

AGENDA SESSION
June 12, 2013 5:00 p.m.

Vice Chairman Sausville called the meeting to order.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, 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 - 23. ABSENT: 0.

On a motion by Mr. Hargrave, seconded by Mr. Lucia the minutes of the May 15, 2013 meeting were unanimously approved.

Mr. Hellwig presented the following:

ECONOMIC DEVELOPMENT

Requesting easements from the City of Mechanicville and the Town of Waterford for the design, construction and temporary maintenance of the Champlain Canal in the Town of Waterford.

PERSONNEL & INSURANCE

Amending Resolution 252-12 to approve standard workday reporting resolution for elected and appointed County officials for retirement purposes.

Mr. Hellwig said there are about fifteen changes that will be made due to changes that were made in staffing in the past year.

PUBLIC HEALTH

Authorizing the Chairman to enter into an amended agreement with the NYS DOH to support services related to rabies exposure prevention and treatment in the amount of \$40,945.38 annually for the period April 12, 2012 through March 31, 2017.

Mr. Hellwig said the amount that was originally used in February was the wrong amount based on information that was received from the State.

Authorizing the Chairman to enter into an amended agreement with Health Research Inc. to accept NYS Public Health Emergency Preparedness grant funding in the amount of \$194,521 annually for the period of July 1, 2012 through June 30, 2017.

PUBLIC SAFETY

Authorizing the Chairman to accept an Aid to Prosecution grant in the District Attorney's Office in the amount of \$41,300.

Authorizing the Chairman to accept a State Homeland Security grant for the maintenance and enhancement of the Sheriff's explosive detection canine team in the amount of \$14,187.25 and amending the budget in relation thereto.

SOCIAL PROGRAMS

Authorizing Youth Bureau's 2013 funding applications and contracts in the amount of \$124,390 and amending the budget in relation thereto.

Accepting Federal funds for the 2013 Workforce Investment Program and authorizing the funding applications and contracts.

Accepting \$135,202 for the Summer Youth Employment Program.

Authorizing the Chairman to execute and submit the Saratoga-Warren-Washington Workforce Investment Act Local Plan for the program year beginning July 1, 2013 and ending June 30, 2014.

Authorizing a contract renewal with Captain Youth and Family Services to administer the Workforce Investment Act Youth Program at a cost not to exceed \$45,000.

Authorizing contract renewals for Warren and Washington Counties to administer the 2013 Workforce Investment Act Youth Program in their counties for the respective amounts of \$230,654.73 and \$131,352.60.

PUBLIC WORKS

Authorizing the Chairman to execute an amendment to the agreement with Mark Schachner for legal services with respect to the privatization of the County landfill and amending the budget in relation thereto.

Mr. Hellwig said this contract amendment is in an amount not to exceed \$6,500.

Approving particularized findings pursuant to Section 120-W of the General Municipal Law regarding the privatization of the County Landfill facility.

Determining no further SEQRA review is required for transfer of the Saratoga County Landfill to Finch Paper, LLC.

Approving a landfill purchase and sale agreement with Finch Paper, LLC of Glens Falls, New York.

Authorizing the Chairman to execute a revenue sharing agreement with the Town of Northumberland relative to the sale of the County Landfill to Finch Paper, LLC.

Authorizing revenue sharing with cities, towns and villages relative to profit sharing payments received from the sale of the County Landfill to Finch Paper, LLC.

Authorizing the Chairman to accept supplemental funding for CR 45 Bridge over the Kayaderosseras Creek in the Town of Milton for additional design services in the amount of \$36,265.

Authorizing the Chairman to execute an amended agreement with Greenman Pedersen for additional design services related to the CR 45 Bridge over the Kayaderosseras Creek in the amount of \$36,265 and amending the budget in relation thereto.

LAW AND FINANCE

Authorizing the Chairman to enter into an amended agreement with Insituform Technologies, Inc. for emergency repairs to a deteriorated portion of sewer force main in the Town of Ballston on Oak Street in an amount not to exceed \$352,783 and amending the budget in relation thereto.

On a motion by Mr. Rowland, seconded by Mr. Veitch the agenda was unanimously set for the June 18 2013 Board Meeting.

Ms. Yepsen asked about the presentation of a proclamation to the Saratoga Rowing Association. Chairman Grattidge said that he would have that on the agenda for the Board meeting as a proclamation.

Mr. Wood reminded the Supervisors about the Sundae on the Farm event being held on Sunday, June 16th at the McMahan Thoroughbred Farm located in the Town of Saratoga. The event will being at Noon and goes until 4pm.

Mrs. Johnson reminded the Supervisors about the Peer to Peer kick off event scheduled for Thursday, June 13th at the Military Museum. The event goes from 6pm to 9pm. She said the program is about 30 minutes which will be followed by an opportunity to talk with the mentors and enjoy refreshments.

Mr. Richardson and Mrs. Johnson invited the Supervisors to the June 29th event at the National Cemetery where the name of Lance Corporal Anthony Denier will be unveiled. Invitations to this event will be in the Supervisors' boxes and have been mailed out.

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

Respectfully submitted,

Pamela A. Hargrave, Clerk

REGULAR SESSION
TUESDAY, JUNE 18, 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, Paul Sausville, Thomas Richardson, Daniel Lewza, Preston L. Jenkins, Jr., Willard H. Peck, Thomas N. Wood III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward D. Kinowski, John Lawler, Arthur Johnson - 21. ABSENT – Mindy Wormuth, John Collyer - 2.

The invocation was given by Patti Southworth, Chaplain.

PRESENTATIONS:

Mr. Grattidge presented Mr. Peck with the 2010 Proceedings of the Board of Supervisors. Mr. Peck dedicated the proceedings to his family. With him were his wife Amy and their four sons who he thanked for their support during his year as Chairman.

Mr. Grattidge asked Mr. Veitch and Ms. Yepsen to join him. He then asked the rowers from the Saratoga Rowing Association to come forward. Ms. Yepsen read the proclamation being presented to them by Mr. Grattidge and Mr. Veitch. They were recognized for winning a gold medal in the Australian Rowing Championships.

PUBLIC INPUT:

Larry Shilling, Casella Waste regarding the Saratoga County Landfill: Mr. Shilling thanked the Board for the opportunity to speak. He said he is the Vice President of Casella Waste. They are active in the community and some may know them as Springer Waste. He thanked the Board for the opportunity to provide a quote to operate the County's landfill and knew going in that their proposal was going to be different. They knew it would not be an easy choice for the County. He said he appreciated the analysis that was provided and believed their proposal was well understood. They are satisfied with the decision that will be made.

Dan Gale, Northumberland Councilman regarding the Landfill selection: Mr. Gale read a resolution adopted by the Northumberland Town Board entitled "Supporting the Sale of the Saratoga County Landfill Facility to Finch Pruyn LLC". Mr. Gale presented the clerk with a certified copy of this resolution for the record.

Robert Baron, Finch Pruyn regarding the Saratoga County Landfill: Mr. Baron thanked the supervisors on the Landfill Privatization Subcommittee, the Public Works Committee and the Law & Finance Committee for their confidence in selecting them as the future owner of the facility. A lot of work went into putting together their proposal which meets the County's goals, maximizing the return on the County's investment and minimizing the landfill's footprint. Since 1998, Finch has operated their landfill right next to the County's facility. They have a positive working relationship with the Town of Northumberland and if chosen today look forward to continuing that relationship.

On a motion by Mr. Richardson, seconded by Mr. Sausville, the minutes of the May 21, 2013 meeting were unanimously approved.

The Clerk presented the following:

Correspondence from Assemblyman Dan Stec acknowledging receipt of Saratoga County's resolution designating a portion of NYS Highway as the "Saratoga County Veterans Memorial Highway".

Received and filed.

Resolution from the Town of Northumberland supporting the sale of the Saratoga County Landfill to Finch Pruyt LLC.

Received and filed.

Resolution from the City of Saratoga Springs supporting the Saratoga County Board of Supervisors and Saratoga Economic Development Corporation to continue to work together.

Copy to all Supervisors.

Correspondence from NYSAC regarding an existing class action lawsuit against online companies who engage in circumventing local hotel/motel taxes.

Copy to the County Attorney.

Resolution from Fulton County urging Governor Cuomo and State Legislators to exempt Firearm Permit Records from FOIL Disclosure

Copy to Supervisor Peck, Co. Admin, Co. Atty

REPORTS OF COMMITTEE:

Mr. Grattidge said he received a report from Mrs. Wormuth who was unable to be at the meeting. He said that the new Animal Shelter adoption van and trailer were parked outside and invited everyone to take a look after the meeting. He thanked Tracy Dussault, Animal Shelter employee, for her involvement in the design of the art work on the vehicles. He read the report from Mrs. Wormuth and the Public Safety Committee which thanked Sally Weighs and the Shenendehowa 5th period graphic design class and their process for creating the "wrap".

Mrs. Johnson reminded everyone that there will be a ceremony on June 29th at the National Cemetery to unveil the name of Lance Corporal Anthony J. Denier whose name was recently added. The ceremony will begin at 11am with the US Marine Honor and Color Guard in attendance as well as the Patriot Guard. She thanked Mr. Manz for his assistance with the set up.

On a motion by Mr. Hargrave, seconded by Mr. Wright Resolutions 115 through 135 with the exception of Resolutions 127 through 132 were adopted by a unanimous vote.

RESOLUTION 115 - 13

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

REQUESTING EASEMENTS FROM THE CITY OF MECHANICVILLE AND THE TOWN OF WATERFORD FOR THE DESIGN, CONSTRUCTION AND TEMPORARY MAINTENANCE OF AN APPROXIMATELY ONE MILE SECTION OF THE CHAMPLAIN CANALWAY TRAIL IN THE TOWN OF WATERFORD

WHEREAS, pursuant to Resolution 237-06, this Board approved Saratoga County's Green Infrastructure Plan, which includes the development and maintenance of the Saratoga County Trail System; and

WHEREAS, the Champlain Canalway Trail is a major component of the Saratoga County Trail System envisioned in the County's Green Infrastructure Plan; and

WHEREAS, the Champlain Canalway Trail is included among Saratoga County projects in the 2013 NYS Open Space Conservation Plan recently approved by our Economic Development Committee on April 3, 2013; and

WHEREAS, the Champlain Canalway Trail has been designed as a 62 mile trail from the Village of Waterford in Saratoga County to the Village of Whitehall in Washington County, utilizing historic towpaths, Champlain Canal shoreline, existing local and regional trails, and on-street bicycle routes, with links to regional and community attractions; and

WHEREAS, when completed, the Champlain Canalway Trail shall connect to the County's Zim Smith Trail, and shall traverse the Towns of Northumberland, Saratoga, Stillwater, Halfmoon and Waterford, as well as the City of Mechanicville; and

WHEREAS, the Champlain Canalway Trail is being built in segments by local municipalities and interested organizations as funding becomes available; and

WHEREAS, the City of Mechanicville owns a parcel of real property identified on the tax maps as Tax Parcel #286.00-1-38 in the Town of Waterford, upon which the City desires to construct a portion of the Champlain Canalway Trail; and

WHEREAS, the City of Mechanicville is unable to obtain state or federal funding to improve real property it owns outside its municipal boundaries; and

WHEREAS, the Town of Waterford owns an approximately 30,709 sq. ft. parcel identified on the tax maps as Tax Parcel #286-00-1-31 in the Town of Waterford, which is surrounded by said Tax Parcel #286.00-1-38 owned by the City of Mechanicville; and

WHEREAS, the Town of Waterford supports the planned construction of the Champlain Canalway over Tax Parcel #286.00-1-31; and

WHEREAS, the City of Mechanicville has agreed to maintain the Champlain Canalway Trail after it is constructed over Tax Parcel #286.00-1-38; and

WHEREAS, in order for the County to apply for funding, and proceed with the design and construction of the Champlain Canalway Trail over the two tax parcels owned by the City and the Town, it is necessary for: 1) the City of Mechanicville to convey an easement to the County over Tax Parcel #286.00-1-38, which easement is more particularly described in Schedule A attached hereto, for the design, construction and temporary maintenance of the Champlain Canalway Trail over said easement, and 2) the Town of Waterford to convey an easement to the County over Tax Parcel #286.00-1-31, which easement is more particularly described in Schedule B attached hereto, for the design, construction and temporary maintenance of the Champlain Canalway Trail over said easement; and

WHEREAS, our Economic Development Committee and our Trails Committee have recommended that a formal request be made to the City of Mechanicville and the Town of Waterford for the conveyance of easements for the design, construction and temporary maintenance of the Champlain Canalway Trail over the parcels described in the Schedules attached hereto; now, therefore, be it

RESOLVED, that a request is hereby made by this Board of Supervisors to the Mechanicville City Council for the conveyance by the City of Mechanicville of an easement to the County of Saratoga, by written instrument, for the design, construction and temporary maintenance of the Champlain Canalway Trail over the parcels described in the attached Schedule A in the Town of Waterford; and, be it further

RESOLVED, that a request is hereby made by this Board of Supervisors to the Waterford Town Board for the conveyance by the Town of Waterford of an easement to the County of Saratoga, by written instrument, for the design, construction and temporary maintenance of the Champlain Canalway Trail over the parcel described in the attached Schedule B in the Town of Waterford; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all documents and instruments necessary to record in the Saratoga County Clerk's Office the trail easement instruments executed by the City of Mechanicville and the Town of Waterford to the County of Saratoga for the design, construction and temporary maintenance of the Champlain Canalway Trail; and be it further

RESOLVED, that the Saratoga County Attorney is hereby authorized to take all necessary actions to record said trail easement instruments received from the City of Mechanicville and the Town of Waterford in the Saratoga County Clerk's Office; and be it further

RESOLVED, that the Clerk of the Board shall forward a certified copy of this Resolution to the City Clerk of the City of Mechanicville and the Town Clerk of the Town of Waterford.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A – DESCRIPTION - PROPOSED TRAIL EASEMENT TO BE CONVEYED BY THE CITY OF MECHANICVILLE TO THE COUNTY OF SARATOGA OVER PORTION OF LANDS NOW OR FORMERLY OF THE CITY OF MECHANICVILLE, TAX MAP ID NO. 286.00-1-38 IN THE TOWN OF WATERFORD, COUNTY OF SARATOGA, STATE OF NEW YORK

Easement

All that certain tract, piece or parcel of land situate, lying and being in the Town of Waterford, County of Saratoga, State of New York, lying along the former Champlain Canal, and being more particularly bounded and described as follows:

COMMENCING at a Point in the westerly Blue Line of the Old Champlain Canal, said Point being S89°-12'W, 195.27' from station 65+31.79 of the base line as shown on map #10 of the Champlain Canal Blue Line maps made pursuant to Chapter 199 Laws of 1910 and Amendatory Laws, and running thence along said westerly Blue Line and the lands now or formerly owned by Welsh and Brewster as follows:

N0°-17'W, 106.82' to Blue Line Point # 89;

thence N3° 25'E, 128.69' to Blue Line Point # 91;

thence N6°-39'-30W, 179.51' to Blue Line Point # 93;

thence N49°-28'W, 63.21' to Blue Line Point # 95;

thence N9°-7'W, 128.04' to Blue Line Point # 97;

thence N18° 6'45"E, 76.46' to Blue Line Point # 99;

thence N10°-28'W, 499.93' to Blue Line Point # 101;

thence N4°10'-20"W, 151.41' to Blue Line Point # 103A;

thence N20°-44'-20"W, 82.41' to Blue Line Point # 105A;

thence N15°-47'-30"E, 76.17' to Blue Line Point # 107A;

thence N36°-55'E, 45.67' to Blue Line Point # 109A;

thence N7°-39'E, 299.22' to Blue Line Point # 111A;

thence N10°-19'-45" W, 236.38' to Blue Line Point # 113A;

thence N55°-14'-15" E, 119.51' to Blue Line Point # 115A;

thence N11°-8'E, 355.99' to Blue Line Point # 117A;

thence N 10°-32'-30"E 523.78' to Blue Line Point # 125;

thence N1°-32'W, 97.84' to Blue Line Point # 127;

thence N3°-41'W, 100.11' to Blue Line Point # 129;

thence N 19°-6'W, 88.03' to Blue Line Point # 131;

thence N19°, 6'W, 113' to Blue Line Point # 133;

thence N27°-57'W, 49.96' to Blue Line 135;

thence N67°-48'W, 111.33' to Blue Line Point # 137;

thence N10°-41'W, 70.41' to Blue Line Point # 139;

thence N33°-55'W, 85.29 ' to Blue Line Point # 141;

thence N23°-7'E, 107.15' to Blue Line Point # 143;

thence N0°-35'W, 110.36' to Blue Line Point # 145;

thence N1°-3'W, 106.' to Blue Line Point # 147;

thence N0°24'-30"E, 198.82' to Blue Line Point # 149;

thence N6°-54'E, 112.23' to Blue Line Point # 151;

thence N13°-29'E, 133.26' to Blue Line Point # 153;

thence N10°-44'E, 66.28' to Blue Line Point # 155;

thence N5°-43'30" E, 414.18' to Blue Line Point # 157;

thence N1°-5'W, 95.62' to Blue Line Point # 159;

thence N18°-21'W, 116.05' to Blue Line Point # 161;

thence N3°-16'E, 57.15' to Blue Line Point # 163;

thence N46°-55'E, 59.16' to Blue Line Point # 165;

thence N9°-22'E, 38.99' to Blue Line Point # 167;

thence N17°-47'-30"E, 109.91' to Blue Line Point # 169;

thence N21°-39'-30" E, 150.06' to Blue Line Point # 171;

thence N34°-24'E, 123.83' to Blue Line Point # 173;

thence N48°-29'E, 113.41' To Blue Line Point # 175;

thence N47°-34'E along the Blue Line of the Champlain Canal to a point on the Boundary Line between the Town of Waterford and the Town of Halfmoon.

Thence running southeasterly along said Town Boundary Line to its intersection with the easterly Blue Line of the Champlain Canal.

thence S48°-41'W, 198.63' to Blue Line Point # 156;

thence S44°-37'W, 102.84' to Blue Line Point # 154;

thence S34°-42'W, 107.99' to Blue Line Point # 152;

thence S25°-16'W, 134.44' to Blue Line Point # 150;
thence S13°-59'W, 95.32' to Blue Line Point # 148;
thence S4°-4'W, 69.89' to Blue Line Point # 146;
thence S0°-21'E, 164.71' to Blue Line Point # 144;
thence S2°-52'W, 100.11' to Blue Line Point # 142;
thence S4°-13'W, 227.65' to Blue Line Point # 140;
thence S5°-32'-30'W, 386.73' to Blue Line Point # 138;
thence S6°-13'W, 407.07' to Blue Line Point # 136;
thence S5°-10'E, 95.45' to Blue Line Point # 134;
thence S12°-5'E, 69.46' to Blue Line Point # 132;
thence S21°-50'E, 62.91' to Blue Line Point # 130;
thence S24°-27'-30"E, 197.51' to Blue Line Point # 128;
thence S28°-47'-15"E, 108.97' to Blue Line Point # 126;
thence S32°-54'E, 97.02' to Blue Line Point # 124;
thence S24° 49'E, 29.85' to Blue Line Point # 88;
thence S9°-37'E, 54.12' to Blue Line Point # 86;
thence S48°-33'E, 58.08' to Blue Line Point # 84;
thence S1°-17'-30"W, 227.12' to Blue Line Point # 82;
thence S1°-8'-30"E, 151.96' to Blue Line Point # 80;
thence S1°-23'-30"W, 522.75' to Blue Line Point # 78;
thence S1°-11'W, 638.49' to Blue Line Point # 76;
thence S1°-29'W, 25.85' to Blue Line Point # 74;
thence S1°-29'W, 172.10' to Blue Line Point # 72;
thence N88°-31'W, 6.61' to Blue Line Point # 70;
thence S2°-17'-30"W, 329.05' to Blue Line Point # 68;
thence N88°-55'E, 31' to Blue Line Point # 66;
thence S0°-37'W, 552.36' to Blue Line Point # 64;
thence S1°-12'-30"W, 458.71' to Blue Line Point # 62;
thence across the bed of the Old Champlain Canal, N88°-31'W, 250.81' to a Point in the westerly blue line and the place of beginning.

Being a portion of the property described in Book 321 of Deeds at Page 409, between The People of the State of New York and Elmer J. West, recorded February 2, 1923 in the Office of the Saratoga County Clerk.

EXCEPTING AND RESERVING from the above described parcel all that property owned by The Town of Waterford within its limit. Such Property is described below:

Lands of the Town of Waterford:

Beginning at a Point in the westerly Blue Line of the Old Champlain Canal, said Point being N80°-53'E, 85.21' from Blue Line Point # 93, also being known as Blue Line Point 96A, as shown on map #10 of the Champlain Canal Blue Line maps made pursuant to Chapter 199 Laws of 1910 and Amendatory Laws and running thence along said Blue Line as follows:

thence N4°-58'-30"E, 576.64' to Blue Line Point 105;
thence N88°-55'E, 13.12' To Blue Line Point # 107;
thence N1°-29'E, 333.52' to Blue Line Point # 109;
thence N88°-31'W, 16.51' to Blue Line Point # 111;
thence N1°-29'E, 169.21' to Blue Line Point # 113;
thence N1°-29'-30"E, 28.74' to Blue Line Point # 115;
thence N2°-17'E, 237.26' to Blue Line Point # 117;
thence N3°-20'-30"E, 264.13' to Blue Line Point # 119;
thence N2°-10'-30"E, 660.07' to Blue Line Point # 121;
thence N3°-14'E, 242.18' to Blue Line Point # 123;
thence S10°-23'W, 529.07' to Blue Line Point # 110A;
thence S10°-33'-45"W, 659.32' to Blue Line Point # 108A;
thence S6°-19'W, 327.29' to Blue Line Point # 106A;
thence S4°-1'E, 142.08' to Blue Line Point # 104A;
thence S1°-50'-30"E, 144.61' to Blue Line Point # 102A;
thence S6°-14'-30"E, 130.25' to Blue Line Point # 100A;
thence S10°-0'E, 431.02' to Blue Line Point # 98A;

thence S8°-4'E, 176.24' to Blue Line Point # 96A and the place of beginning.

Being a portion of the property described in Book 321 of Deeds at Page 409, between The People of the State of New York and Elmer J. West, recorded on February 2, 1923 in the Office of the Saratoga County Clerk.

Being also described in Book 974 of Deeds at Page 653.

SCHEDULE B – DESCRIPTION - PROPOSED TRAIL EASEMENT TO BE CONVEYED BY THE TOWN OF WATERFORD TO THE COUNTY OF SARATOGA OVER PORTION OF LANDS NOW OR FORMERLY OF THE TOWN OF WATERFORD TAX MAP ID NO. 286.00-1-31 IN THE TOWN OF WATERFORD, COUNTY OF SARATOGA, STATE OF NEW YORK

Easement

All that certain tract, piece or parcel of land situate, lying and being in the Town of Waterford, County of Saratoga, State of New York, lying along the former Champlain Canal, and being more particularly bounded and described as follows:

COMMENCING at a Point in the westerly Blue Line of the Old Champlain Canal, said Point being N80°-53'E, 85.21' from Blue Line Point # 93, also being known as Blue Line Point 96A, as shown on map #10 of the Champlain Canal Blue Line maps made pursuant to Chapter 199 Laws of 1910 and Amendatory Laws and running thence along said Blue Line as follows:

thence N4°-58'-30"E, 576.64' to Blue Line Point 105;
thence N88°-55'E, 13.12' To Blue Line Point # 107;
thence N1°-29'E, 333.52' to Blue Line Point # 109;
thence N88°-31'W, 16.51' to Blue Line Point # 111;
thence N1°-29'E, 169.21' to Blue Line Point # 113;
thence N1°-29'-30"E, 28.74' to Blue Line Point # 115;
thence N2°-17'E, 237.26' to Blue Line Point # 117;
thence N3°-20'-30"E, 264.13' to Blue Line Point # 119;
thence N2°-10'-30"E, 660.07' to Blue Line Point # 121;
thence N3°-14'E, 242.18' to Blue Line Point # 123;
thence S10°-23'W, 529.07' to Blue Line Point # 110A;
thence S10°-33'-45"W, 659.32' to Blue Line Point # 108A;
thence S6°-19'W, 327.29' to Blue Line Point # 106A;
thence S4°-1'E, 142.08' to Blue Line Point # 104A;
thence S1°-50'-30"E, 144.61' to Blue Line Point # 102A;
thence S6°-14'-30"E, 130.25' to Blue Line Point # 100A;
thence S10°-0'E, 431.02' to Blue Line Point # 98A;
thence S8°-4'E, 176.24' to Blue Line Point # 96A and the place of beginning.

Being a portion of the property described in Book 321 of Deeds at Page 409, between The People of the State of New York and Elmer J. West, recorded on February 2, 1923 in the Office of the Saratoga County Clerk.

Being also described in Book 974 of Deeds 974 at Page 653.

RESOLUTION 116 -13

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

AMENDING RESOLUTION 181-12 AND APPROVING A REVISED STANDARD WORKDAY REPORTING RESOLUTION FOR ELECTED AND APPOINTED COUNTY OFFICIALS FOR RETIREMENT PURPOSES

WHEREAS, this Board adopted Resolution 181-12 establishing standard work days for certain elected and appointed County Officials for retirement reporting purposes pursuant to regulations of the New York State and Local Employees' Retirement System; and

WHEREAS, said regulations of the New York State and Local Employees' Retirement System require that municipalities continually update their standard workday resolutions to reflect changes in the employment status of individual employees; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby amends Resolution 181-12 and establishes the following as standard work days for the appointed official named hereafter, and will report the following days to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by this official to the Clerk of this body:

ELECTED OFFICIALS

Supervisor T/O Charlton and Chairman of the Board	Alan R. Grattidge	6	1/1/13-12/31/13	N	12.39
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APPOINTED OFFICIALS

County Clerk	Peter Martin	7	4/17/13-12/31/13	y	N/A
Deputy County Clerk	Charles Foehser	7	2/5/13-12/31/13	Y	N/A
Election Commissioner	Roger S. Schiera	7	1/1/13-12/31/16	Y	N/A
Election Commissioner	William Fruci	7	1/1/13-12/31/16	Y	N/A
Director of Nursing Svcs MWM	Mark Kingsley	7	12/7/12-12/31/13	Y	N/A
Probation Director II	Steven Bayle	7	1/18/13-12/31/13	Y	N/A
Public Defender	Oscar Schreiber	7	5/24/13-12/31/13	Y	N/A
Deputy Commissioner Social Svcs	Patrick Maxwell	7	12/7/12-12/31/15	Y	N/A
Director of Social Services	Concetta Hmura	7	2/15/13-12/31/15	Y	N/A
Director of Veterans Services	Felipe Moon	7	3/20/13-12/31/13	Y	N/A
Confidential Secretary DSS	Vicki Brown	7	6/7/13-12/31/15	Y	N/A
Confidential Secretary to Executive	Ann Gorman	7	10/12/12- 12/31/13	Y	N/A
Dir./Sewer Grade 7					
Confidential Secretary to Co. Clerk	Kathy Pastore-Jordan		1/01/12-12/31/13	y	N/A
Confidential Secretary to Sheriff	Heather Bessette	7.5	3/11/13-12/31/13	Y	N/A

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 117 - 13

Introduced by Supervisors Kinowski, Raymond, Sausville, Southworth, Veitch, Wood and Wormuth

AUTHORIZING THE CHAIR TO ENTER INTO AN AMENDED AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH TO ACCEPT ADDITIONAL FUNDING FOR THE ADMINISTRATION OF THE RABIES PROGRAM

WHEREAS, pursuant to Resolution 35-13, this Board authorized an agreement with the New York State Department of Health (DOH) to accept funding in an amount not to exceed \$14,385 per State fiscal year, over the contract term of April 1, 2012 through March 31, 2017, for the administration of DOH's Rabies Program in Saratoga County; and

WHEREAS, DOH recently discovered an error in the calculation of the County's annual funding allocation for the administration of the Rabies Program; and

WHEREAS, DOH has determined that the correct annual funding allocation for the County to be in the amount of \$40,945.38, for a total of \$204,726.90 over the five year term of the contract; and

WHEREAS, a Resolution is required to accept these additional funds and to amend the County's contract with DOH to increase the County's annual funding allocation for the administration of the Rabies Program to \$40,945.38; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with the New York State Department of Health to accept an increase in the County's annual funding allocation for the administration of DOH's Rabies Program to an amount not to exceed \$40,946 per State fiscal year, for a total not to exceed \$204,767, for the period April 1, 2012 to March 31, 2017; the form and content of such amended agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 118 - 13

Introduced by Supervisors Kinowski, Raymond, Sausville, Southworth, Veitch, Wood and Wormuth

AUTHORIZING AN AMENDED AGREEMENT WITH HEALTH RESEARCH, INC. TO ACCEPT ADDITIONAL NEW YORK STATE DEPARTMENT OF HEALTH PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) GRANT FUNDING THROUGH JUNE 30, 2017

WHEREAS, pursuant to Resolution 193-12, this Board authorized the acceptance of New York State Department of Health Public Health Emergency Preparedness (PHEP) grant funds administered by Health Research, Inc. for the period July 1, 2012 through June 30, 2013; and

WHEREAS, the State Department of Health wishes to extend the funding period of said PHEP grant funds for an additional four years terminating on June 30, 2017; and

WHEREAS, a Resolution is required to accept these funds and to amend the County's contract with Health Research, Inc. to extend the term of said contract through June 30, 2017; and

WHEREAS, PHEP grant funding will continue in the amount of \$194,521 per contract year, for a total of \$972,605 over the five year contract term; and

WHEREAS, an amendment to the 2013 County Budget will be needed at a later date after the NYS Department of Health approves the County's work plan for the services and items upon which said grant funds will be expended; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Health Research, Inc. for the acceptance and administration of additional New York State Department of Health Public Health Emergency Preparedness grant funds in an amount up to \$194,521 per contract year through June 30, 2017, the form and content of such amended agreement being subject to the approval of the County Attorney; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute any additional documents and agreements necessary to accept additional Public Health Emergency Preparedness grant funds through the period ending June 30, 2017, with the form and content of such documents and agreements being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 119 - 13

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

ACCEPTING AN AID TO PROSECUTION GRANT FOR THE DISTRICT ATTORNEY'S OFFICE

WHEREAS, the State has established an anti-crime program to strengthen local governments' efforts to combat crime; and

WHEREAS, the State Division of Criminal Justice Services has offered an Aid to Prosecution Grant for the 2013 fiscal year to assist in the prosecution of violent crimes; and

WHEREAS, the State DCJS now requests County approval authorizing the acceptance of this grant; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors and/or the County Administrator is authorized, on behalf of the office of the District Attorney, to execute all necessary documents with the State Division of Criminal Justice Services for the acceptance of an Aid to Prosecution Grant in the amount of \$41,300, the form and content of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 120 - 13

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

AUTHORIZING ACCEPTANCE OF A NEW YORK STATE HOMELAND SECURITY GRANT FOR THE MAINTENANCE AND ENHANCEMENT OF THE SHERIFF'S EXPLOSIVES DETECTION CANINE TEAM AND AMENDING THE COUNTY BUDGET IN RELATION THERETO

WHEREAS, a New York State Homeland Security Grant is available for the maintenance and enhancement of the explosives detection canine team for the Sheriff's Department; and

WHEREAS, eligible uses for said Grant funds include training, equipment purchases, and exercise and planning projects to support terrorism prevention activities in Saratoga County; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to apply for and accept a New York State Homeland Security Grant for the maintenance and enhancements of the Sheriff's Explosives Detection Canine Team in the amount of \$14,187.25, with the form and substance of such documents being subject to the approval of the County Attorney; and be it further

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

SHERIFF'S DEPARTMENT:

Appropriations:

Increase Acct.: #1-30-000-7080.DHS	\$14,187.25
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Revenues

Increase Acct.: #1-30-3306 Homeland Security	\$14,187.25
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 121 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

AUTHORIZING YOUTH BUREAU'S 2013 FUNDING APPLICATIONS AND CONTRACTS AND AMENDING THE COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Youth Bureau's Director has proposed a 2013 Resources Allocation for several agencies participating in its Youth Development and Delinquency Prevention Program (YDDP) and its Special Delinquency Prevention Program (SDPP) to include County sponsorship, administration and payment responsibility for one-half of the programs' costs; and

WHEREAS, this proposal also includes matching funds for the Cooperative Extension 4-H Youth Service Project not to exceed \$22,500; and

WHEREAS, all other agencies or municipalities listed in the proposed YDDP allocation will provide, from their current or prospective budgets, the other half of the program expenditures; and

WHEREAS, the State Office of Children and Family Services (OCFS) offers 100% funding for qualified local services or agencies participating in its Special Delinquency Prevention Program (SDPP); and

WHEREAS, these applications for possible State funds require authorized signatures of the Chair and Clerk of this Board and of our Youth Bureau Director; and

WHEREAS, as a result of a change in OCFS funding for the SDPP, it is necessary to amend the 2013 County Budget; now, therefore, be it

RESOLVED, that the County of Saratoga will operate a Youth Bureau in 2013; and, be it further

RESOLVED, that the County has appropriated \$22,500 in matching funds for the Cooperative Extension 4-H Youth Service Project in the 2013 County Budget; and, be it further

RESOLVED, that the Chair and Clerk of this Board and the Youth Bureau Director execute all documents required by the State OCFS for approval, reimbursement and implementation of the actual 2013 Youth Bureau Resources Allocation for the County and its local governments; and, be it further

RESOLVED, that the Chair of the Board execute all subcontracts for acceptance of the following 2013 YDDP funds by the following agencies:

<u>AGENCY</u>	2013 <u>YDDP</u>
Community Human Services	\$ 3,166
Catholic Family: Family Enrichment	\$14,300
Cooperative Extension 4-H: Youth Service Project (Includes State Aid of \$5,376)	\$27,873
Mechanicville Community Center	\$ 6,730
Moreau Civic Center	\$ 2,400
Project Lift: Volunteer Component	\$ 2,700
Saratoga Center for the Family:	
Parent & Children's Services	\$ 6,997
Children's Component	\$ 1,245
Scotia-Glenville Traveling Museum	\$ 626
Southern Adirondack Library System	\$ 1,100
Schuylerville Youth Center	\$ 5,000
Stillwater Community Center	\$ 1,700

and, be it further

RESOLVED, that the Chair of the Board execute all subcontracts for acceptance of the following 2013 SDPP funds by the following agencies:

<u>AGENCY</u>	2013 <u>SDPP</u>
Ballston Area Community Center (B)	\$ 7,638
Community Human Services	\$ 3,225
Captain Youth & Families	\$ 2,400
Franklin Community Center	\$10,040
Catholic Charities	\$ 9,860
Big Brothers/Big Sisters	\$ 3,600
Captain Youth Shelter (RHYA)	\$13,790

and, be it further

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

YOUTH BUREAU:

Appropriations:

 Increase Acct.: #1-73-000-7734 SDPP \$553

Revenues:

 Increase Acct.: #1-73-3877 Sp Del Prg \$553

BUDGET IMPACT STATEMENT: An additional SDPP appropriation of \$553 is required and will be fully funded through State Aid.

RESOLUTION 122 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF FEDERAL FUNDS FOR THE WORKFORCE INVESTMENT PROGRAM FOR THE 2013 PROGRAM YEAR

WHEREAS, Saratoga County is the designated grant recipient for \$1,993,112 in grant funds provided through the Workforce Investment Act (WIA) to be awarded to Saratoga, Warren and Washington Counties; and

WHEREAS, Saratoga County's available share of said federal funds for its Workforce Investment Program for the 2013 program year is \$818,038; and

WHEREAS, acceptance of these funds requires authorization to execute documents for the application for and acceptance of the funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all documents necessary to apply for and accept Workforce Investment Act funds for the program year 2013, the form and substance of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal aid.

RESOLUTION 123 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

ACCEPTING \$135,202 FOR THE TANF SUMMER YOUTH EMPLOYMENT PROGRAM

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

WHEREAS, funds in the amount of \$135,202 are available from the New York State Office of Temporary and Disability Assistance to assist the Department of Employment and Training in delivering this service; now, therefore, be it

RESOLVED, that the County of Saratoga will accept funding from the New York State Office of Temporary and Disability Assistance in the amount of \$135,202 to assist in the administration of the TANF Summer Youth Employment Program.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 124 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE AND SUBMIT THE WORKFORCE INVESTMENT ACT LOCAL PLAN FOR THE SARATOGA-WARREN-WASHINGTON WORKFORCE INVESTMENT BOARD PROGRAM YEAR 2013 – 2014

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

WHEREAS, Saratoga, Warren and Washington Counties are required to prepare, approve and submit to the New York State Department of Labor a Workforce Investment Act Local Plan for the Program Year beginning July 1, 2013 and ending June 30, 2014; and

WHEREAS, the Saratoga-Warren-Washington Workforce Investment Board has prepared a Workforce Investment Act Local Plan for the Program Year 2013 - 2014 providing information relating to strategies and efficiencies for increases in employment, funding and alignment with updated federal, state and local priorities; and

WHEREAS, our Social Programs Committee and our Director of Employment and Training have recommended that the Workforce Investment Act Local Plan for the Program Year 2013 - 2014 be approved by this Board; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute and submit to the New York State Department of Labor the Workforce Investment Act Local Plan for the Program Year beginning July 1, 2013 and ending June 30, 2014, with the form and content thereof to be subject to the approval of the County Attorney; and be it further

RESOLVED, that the Chair of the Board be, and hereby is, authorized to execute any and all related agreements and grant documents and revisions thereto, to access aid funds which may be allocated between Saratoga, Warren and Washington Counties in a manner prescribed under a separate Inter-County Agreement, with the form and content thereof to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 125 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

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

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

WHEREAS, pursuant to Resolution 117-12, this Board authorized a contract with Captain Youth and Family Services for the administration of the Workforce Investment Act Youth Program for the period July 1, 2012 through June 30, 2013 at a cost not to exceed \$45,000, with an option to renew up to two years; and

WHEREAS, a proposal to renew the contract with Captain Youth and Family Services to administer the WIA Youth Program for the one year period from July 1, 2013 – June 30, 2014 was approved by Saratoga-Warren-Washington Workforce Investment Board and its Emerging Workers Council review committee; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with Captain Youth and Family Services of Clifton Park, New York for the administration of the Workforce Investment Act Youth Program for the period July 1, 2013 through June 30, 2014, for a sum not to exceed \$45,000, the form and content of such contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal aid.

RESOLUTION 126 – 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

AUTHORIZING CONTRACT RENEWALS WITH WARREN AND WASHINGTON COUNTIES TO ADMINISTER THE 2013 WORKFORCE INVESTMENT ACT YOUTH PROGRAM IN THEIR COUNTIES

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

WHEREAS, pursuant to Resolution 125-13, this Board authorized a contract with Captain Youth and Family Services for the administration of the Workforce Investment Act Youth Program in Saratoga County for the period July 1, 2013 through June 30, 2014; and

WHEREAS, the proposal to fund a renewal agreement with the County of Warren to administer the WIA Youth Program in Warren County for the one year period from July 1, 2013 through June 30, 2014 at a cost of \$230,654.73 was approved by the Saratoga-Warren-Washington Workforce Investment Board and its Emergency Workers Council review committee; and

WHEREAS, the proposal to fund a renewal agreement with the County of Washington to administer the WIA Youth Program in Washington County for the one year period from July 1, 2013 through June 30, 2014 at a cost of \$131,352.60 was approved by the Saratoga-Warren-Washington Workforce Investment Board and its Emergency Workers Council review committee; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with the County of Warren for the administration of the Workforce Investment Act Youth Program in Warren County for the period

July 1, 2013 through June 30, 2014, for a sum not to exceed \$230,655; with the form and content of such renewal agreement being subject to the approval of the Saratoga County Attorney; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with the County of Washington for the administration of the Workforce Investment Act Youth Program in Washington County for the period July 1, 2013 through June 30, 2014, for a sum not to exceed \$131,353, with the form and content of such agreement being subject to the approval of the Saratoga County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal aid.

Discussion on Resolutions 127 though 132:

Mrs. Southworth read a prepared statement which told of her opposition to the resolutions 127 – 132. She presented the clerk with a copy of the statement for the record.

Mr. Jenkins said he has visited the landfill site and has visited Finch Paper and believes they do a pretty good job at what they do. He is supportive of these resolutions as this is not about income but doing the right thing for the environment and for the Town of Northumberland.

Mr. Barrett said he is pleased that we are at the point of receiving revenue for the landfill. This has been a long road. He said he voted against the budget in recent years because of the lack of action on the process of selling the landfill. He said that while he may have done some things differently he does understand the position of the Town of Northumberland. He said he will be voting yes to move this process forward.

Mr. Lawler said he had attended some of the meetings where discussions of the landfill took place and thanked the Committee members as this was a huge task. He thanked all the companies that submitted proposals and said the Finch proposal is the best for the County and the Town of Northumberland. He said the Committee did a great job.

Ms. Raymond thanked Chairman Grattidge who after he became Chairman of the Board remained as Chairman of the subcommittee. She said there was a huge amount of time, effort, thought, discussion, and review of all of the proposals. The biggest concern everyone had I think as they evaluated all these proposals is trying to determine what the best for all of Saratoga County was. Not only the host community but the communities in the County and I think they arrived at what they believe was the best decision after a lot of very hard work. And in particular I would also want to take a minute publicly to thank not only the subcommittee but also our consultant Hans Arnold who I think as the years go by will be known as the preeminent expert in landfill operation and he certainly provided a huge amount of his expertise to the Committee and therefore I would wholeheartedly support this project. It may not be the best in the whole wide world. I think it is the best for Saratoga County now and in to the future.

Ms. Yepsen thanked the subcommittee for all the work they did. It was time to sell this asset in the best economic way possible. She wanted confirmation that although the City of Saratoga Springs had opted out of the sales tax formula that they would be included in the profit sharing. Chairman Grattidge and Mr. Peck both confirmed that Saratoga Springs would be a part of the profit sharing.

Mr. Peck thanked the Chairman for putting him on the Public Works Committee. You have heard him say before that it would have been easy to stand on the outside and just yell no. Many of his taxpayers or citizens in his town believe that this landfill was a hype during the '90's. When the opportunity arose that the County was going to be taking a look at this he asked the Chairman to be on Public Works. He wanted to be at the table helping to craft the RFP, helping to craft the debate and the discussion. He is not going to tell you that this doesn't go without pain in the Town of Northumberland. Someone just told him that day that they wished the County had found another way to cover their budget gap and just walked away from it. That was option 5 in our solid waste management plan for landfill discussions to relinquish our permit and just move on. He would have been the only vote in that regard. Mr. Peck appreciated the work the subcommittee and the full committee of Public Works did in going through this. The County had great outside expertise in our consultant. He appreciates the support in this and looks forward to a vote that continues to partner with going forward with Finch. He thanked the Chairman and his fellow Board members.

On a motion by Mr. Peck, seconded by Mr. Wood Resolutions 127 through 132 were adopted by the following vote:

RESOLUTION 127 - 13

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

AUTHORIZING THE CHAIR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ATTORNEY MARK SCHACHNER FOR THE PROVISION OF LEGAL SERVICES WITH RESPECT TO THE PRIVATIZATION OF THE COUNTY LANDFILL AND AMENDING THE 2013 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 267-12, this Board authorized the Chair of the Board to execute a retainer agreement with Mark Schachner of Miller, Mannix, Schachner and Hafner, LLC to serve as Special Counsel with respect to the privatization of the County Landfill at a rate of \$190 per hour, and at a total cost not to exceed \$9,500; and

WHEREAS, pursuant to Resolution 90-13, this Board authorized the Chair of the Board to execute an amendment to the County’s agreement with Special Counsel Mark Schachner for additional legal services necessitated by a greater than anticipated volume of legal work for the various tasks associated with complying with the requirements of General Municipal Law §120-w and SEQRA, at an additional cost not to exceed \$15,500; and

WHEREAS, due to a higher than anticipated volume of legal work for the various tasks associated with complying with SEQRA and with finalizing contracts negotiations with a purchaser for the County Landfill, it is necessary to amend the County’s legal services retainer agreement with Attorney Schachner to increase the contract’s amount by an additional \$6,500; and

WHEREAS, our Public Works Committee has recommended that the County’s retainer agreement with Special Counsel Mark Schachner be increased to an amount not to exceed \$31,500; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the County’s agreement with Special Counsel Mark Schachner of Miller, Mannix, Schachner & Hafner, LLC of Glens Falls, New York, for the provision of additional legal services relative to the privatization of the County Landfill at the rate of \$190 per hour, and at an additional cost not to exceed \$6,500, thereby increasing the total contract amount to \$31,500; with the form and content of such amendment being subject to the approval of the County Attorney; and, be it further

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

GENERAL FUND:

Transfer:

FROM: #1-14-999-9000 Unallocated Amount	\$6,500
TO: 1-90-920-9902 Transfer to Highway Fund	\$6,500

PUBLIC WORKS:

Appropriations:

Increase Acct.: #2-50-515-8130 Architects/Engineers	\$6,500
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Revenues:

Increase Acct.: #2-50-5031 Transfer from General Fund	\$6,500
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BUDGET IMPACT STATEMENT: The \$6,500 cost of this contract amendment will reduce the General Fund contingency account to \$361,436.

RESOLUTION 128 - 13

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

DETERMINING THAT NO FURTHER SEQRA REVIEW IS REQUIRED FOR TRANSFER OF THE SARATOGA COUNTY LANDFILL TO FINCH PAPER LLC

WHEREAS, after duly conducting environmental review pursuant to the State Environmental Quality Review Act ("SEQRA"), by Resolution No. 38 of 1993 the Saratoga County Board of Supervisors accepted and approved the SEQRA Findings Statement for a proposed Countywide landfill to be located on Kobor Road in the Town of Northumberland (the "County Landfill") and authorized and directed the filing of a permit application as required by the New York State Department of Environmental Conservation ("NYSDEC") Regulations set forth at 6 New York Code of Rules and Regulations Part 360 ("Part 360") to obtain a permit to construct and operate the proposed County Landfill; and

WHEREAS, the County Landfill has a current NYSDEC Part 360 Operating Permit (the "County Permit"); and

WHEREAS, the County built the County Landfill as insurance for possible future use, but it has never been used for waste disposal purposes; and

WHEREAS, the Board of Supervisors determined to explore the potential for privatization of the County Landfill; and

WHEREAS, on July 17, 2012 the Board of Supervisors issued a final Request for Proposals ("RFP") pursuant to Section 120-w of New York General Municipal Law ("GML §120-w") for privatization of the County Landfill; and

WHEREAS, the County received proposals from New England Waste Services of N.Y., Inc. (Casella Waste Systems Inc.), Capital Regions County Landfills Inc. (Waste Connections, Inc.), and Finch Paper LLC ("Finch"); and

WHEREAS, the Board of Supervisors declared its intent to continue to serve as SEQRA Lead Agency for this proposal through issuance of correspondence dated April 1, 2013 to the other potentially Involved Agencies; and

WHEREAS, none of the other potentially Involved Agencies objected to continuation of the Board of Supervisors serving as SEQRA Lead Agency; and

WHEREAS, a Public Hearing on the privatization proposal was held on May 15, 2013 and no public comments relating to environmental impacts were made; and

WHEREAS, Finch is the owner of real property and facilities known as the Finch Paper Sludge Management Facility (the "Finch Landfill") which has a current NYSDEC Part 360 Operating Permit and is located immediately adjacent to the County Landfill site; and

WHEREAS, the Finch Proposal envisions use of the County Landfill property for municipal solid waste disposal as originally proposed, as well as future potential development of a combined facility which would primarily be based on the use of currently permitted cell footprints together with a possible connection between the two facilities (the "Valley Fill"); and

WHEREAS, if constructed, the "Valley Fill" would only encompass approximately 6.5 acres of new cell footprint which would be located in an area that was engineered for berms and drainage as part of the original construction of both Landfills; and

WHEREAS, the Finch development plan is confined to existing and approved landfill cell footprints for both the County and Finch Landfills so that for the estimated 20 year life of the combined facility there would be no construction on previously undisturbed areas and all construction would occur on land currently owned by either the County or Finch; and

WHEREAS, potential future development could require NYSDEC approval of the Valley Fill, which might include an increase in the annual limit of municipal solid waste accepted to 275,000 tons, acceptance of construction and demolition debris and increase of the approved fill level to an approximate elevation of 311 feet; and

WHEREAS, the only current modification of the County Permit required in connection with transfer of the County Landfill to Finch is to allow the disposal of Finch paper sludge at the County Landfill; and

WHEREAS, acceptance of paper sludge at the County's Landfill is already anticipated in the County Permit which requires prior sampling and analysis of a representative number of monitoring wells if the County elects to accept paper sludge subsequent to issuance of the County Permit; and

WHEREAS, both Landfills are already designed with double liners, leachate collection and removal systems, pore pressure relief systems and other environmental safeguards required by the Part 360 Regulations and Facility Permits; and

WHEREAS, although the privatization proposal appears not to require SEQRA review, the Board of Supervisors nonetheless prepared and reviewed an Environmental Assessment Form for this proposal;

NOW, THEREFORE, BE IT

RESOLVED, that the transfer of ownership of the County Landfill to Finch and related County Permit modifications will not result in any material change in permit conditions or the scope of permitted activities and therefore appears to be a SEQRA Type II Action pursuant to 6 NYCRR 617.5(c)(26); an activity of such a minor nature that review of potential environmental impacts is not required; and, be it further

RESOLVED, that all of the questions set forth in the Environmental Assessment Form are appropriately answered in the negative and none trigger affirmative responses requiring further review; and, be it further

RESOLVED, that even if not characterized as a previously unanticipated additional activity now being undertaken in furtherance of the original SEQRA action, transfer of ownership of the County Landfill to Finch and its operation as proposed by Finch will not result in any significant adverse environmental impacts not adequately addressed in the Environmental Impact Statement and related environmental review previously conducted for the County and Finch Landfills; and, be it further

RESOLVED, that potential future development is speculative at this time and could require SEQRA review in connection with any required permit modifications; and, be it further

RESOLVED, that, in the event that such future SEQRA review is required, such review will be fully protective of the environment; and, be it further

RESOLVED, that no further review under SEQRA is required at this time in connection with the transfer of ownership of the County Landfill to Finch and related County Permit modifications.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 129 -13

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

APPROVING PARTICULARIZED FINDINGS PURSUANT TO SECTION 120-W OF THE GENERAL MUNICIPAL LAW REGARDING THE PRIVATIZATION OF THE COUNTY LANDFILL FACILITY

WHEREAS, the Saratoga County Board of Supervisors has provided environmental infrastructure to serve the needs of residents, businesses, industries, and institutions of the County in order to protect public health and the environment, enhance the quality of life, and promote economic development; and

WHEREAS, part of the environmental infrastructure was the development of a landfill facility in the Town of Northumberland in 2001 following a decade of County investment in the identification of alternative sites, evaluation of impacts through the State Environmental Quality Review Act, and adjudicatory hearings and permitting through the State Department of Environmental Conservation, and

WHEREAS, the landfill was constructed to meet all the highest standards for protection of groundwater and surface water to preserve public health and the environment, and

WHEREAS, upon completion of the landfill facility this Board decided not to open the facility and instead to hold it as an insurance policy for future use; the County has maintained the facility since that time while regularly evaluating the potential for opening the facility, most recently through the process to update the County Local Solid Waste Management Plan; which planning process identified several options for the landfill facility, and

WHEREAS, this Board decided by Resolution 30-12 to initiate a Request For Proposal [RFP] process to identify potential interest by private companies in the landfill facility which could recover the significant investment made by the County and which will help the County continue to stabilize property taxes through the provision of a means for the safe and financially sound disposal of non-recyclable waste which will in turn provide stability for residents, businesses and industries to prosper in Saratoga County, and

WHEREAS, this Board received from its consultant Gerhardt LLC a draft RFP and on April 17, 2012 the Board approved Resolution 96-12 directing the issuance of the Draft RFP for the potential privatization of the Saratoga County landfill facility pursuant to the procedures established in Section 120-w of General Municipal Law and rescinding Resolution 112-99 which had previously established a policy that the County landfill facility would only be used for the disposal of solid waste generated in Saratoga County and that the landfill would only be owned and operated by the County, and

WHEREAS, the Draft RFP was available for public review at the County Department of Public Works, the Northumberland Town Hall, the Ballston Spa Public Library, the Saratoga Springs Public Library, was posted on the Saratoga County website and an invitation for public comment was officially noticed on April 20, 2012 in

The Saratogian, on April 23, 2012 in The Daily Gazette, on April 25, 2012 in the New York State Environmental Notice Bulletin, and on May 2, 2012 in the New York State Register, and

WHEREAS, such public comment period was open through July 2, 2012, and the comments received on the Draft RFP and responses to the comments are contained in Appendix B in the Final RFP, and

WHEREAS, this Board considered the comments received and approved the issuance of a Final RFP by Resolution 158-12, and

WHEREAS, the Final RFP was available for public review at the County Department of Public Works, the Northumberland Town Hall, the Ballston Spa Public Library, and the Saratoga Springs Public Library, was posted on the Saratoga County website, and was officially noticed on July 20, 2012 in The Saratogian, on July 20, 2012 in The Daily Gazette, on July 25, 2012 in the New York State Environmental Notice Bulletin, and on August 1, 2012 in the New York State Register, and

WHEREAS, each of the companies which submitted final proposals attended the mandatory landfill facility site visit on August 28, 2012, and

WHEREAS, final proposals were received on October 9, 2012 from New England Waste Services of N.Y., Inc. [Casella Waste Systems Inc], Capital Regions Landfills Inc. [Waste Connections, Inc], and Finch Paper LLC, and

WHEREAS, Section 120-w of NYS General Municipal Law provides for the conduct of a public hearing in regard to the proposals received for the privatization of the landfill facility and for the potential sale of the County property and the Board of Supervisors approved holding such a public hearing by Resolution 89-13, and official public notice of said public hearing was published on April 17, 2013 in The Saratogian, on April 19, 2013 in The Daily Gazette, on April 24, 2013 in the NYS Environmental Notice Bulletin, and on May 1, 2013 in the NYS Register, and

WHEREAS, the Draft Report on Proposals for the Potential Privatization of the County Landfill Facility was distributed to the Board of Supervisors on May 7, 2013 and posted on the County website on May 8, 2013, and

WHEREAS, the public hearing was held on May 15, 2013, and

WHEREAS, the single comment made at the public hearing by one of the RFP Respondents, and information submitted by said Respondents at and after the public hearing have been reviewed and considered by the County, and a Final Report on the privatization of the County Landfill Facility was prepared with this Board's Landfill Privatization Sub-Committee carefully considering all information that has been submitted and evaluating the costs and benefits of all proposals, and such Report includes proposed Particularized Findings prepared pursuant to the provisions of Section 120-w of New York State General Municipal Law; now therefore be it

RESOLVED, in conformance with Section 120-w of NYS General Municipal Law, the Saratoga County Board of Supervisors hereby approves the following Particularized Findings with respect to the proposals received in response to the County's landfill privatization RFP as a basis for approval of an agreement to sell the County Landfill Facility:

1. The proposals by all three companies would have the capability to meet the minimum goals established by the County: to provide safe, economically stable disposal of non-recyclable waste generated in Saratoga County and neighboring counties; and to obtain a return on the County's initial \$5.8 million investment in the landfill facility.
2. All three companies have an acceptable track record of compliance with environmental regulations.
3. All three companies have an acceptable track record for working cooperatively with host communities. Finch has distinguished itself in this regard with a comprehensive, long established community relations and complaint response protocol with the Town of Northumberland, where both the Finch landfill and the County landfill are located.
4. All three companies have an acceptable track record for responsiveness to operational issues.
5. All three companies documented their financial viability and ability to secure adequate funding.
6. All three companies have demonstrated operating experience sufficient to ensure that traffic, noise, odors and other potential impacts can be adequately managed.
7. Casella, the parent company of NEWSNY, has extensive positive experience with public-private landfill partnerships in New York State. In addition, their proposal is innovative and forward looking. However, their proposal would not generate the long term revenue of the Finch proposal. In the future, it may be possible that NEWSNY's creative ideas on recovery of organics and a front end anaerobic digester for the planned wastewater treatment facility could be integrated with the long term development of the landfill.

8. Both Finch and CRL offered to share energy and other potential future revenues on a 50% - 50% basis.
9. The amounts offered for the County's landfill operating equipment were considered but they are not a material consideration for the County's decision.
10. The annual revenue payments proposed by all three companies will depend on market conditions.
11. The proposal by Finch for the base purchase [\$4 million] plus the second payment upon approval of the valley fill [\$2 million] plus the annual community payments [\$2 million] plus the profit sharing [\$31 million] has a combined total financial value that is higher and more reliable than the other proposals, especially when the CRL proposal is evaluated in terms of reliability and likelihood of success.
12. An updated estimate by Finch indicates that an additional 50,000 tons per year of capacity can be made available for municipal solid waste (msw) due to the success of their initiative to recycle and classify their sludge for alternative daily cover. This will equate to the potential for an additional \$425,000 per year for the County, and \$7.7 million for the County over the life of the facility.
13. The Finch profit sharing proposal incentivizes their performance and simultaneously benefits the County.
14. The Finch proposal provides a superior facility design and efficient landfill cell development plan. Utilization of the existing and approved footprints will be coupled with a future "valley fill" proposal that optimizes capacity and makes the most efficient use of the land. The "valley fill" will only encompass approximately 6.5 acres of new cell footprint, but in fact that area was engineered for berms and drainage as part of the original construction of both landfills. This is significantly more efficient and desirable than the CRL proposed expansions plans.
15. The Finch development plan is confined to the existing and approved landfill cell footprints for both the County and Finch landfills. This means that for the estimated 20 year life of the combined facility there will be no construction on previously undisturbed areas.
16. The Finch proposal has the advantage that all construction will occur on land currently owned by either the County or Finch.
17. The Finch proposal will provide significant support to an important local industry with approximate local employment of 2,200 workers.
18. The total expansion by CRL would result in the development of 204-215 cell acres, a very large landfill complex. Although this could be calculated to produce greater revenue than the other proposals, estimated by CRL to be up to \$80 million, or higher, over the life of the landfill, the development of the expansions is predicated on the completion of an extensive SEQRA review, permitting, adjudicatory hearings, and likely opposition from the public and potentially the Town of Northumberland. The CRL expansion proposals also assume acquisition of the Finch landfill and other land not owned by the County. Finch objected to CRL's designation of the Finch landfill for expansion by CRL. It is speculative at best to assume that such approvals would be obtained and therefore it would be imprudent to make an award on such a contingent basis. Although CRL subsequently moved away from the total expansions proposal, it still appears to be an indication of their vision for the long term development of the landfill.
19. The proposal by CRL for a base purchase and Expansion Area 1, which is approximately equivalent to the limited expansion identified and evaluated by the County, could theoretically generate \$37,426,350 [County estimate] to \$41,792,695 [CRL/Waste Connections estimate]. However this proposal would still be contingent upon resolution of the requirements of the Town Local Laws and, completion of whatever is required by the involved agencies for satisfaction of the SEQRA and associated adjudicatory hearings, and completion of all permitting required by NYSDEC. Although this would be a smaller scale expansion than their proposal for 204-215 cell acres, it would still double the size of the current County landfill and may well also be subject to significant public opposition and delay. This would be a time consuming process with an uncertain outcome and it would be speculative to assume that such approvals would be obtained and it would therefore be imprudent to make an award on such a contingent basis.
20. In comparing the proposed 25-27 acre CRL expansion with the proposed Finch valley fill, a fair, commonsense analysis based on sound engineering and precedent in New York State clearly concludes that the proposed Finch valley fill is technically feasible, it impacts less land and land that has already been altered, and it results in a smaller landfill footprint.
21. In any case, the expansion proposals by CRL, either the limited expansion or the totality of all their expansion proposals, and the resulting larger scale landfill are not consistent with the County's intent for the future development of the landfill facility, regardless of the revenue projected by CRL for the expansions.

22. The CRL proposal includes a condition that they would subtract from their base offer any cost to repair the liner system, even though they were provided extensive information on the integrity of the liners, leachate collection system, and data monitoring systems. Such a condition is not consistent with the specific provisions and requirements of the County's final RFP.
23. The CRL proposal also included a qualification on the cost of leachate disposal—asking that the County either pay the cost [which would substantially reduce the value of their proposal] or protect them from “dramatic” price increases. Such a condition is not consistent with the specific provisions and requirements of the County's final RFP.
24. The Town Board of the Town of Northumberland at its regular meeting on June 13, 2013 unanimously approved Resolution 45 of 2013 recommending that the Saratoga County Board of Supervisors enter into a privatization contract with Finch. The Town Board's resolution sets forth certain determinations by the made by the Town Board in support of its recommendation, including:
 - Among the three proposals, the Finch plan will offer maximized benefits to the Town and County, while minimizing impacts on the environment and local Community in Northumberland, and thereby best serves the interests of the Town and County.
 - The Town Board supports the Finch plan which limits development to the existing footprint of the Finch landfill and the County landfill, including a valley fill between the two landfills.
 - The Finch plan is a superior design which optimizes capacity using existing facilities thereby limiting landfill size and environmental/transportation impacts.
 - The Town Board would oppose plans such as those initially proposed by CRL which would expand the landfill beyond (and potentially substantially beyond) the footprint of the Finch and County landfills.
25. The Finch proposal meets all the requirements of the County's RFP and the Finch proposal is best suited to provide the greatest long term benefits to the citizens of Saratoga County through the consolidation of the existing Finch landfill with the County's landfill. The Finch proposal would be the most advantageous for the County.
26. The Finch proposal will produce the highest net revenue over the life of the landfill, when compared to the proposal by NEWSNY and the base proposal by CRL. In consideration of any alternative financial analysis or contention by CRL, evaluation of all other criteria as set forth herein leads to a clear conclusion that the public interest will be best served by an award and sale of the facility to Finch.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 130 - 13

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

APPROVING SALE OF COUNTY LANDFILL TO FINCH PAPER LLC OF GLENS FALLS, NEW YORK

WHEREAS, this Board decided by Resolution 30-12 to initiate a Request For Proposal [RFP] process pursuant to General Municipal Law §120-w to identify potential interest by private companies in the County Landfill facility in the Town of Northumberland which could recover the significant investment made by the County in the construction of the Landfill and which will help the County continue to stabilize property taxes through the provision of a means for the safe and financially sound disposal of non-recyclable waste which will in turn provide stability for residents, businesses and industries to prosper in Saratoga County, and

WHEREAS, the County has fully complied with the provisions of General Municipal Law §120-w governing the procedure for the sale of municipal solid waste management facilities; and

WHEREAS, upon review of the reports of the County Consultant Gerhardt, LLC and the Landfill Privatization Subcommittee and the Environmental Assessment Form, pursuant to Resolution 128-13, this Board of Supervisors determined that no further review of potential environmental impacts pursuant to the State Environmental Quality Review Act is required; and

WHEREAS, the County Landfill is no longer necessary for the County's public use; and

WHEREAS, pursuant to Resolution 129-13 this Board of Supervisors adopted particularized findings pursuant to General Municipal Law §120-w(4) which included, but are not limited to, that the proposal of Finch Paper LLC of Glens Falls, New York, demonstrated that it met all requirements of the County's final RFP, would likely result in the highest net revenue to the County over the life of the landfill, even if not yielding the greatest potential revenue hypothetically possible, was best suited to provide the greatest long term benefits to the citizens of Saratoga County through the consolidation of the existing Finch landfill with the County's landfill, was most advantageous to the County and best served the public interest; and

WHEREAS, our Public Works Committee and Landfill Privatization Subcommittee have recommended to this Board that the proposal of Finch Paper LLC be accepted and approved; now therefore be it

RESOLVED, that this Board of Supervisors hereby determines that the County Landfill is no longer necessary for the County's public use; and

RESOLVED, that this Board of Supervisors hereby accepts the proposal of Finch Paper LLC of Glens Falls, New York, for the purchase of the Saratoga County Landfill Facility; and be it further

RESOLVED, that this Board of Supervisors hereby authorizes and directs the Chairman to execute a Landfill Purchase and Sale Agreement with Finch Paper LLC of Glens Falls, New York, as well as any and all other agreements and documents necessary to effect and complete the sale of the Saratoga County Landfill Facility to Finch Paper LLC and fulfill the terms of this resolution, with the form and content of said Landfill Purchase and Sale Agreement being subject to the approval of the County Attorney; and be it further,

RESOLVED, that the Clerk of the Board shall publish notice of the award of this contract in the form prescribed by General Municipal Law §120-w(6) in the official County newspapers, in one newspaper of general circulation in Saratoga County, in the New York State Register and in the New York State Environmental Notice Bulletin; and be it further

RESOLVED, that in accordance with General Municipal Law §120-w(6), the validity of this contract awarded to Finch Paper, LLC or the procedures which led to its award may be hereafter contested only by action, suit or proceeding commenced within sixty days after the date of the publication of the notice of contract award as provided herein and only upon the ground or grounds that: (1) such award or procedure was not authorized pursuant to General Municipal Law §120-w, or (2) any of the provisions of General Municipal Law §120-w which should have been complied with at the date of the publication of the notice of contract award have not been substantially complied with, or (3) a conflict of interest can be shown in the manner in which the contract was awarded; or by action, suit or proceeding commenced on the grounds that such contract was awarded in violation of the provisions of the New York State Constitution.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 131 - 13

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

AUTHORIZING THE CHAIR TO EXECUTE A REVENUE SHARING AGREEMENT WITH THE TOWN OF NORTHUMBERLAND RELATIVE TO CERTAIN REVENUE RECEIVED FROM THE SALE OF THE COUNTY LANDFILL TO FINCH PAPER LLC

WHEREAS, pursuant to Resolution 130 - 13, this Board approved the proposal of Finch Paper LLC to purchase the County's Landfill Facility in the Town of Northumberland, and authorized the Chair of the Board to execute the Landfill Purchase and Sale Agreement with Finch Paper LLC attached thereto; and

WHEREAS, this Board recognizes that once the County Landfill Facility is sold to Finch and opened for the receipt of solid waste, the residents of the Town of Northumberland may experience certain adverse impacts and negative consequences relating to the operation of the Landfill, including but not limited to, increased truck traffic, dust, noise, vibrations, and garbage in the vicinity of, and or the routes leading to and from the Landfill; and

WHEREAS, the Landfill Purchase and Sale Agreement between the County and Finch, particularly Paragraph 5, Subparagraph C, obligates Finch to pay to the County certain tipping fee profit sharing payments based upon the type and amount of deposited waste stated therein; and

WHEREAS, in recognition of the potential adverse impacts and negative consequences that the Town of Northumberland and its residents may experience as a result of the sale and subsequent opening of the Landfill

for the receipt of solid waste, it is appropriate that the County make certain provisions for host community benefits to the Town of Northumberland relative to the future operation of the Landfill; and

WHEREAS, our Public Works Committee and Landfill Privatization Subcommittee have recommended that the County make revenue payments to the Town in the amount of 12½% of all tipping fee profit sharing payments received from Finch, up to an amount not to exceed One Dollar (\$1.00) per ton of specified waste received, as and for host community benefits to the Town; now, therefore, be it

RESOLVED, the Chair of the Board is hereby authorized to execute an agreement with the Town of Northumberland providing for the County's sharing of revenue received from Finch Paper, LLC pursuant to Paragraph 5, Subparagraph C, of the Landfill Purchase Sale Agreement executed by the County and Finch, with said revenue sharing payments to the Town to be in the amount of 12½% of said payments received from Finch up to an amount not to exceed One Dollar (\$1.00) per ton; and, be it further

RESOLVED, that the form and content of such revenue sharing agreement with the Town of Northumberland shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 132 - 13

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

AUTHORIZING REVENUE SHARING WITH THE CITIES, TOWNS AND VILLAGES RELATIVE TO PROFIT SHARING PAYMENTS RECEIVED FROM THE SALE OF THE COUNTY LANDFILL TO FINCH PAPER LLC

WHEREAS, pursuant to Resolution 130 - 13, this Board approved the proposal of Finch Paper LLC to purchase the County's Landfill Facility in the Town of Northumberland, and authorized the Chair of the Board to execute the Landfill Purchase and Sale Agreement with Finch Paper LLC attached thereto; and

WHEREAS, the Landfill Purchase and Sale Agreement between the County and Finch, particularly Paragraph 5, Subparagraph C, obligates Finch to pay to the County certain tipping fee profit sharing payments based upon the type and amount of deposited waste stated therein; and

WHEREAS, it is anticipated that substantial revenue will be received by the County from Finch pursuant to said profit sharing provisions over the term of said Agreement; and

WHEREAS, this Board of Supervisors deems it most appropriate and in the best interests of the residents of the County that a portion of these profit sharing payments received from Finch be distributed to the cities, towns and villages of Saratoga County for their use in whatever manner those municipalities decide to be in the best interests of their particular residents; and

WHEREAS, it is appropriate to distribute these funds in accordance with the County's sales tax distribution formula in effect at the time each such revenue sharing distribution is sought to be made by the County; and

WHEREAS, this Board finds that it is appropriate that a revenue sharing distribution be made by the County to the cities, towns and villages of Saratoga County from an amount equal to 50% of the net revenue received from Finch pursuant to Paragraph 5, Subparagraph C, of the Landfill Purchase and Sale Agreement, after deduction of a 12½% revenue sharing distribution to the Town of Northumberland as a host community benefit pursuant to Resolution 131 - 13; and

WHEREAS, it is appropriate to distribute these funds in accordance with the sales tax distribution formula utilized by this Board in previous revenue sharing distributions made pursuant to Resolutions 111-01, 139-05 and 163-07; now, therefore, be it

RESOLVED, that the County shall distribute revenue received from the profit sharing payments made by Finch Paper LLC to the County pursuant to Paragraph 5, Subparagraph C, of the Landfill Purchase and Sale Agreement between the County and Finch, to the cities, towns and villages of Saratoga County from an amount equal to 50% of the net of such revenue received from Finch, after deduction of a 12½% revenue sharing distribution to the Town of Northumberland as a host community benefit pursuant to Resolution 131 - 13, and, be it further

RESOLVED, that said revenue sharing distribution to the cities, towns and villages shall be made in accordance with the County's sales tax distribution formula outlined in Resolution 111-01, 139-05, and 163-07, of fifty percent (50%) thereof among the municipalities by population according to the most recent official U.S.

decennial census at the time each distribution is made, and fifty percent (50%) thereof by equalized assessed valuation as determined by the tax roll for the year in which each such distribution is made.

BUDGET IMPACT STATEMENT: The County will pay 50% of its annual profit sharing (net of the 12.5% given to Northumberland) to the cities, towns and villages using the County sales tax distribution formula.

RESOLUTION 133 - 13

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

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

WHEREAS, a Project for the BIN 3304460, CR45 Northline Road over Kayderosseras Creek P.I.N. 1757.09 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of additional Design work and ROW acquisition.

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, and ROW work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$235,203 has already been appropriated from the Saratoga County General 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 \$36,265 hereby 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 in the event the full federal and non-federal share costs of the project exceeds 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 Chairman 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 County share of \$1,813 is available within the 2013 adopted budget.

RESOLUTION 134 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH GREENMAN-PEDERSEN, INC. FOR ADDITIONAL DESIGN AND ENGINEERING SERVICES NECESSARY FOR THE

REHABILITATION OF NORTHLINE ROAD OVER THE KAYDEROSSERAS CREEK BRIDGE IN THE TOWN OF MALTA, AND AMENDING THE 2013 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolutions 230-09 and 124 -11 this Board appropriated County Highway Funds for engineering and design work for the replacement of Northline Road (CR45) over the Kayderosseras Creek Bridge in the Town of Malta; and

WHEREAS, the County has an existing contract with Greenman-Pedersen, Inc. to provide engineering and design services for this project; and

WHEREAS, due to additional New York State Department of Transportation (DOT) requirements imposed on this project as a result of DOT's change of the designation of this project from replacement to rehabilitation of Northline Road (CR45) over the Kayderosseras Creek Bridge, it is necessary to amend the County's existing agreement with Greenman-Pedersen, Inc. to authorize Greenman-Pedersen's provision of additional design and engineering services for said required work; and

WHEREAS, our Public Works Committee and Commissioner of Public Works have recommended that the County's agreement with Greenman-Pedersen, Inc. be amended to authorize Greenman-Pedersen to provide additional design and engineering services required in connection with the rehabilitation of Northline Road (CR45) over the Kayderosseras Creek Bridge in the Town of Malta, at a cost not to exceed \$36,265; and

WHEREAS, pursuant to Resolution 133-13, this Board appropriated additional County Highway Funds for engineering and design work for the rehabilitation of Northline Road (CR45) over the Kayderosseras Creek Bridge; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Greenman-Pedersen, Inc. of Albany, New York, for additional design and engineering services needed to comply with additional New York State DOT requirements imposed as a result of DOT's change of the designation of the County's project to replace Northline Road (CR45) over the Kayderosseras Creek Bridge from one of replacement to one of rehabilitation, said services to be at a cost not to exceed \$36,265, with the form and content of said amended agreement being subject to the approval of the County Attorney; and be it further

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

PUBLIC WORKS:

Appropriations:

Increase Acct.: #2-50-510-8130 Architects/Engineers	\$34,452
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Revenues:

Increase Acct. #2-50-3590 Marchiselli State Aid	\$ 5,440
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Increase Acct. #2-50-4590 Marchiselli Federal Aid	\$29,012
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BUDGET IMPACT STATEMENT: The \$1,813 (5%) County share for this \$36,265 project is available in the 2013 Highway budget.

RESOLUTION 135 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH INSITUFORM TECHNOLOGIES, INC. FOR EMERGENCY REPAIRS TO A DETERIORATED PORTION OF SEWER FORCEMAIN IN THE TOWN OF BALLSTON AND AMENDING THE 2013 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 217-12, this Board authorized a contract with Insituform Technologies, Inc. to reline approximately 2,500 feet of interceptor sewer line owned and maintained by Saratoga County Sewer District No. 1 in the Town of Ballston, at a cost not to exceed \$713,577.50; and

WHEREAS, in the course of performing such relining work, Insituform set up bypass pumping operations from the end of the Milton Pump Station forcemain; and

WHEREAS, during said bypass pumping operations, approximately 40 feet of the end of the 35 year old forcemain broke apart; and

WHEREAS, upon further inspection, it was discovered that approximately 700 feet of the forcemain had experienced severe hydrogen sulfide corrosion and was in need of immediate repair or replacement; and

WHEREAS, pursuant to General Municipal Law §103(4), the deterioration and failure of the forcemain created a public emergency in need of immediate remedial action, and obviated any requirement to engage in the competitive bidding process to procure the necessary goods and services needed to effect the repair and/or replacement of the damaged forcemain; and

WHEREAS, pursuant to Resolution 93-13, this Board confirmed and ratified the determination of the Saratoga County Sewer District Commission that a public emergency existed as a result of the deterioration and/or failure of the approximately 740 foot section of the Sewer District’s forcemain in the Town of Ballston, thereby obviating any requirement to solicit formal bids for goods and services needed to repair and/or replace said forcemain; and

WHEREAS, pursuant to Resolution 93-13, the Sewer District’s Executive Director was authorized and directed to procure, upon consultation with the Sewer District’s consulting engineer, those goods and services necessary to repair and/or replace said damaged section of forcemain as soon as practicable; and

WHEREAS, the Sewer District’s Executive Director retained the services of Insituform Technologies, Inc. to repair and/or replace the collapsed section of forcemain at a cost of \$352,783; and

WHEREAS, the Saratoga County Sewer District Commissioner has approved a change order to the contract with Insituform Technologies, Inc. for the repair and/or replacement of the damaged 740 ft. section of sewer forcemain in the Town of Ballston at a cost of \$352,783; and

WHEREAS, an amendment to the 2013 County Budget is needed to expend the additional funds required by this change order; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Insituform Technologies, Inc. of Mount Vernon, New York, for the repair and/or replacement of the damaged 740 ft. section of sewer forcemain in the Town of Ballston at a cost of \$352,783, thereby increasing the total contact amount to \$1,066,360; with the form and content of such amendment being subject to the approval of the County Attorney; and, be it further

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

SEWER DISTRICT:

Appropriations:

Increase Acct.: #7-81-812-7092 Infrastructure \$352,783

Revenue:

Increase Acct.: #7-0559.M Appropriated Fund Balance \$352,783

BUDGET IMPACT STATEMENT: This budget amendment will reduce the Sewer District’s unappropriated fund balance to \$6,402,854.

Mr. Grattidge said each Board member was given a copy of Saratoga County’s insert in the Legislative Gazette. If anyone is interested in receiving more for distribution in your town/city, you can pick them up in the Clerk’s Office.

Mrs. Daly said each member of the Board has a horseshoe to decorate for a contest between the supervisors. She asked all the Board members to submit one for judging at next month’s Board meeting.

Mr. Rowland spoke of the memorial golf tournament in memory of Mark Rider. It will be on July 8th and invited any supervisor that likes to golf join him.

On a motion by Mr. Jenkins, seconded by Mr. Richardson the meeting was unanimously adjourned.

Respectfully submitted,

Pamela A. Hargrave, Clerk