

Youth Advisory Board

Jennifer Amidon, Town of Northumberland (term expiring 12/31/2013)

Chairman Grattidge introduced Steven Bayle the new Probation Director. Mr. Bayle thanked the Board for the opportunity.

Chairman Grattidge reminded all the Supervisors of the upcoming Planning Conference and spoke of the speaker for the event. He said he looks forward to another successful conference.

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

Respectfully submitted,

Pamela Hargrave, Clerk