

AGENDA SESSION
August 14, 2013 5:00 p.m.

Vice Chairman Sausville called the meeting to order.

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

On a motion by Mr. Wood, seconded by Mr. Veitch the minutes of the July 10, 2013 Agenda Session were unanimously approved.

Mr. Hellwig presented the following:

EQUALIZATION AND ASSESSMENT

Accepting tender offers on parcels in the Towns of Corinth (\$4,793.72) and Providence (\$7,664.28).

Cancelling delinquent tax liens in the Town of Halfmoon ((\$696.82).

PUBLIC HEALTH

Authorizing the Chairman to enter into an agreement with Westat, Inc. to reimburse the Saratoga County Public Health Nursing Service for home visits conducted in conjunction with a Center for Disease Control Study.

Calling upon the State of New York to take certain measures to resolve inadequacies in the State's Administration of the Early Intervention Program and prevent the collapse of the EI provider network.

Authorizing the Chairman to enter into an agreement with the Lancaster Group for the provision of Medicare and Medicaid billing services for Maplewood Manor.

Amending Resolution 135-09 to authorize an escrow fund in the amount of \$2,500 to be maintained with L-1 Identify Solutions, Inc. to pay for criminal background checks for applicants applying employment at Maplewood Manor.

Authorizing the Chairman to enter into an agreement with Warren County for the provision of Home Based Crisis Intervention Services to be implemented by Parsons Child and Family Center.

Authorizing the Chairman to enter into agreements with appropriately accredited colleges or universities to accept student placements at the Saratoga County Mental Health Center.

BUILDINGS AND GROUNDS

Authorizing a six month lease extension with the Federal Government on behalf of the USDA for office space in Building #5.

PUBLIC SAFETY

Authorizing the Chairman to accept an Office of Victims Services grant in the District Attorney's Office in the amount of \$66,985.

Authorizing the Chairman to enter into an agreement with Patriot Towers in the amount of \$13,498 to install a new LED lighting system for the emergency radio tower in the Town of Providence.

Authorizing the Chairman to enter into a four-year agreement with Pittsfield Communication to provide radio and light bar installation and removal and other related radio services for the Emergency Services, Sheriff's and Public Works Departments.

SOCIAL PROGRAMS

Amending Resolution 235-12 and authorizing an alternative subcontract for dietician services and SNAP with Christine A. Kudlacik of Saratoga Springs.

PUBLIC WORKS

Authorizing Saratoga County, as the owner of the Saratoga County Landfill, to waive the requirement that the Saratoga County IDA file a Notice of Intent with the NYS Commissioner of Agriculture.

Authorizing the Chairman to execute an amendment to the agreement with Mark Schachner for an additional \$18,500 for legal services with respect to the privatization of the County Landfill and amending the budget in relation thereto.

LAW AND FINANCE

Budget amendment to increase expenses and revenues by \$1,793,539 for the settlement agreement reached with the Hudson River Black River Regulating District.

On a motion by Mr. Hargrave, seconded by Mr. Veitch the agenda was unanimously set for the August 20th Board Meeting.

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

Respectfully submitted,

Pamela Hargrave, Clerk

REGULAR SESSION
TUESDAY, AUGUST 20, 2013
AT 4:00 P.M., E.S.T.

Board called to order by the Clerk.

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 J. Johnson – 23. ABSENT – 0.

The invocation was given by Patti Southworth, Chaplain.

PUBLIC INPUT

Steve Sacks, Town of Malta, RE: Maplewood Manor: Mr. Sacks stated he was a five month employee of Maplewood Manor. He told the board about his concerns about the cleanliness of the facility and wanted to alert the Board to that.

On a motion Mr. Collyer, seconded by Mr. Wood the minutes of the July 16, 2013 were unanimously adopted.

The Clerk presented the following:

Resolution from Tioga County supporting assembly bill which promotes rural broadband deployment by providing residents and small businesses with tax credits for broadband deployment.

Copy to Supervisor Peck and County Administrator.

Letter from Governor Cuomo thanking the Chairman for his attendance at the New York Rising Storm Recovery Conference.

Received and filed.

Letter from Oscar Schreiber naming Matthew Maiello as Assitant Public Defender.

Received and filed.

Letter from Dennis Kaups regarding Maplewood Manor.

Received and filed.

REPORTS OF COMMITTEE:

Mrs. Johnson updated the Board on the progress of the 2nd annual 5K run. This will be held on Saturday, November 9th at Hudson Crossing Park. Sponsors for the race have been coming in. The proceeds from the race will go to the Veterans Trust Fund. There will be awards, t-shirts and the YMCA has arranged for bounce houses. She invited all the supervisors to participate.

Mr. Wood said the Town of Saratoga will be providing space for combat veterans counseling at their town hall. The Town will be providing this space free of charge. The transition is expected to be started as early as October and be fully operational by the first of the year.

Mr. Collyer reminded the Board that the County Tax Auction will be held after the September 17th Board Meeting. As of this day there are 24 properties on the auction list.

Mr. Veitch reminded the Board that Saratoga County Day at the Races will be held Monday, August 26th. Saratoga County residents will be admitted to the racetrack free of charge. There will be a trophy presentation at one of the races and he will let his colleagues know which race it is.

Mr. Lawler said the Economic Development Committee has narrowed down the list of nine respondents to the Economic Development Consultant to four. Interviews for those respondents will be this Friday the 23rd and Monday the 26th.

On a motion by Mr. Wright, seconded by Mr. Kinowski Resolution No.'s 153 through 168, with the exception of Resolution 166, were adopted by a unanimous vote.

RESOLUTION 153 - 13

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

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

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

WHEREAS, our Equalization and Assessment Committee recommends approval of these requests; now, therefore, be it

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

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Joan Shaw 115 Comstock Road Greenfield Ctr., NY 12833	2010 & 2012	Corinth	99.-2-21	\$4,793.72
Kenneth Trotter Donna Trotter 1024 Rt. 29 P.O. Box 43 Middle Falls, NY 12848	2010, 2011 & 2012	Providence	158.16-1-16	\$7,664.28

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

RESOLUTION 154 -13

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

CANCELLING DELINQUENT TAX LIENS IN THE TOWN OF HALFMOON

WHEREAS, unpaid taxes resulted in the County's acquisition of Tax Parcel #261.-1-53 consisting of 145.75 acres in the Town of Halfmoon; and

WHEREAS, Resolution 57-13 authorized the Chair of the Board, the County Attorney and the County Planning Director to effect the subdivision of Tax Parcel #261.-1-53 into an approximately 141.61 acre parcel (Parcel 1) and an approximately 4.09 acre parcel (Parcel 2); and

WHEREAS, Resolution 57-13 further directed that Parcel 1 be placed for sale in the County's September 2013 Real Property Tax Auction, and that Parcel 2 be retained by the County for use and incorporation into the County's proposed extension of the Zim Smith Trail from the Town of Halfmoon to the City of Mechanicville; and

WHEREAS, the Town of Halfmoon Planning Board approved the proposed subdivision of Tax Parcel #261.-1-53 on May 22, 2013; and

WHEREAS, the County completed the subdivision of Tax Parcel #261.-1-53 with the filing of a subdivision map of the parcel in the Saratoga County Clerk's Office on July 18, 2013, designated as Map No. M2013139; and

WHEREAS, the Assessor's Office of the Town of Halfmoon subsequently issued a Certificate of Divided Assessment for the former Tax Parcel #261.-1-53, which Certificate listed delinquent tax liens on Parcel 2, now identified on the tax maps as Tax Parcel #261.-1-53.2, in the amount of \$696.82 through August 31, 2013; and

WHEREAS, the County previously foreclosed its 2010, 2011 and 2012 tax liens on Tax Parcel #261.-1-53.2 pursuant to the Order of the Saratoga County Court dated December 10, 2012, and acquired title to said parcel in satisfaction of said tax liens; and

WHEREAS, the tax liens on Tax Parcel #261.-1-53.2 should therefore be cancelled; now, therefore, be it

RESOLVED, that the 2010, 2011 and 2012 delinquent tax liens on Tax Parcel #261.-1-53.2 in the Town of Halfmoon, in the amount of \$698.82 through August 31, 2013 are hereby cancelled; and, be it further

RESOLVED, that Saratoga County Tax Enforcement Officer shall mail a copy of this Resolution to the Halfmoon Town Assessor and the County Director of Real Property Tax Services.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 155 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH WESTAT, INC. TO REIMBURSE THE COUNTY'S PUBLIC HEALTH NURSING SERVICE FOR HOME VISITS CONDUCTED IN CONJUNCTION WITH A CENTERS FOR DISEASE CONTROL STUDY OF FAMILIES WHO HAVE DROPPED OUT OF THE WIC PROGRAM

WHEREAS, the Centers for Disease Control (CDC) is conducting a study of families who have dropped out of the CDC's Women, Infants and Children (WIC) Program in order to determine the effectiveness of the WIC program; and

WHEREAS, the CDC has contracted with Westat, Inc. to collect and analyze data on the weight and measurements of children whose families have dropped out of the WIC program; and

WHEREAS, Westat, Inc. will reimburse our County Public Health Nursing Service at the rate of \$158 per visit to conduct home visits to families who have dropped out of the WIC program, and collect weights and measurements of children in the home in order to compare their growth rates with children of families that remained in the WIC program; and

WHEREAS, our Public Health Nursing Service already maintains the necessary equipment needed to participate in the CDC's study through the Nursing Service's maternal child home visiting program; and

WHEREAS, our Public Health Committee and the Director of our Public Health Nursing Service have recommended that the County enter into an agreement with Westat, Inc. to reimburse the Public Health Nursing Service for conducting home visits to families who have dropped out of the WIC program, with said reimbursement to be at the rate of \$158 per case completed during the period from November 1, 2013 through September 22, 2016; now, therefore, be it

RESOLVED, the Chair of the Board is hereby authorized to execute an agreement with Westat, Inc. of Rockville, Maryland, for reimbursement to the Saratoga County Public Health Nursing Service for conducting home visits in conjunction with a Centers for Disease Control study of families who have dropped out of the WIC program, for the term commencing November 1, 2013 through September 22, 2016, with said reimbursement to be at the rate of \$158 per case completed, and be it further

RESOLVED, that said agreement shall be subject to the approval of the County Attorney as to form and content.

BUDGET IMPACT STATEMENT: Westat, Inc. will reimburse the County \$158 per case completed.

RESOLUTION 156 - 13

Introduced by the Public Health Committee and the Social Programs Committee

URGING THE STATE OF NEW YORK TO TAKE CERTAIN MEASURES TO RESOLVE DEFICIENCIES IN THE STATE'S ADMINISTRATION OF THE EARLY INTERVENTION (EI) PROGRAM AND PREVENT THE COLLAPSE OF THE EI PROVIDER NETWORK

WHEREAS, pursuant to amendments to the New York State Public Health Law enacted in 2012, the New York State Department of Health (DOH) assumed responsibility for the fiscal management and payment of Early Intervention Program (EIP) claims on April 1, 2013; and

WHEREAS, as a result of said statutory amendments, all EIP contracts between the County and EIP service providers were terminated effective March 31, 2013; and

WHEREAS, all EIP service providers were required to enter into provider agreements directly with DOH for the provision and payment of EIP services provided on and after April 1, 2013; and

WHEREAS, since DOH's takeover of the administration of the EIP on April 1, EIP providers have received limited payments for their services; and

WHEREAS, DOH'S difficulties in facilitating payment to EI providers are due in part to its New York State Early Intervention System (NYEIS) billing software which has consistently failed since its inception in 2011 to interface with New York State Medicaid billing software system eMedNY; and

WHEREAS, NYEIS has suffered from a continuing inability to produce accurate financial reports verifying municipal EI costs and the State's share of EI costs, leaving municipalities vulnerable to not being fully reimbursed for eligible EI expenses; and

WHEREAS, payment delays to EI providers were further caused by DOH's failure to notify commercial insurers of their obligations and responsibilities under the new EIP payment system until July 8, 2013, resulting in EI claims being rejected or not responded to; and

WHEREAS, as a result of DOH's failure to timely provide guidance to commercial insurers processing EI claims, prolonged delays in the adjudication of commercial insurance claims have caused extreme financial hardship to EI providers who are not receiving payment for their services; and

WHEREAS, many EI providers are therefore threatening to cancel their agreements with DOH, leaving the 300 children enrolled in Saratoga County's EI program in danger of not receiving EI services in accordance with regulatory guidelines; and

WHEREAS, by letter dated July 30, 2013, DOH officials requested that Saratoga County post a temporary one-time preliminary escrow payment in the amount of \$148,610 with DOH to cover the shortfall in payments by commercial insurers to Saratoga County EI providers until commercial insurers could catch up with the processing and payment of EI claims; and

WHEREAS, this Board deems the requested preliminary escrow payment to DOH to cover the payment of commercial insurance claims to be in the nature of another unfunded state mandate; and

WHEREAS, counties in New York State are already financially strapped by the State-imposed 2% property tax cap; and

WHEREAS, it is the State's responsibility to remedy the problems it has created by attempting to take over administration of the EIP before it was organizationally prepared to do so; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby declares that the smooth and efficient provision of Early Intervention services to eligible Saratoga County children is a top priority of this Board; and, be it further

RESOLVED, that this Board recognizes the outstanding services provided by EI service providers to children in need, and further expresses its strong support for those providers who have been placed in a position of financial hardship as a result of the State Department of Health's inability to properly administer the State's Early Intervention Program; and, be it further

RESOLVED, that DOH's request to the County for the posting of a temporary one-time preliminary escrow payment in the amount of \$148,610 to cover the shortfall in payments by commercial insurers to EI providers in Saratoga County is hereby denied; and, it is further

RESOLVED, that it is the position of this Board that DOH and the State of New York are responsible for correcting the problems that plague DOH's administration of the Early Intervention Program, which corrective action must exclude additional advanced escrow payments by counties to remedy the administrative failures of DOH; and, be it further

RESOLVED, that this Board strongly urges Governor Andrew Cuomo to intervene and authorize emergency advanced funds to DOH to prevent any collapse of the EI service provider network; and, be it further

RESOLVED, that this Board hereby demands that the State Department of Health take immediate action to correct all problems surrounding its administration of the EIP, or, in the alternative, to return the administration of the EIP to the counties with full re-payment of administrative funding previously reduced as part of the shift of EI administrative responsibilities to DOH; and, be it further

RESOLVED, that the Clerk of the Board mail a certified copy of this Resolution to Governor Andrew M. Cuomo, State Health Commissioner Nirav R. Shah, M.D., M.P.H., and our local State legislators.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 157 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH LANCASTER GROUP, LLC FOR THE PROVISION OF BILLING FOR ALL CARE INCOME FOR MAPLEWOOD MANOR

WHEREAS, the County staff employee at Maplewood Manor responsible for Medicaid billing resigned effective July 24, 2013; and

WHEREAS, more than 80% of Maplewood Manor's residents are Medicaid recipients, and without a knowledgeable and qualified Medicaid biller Maplewood Manor revenue will be severely restricted; and

WHEREAS, it will take months to recruit and train a new staff employee to perform Medicaid billing services for Maplewood Manor; and

WHEREAS, the Administrator of Maplewood Manor solicited proposals from qualified billing service providers for the provision of billing for all care income at Maplewood Manor; and

WHEREAS, our Public Health Committee has recommended that the proposal of The Lancaster Group, LLC, the lowest proposal received, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with The Lancaster Group, LLC of Lancaster, Pennsylvania, for the provision of billing for all care income at the Maplewood Manor Nursing Home for a term of one year commencing August 23, 2013, subject to a 60 day right of termination by the County, at a cost of \$9,500 per month plus out-of-pocket expenses, with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. Funding is available in the 2013 Budget.

RESOLUTION 158 - 13

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

AMENDING RESOLUTION 135-09 TO INCREASE TO \$2,500 THE ESCROW FUND MAINTAINED WITH L-1 IDENTITY SOLUTIONS, INC. TO PAY FOR CRIMINAL BACKGROUND CHECKS OF APPLICANTS FOR EMPLOYMENT AT MAPLEWOOD MANOR

WHEREAS, Maplewood Manor is required to do criminal background checks on persons applying for non-licensed positions of employment; and

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

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

WHEREAS, pursuant to Resolution 135-09, this Board authorized the establishment of an escrow account in the amount of \$500 to be maintained with L-1 Identity Solutions, Inc. to pay for the costs of criminal backgrounds checks required of applicants for non-licensed positions of employment at Maplewood Manor; and

WHEREAS, due to a higher than normal staff turnover at Maplewood Manor and the three week lag time associated with replenishing the escrow account, our Public Health Committee and the Administrator of Maplewood Manor have recommended the escrow account maintained with L-1 Identity Solutions, Inc. be increased to \$2,500; now, therefore, be it

RESOLVED, that Resolution 135-09 is hereby amended to authorize an increase in the escrow fund maintained with L-1 Identity Solutions, Inc. of Stamford, Connecticut, from \$500 to \$2,500 in order to pay for the increased number of criminal background checks required of applicants for non-licensed positions of employment at Maplewood Manor.

BUDGET IMPACT STATEMENT: None. These fingerprint scans are reimbursable by New York State.

RESOLUTION 159 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH WARREN COUNTY FOR THE PROVISION OF HOME-BASED CRISIS INTERVENTION SERVICES TO BE IMPLEMENTED BY PARSONS CHILD & FAMILY CENTER

WHEREAS, the Office of Community Services for Warren and Washington Counties has received monies from the New York State Office of Mental Health (OMH) in the amount of \$325,624 to be utilized by Saratoga, Warren and Washington Counties, for the provision of in-home crisis services to youths and their families when a youth is at risk of psychiatric hospitalization; and

WHEREAS, the Office of Community Services for Warren and Washington Counties will implement such Home-Based Crisis Intervention Program by utilizing said OMH grant funds to contract with Parsons Child & Family Center, or another suitable not-for-profit organization, to provide home-based crisis intervention services to youths at risk and their families; and

WHEREAS, in order to effectuate this program, it is necessary for Saratoga County and Warren County, on behalf of the Office of Community Services for Warren and Washington Counties, to enter into an intermunicipal agreement authorizing the Warren-Washington Counties Director of Community Services to oversee the Home-Based Crisis Intervention Program; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an intermunicipal agreement with the County of Warren authorizing the Director of Community Services of Warren and Washington Counties to utilize grant funding from the New York State Office of Mental Health to contract with Parsons Child & Family Center, or another suitable not-for-profit organization, to implement a home-based crisis intervention service program for youths in Saratoga, Warren and Washington Counties at risk of psychiatric hospitalization; and be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 160 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH APPROPRIATELY ACCREDITED COLLEGES AND UNIVERSITIES FOR THE PROVISION OF STUDENT INTERNS TO THE SARATOGA COUNTY MENTAL HEALTH CENTER

WHEREAS, the Director of the Saratoga County Mental Health Center has requested authorization to accept placement of student interns at the Saratoga County Mental Health Center from appropriately accredited colleges and universities; and

WHEREAS, our Public Health Committee has recommended that the County Mental Health Center be authorized to accept students in need of mental health internship placements from appropriately accredited colleges and universities; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute agreements with appropriately accredited colleges and universities for the placement of student interns with the Saratoga County Mental Health Center,

subject to the County's Policies and Procedures for the placement of student interns with County departments, with the form and content of such agreements being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 161 - 13

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

AUTHORIZING A SIX MONTH LEASE EXTENSION FOR THE USDA'S LEASE OF SPACE IN BUILDING #5

WHEREAS, Resolution 245-08 authorized a lease of office space in County Office Building #5 to the United States Department of Agriculture for occupancy by the USDA's Farm Service Agency through September 30, 2013; and

WHEREAS, the USDA closed its Saratoga County Office of the Farm Service Agency in 2012, and the USDA's National Resources Conservation Service has been utilizing the leased space formerly occupied by the Farm Services Agency; and

WHEREAS, the USDA has requested a temporary six month extension of its current lease in Building #5 while it obtains the necessary federal approvals to enter into a five year renewal of its lease with the County; and

WHEREAS, our Buildings and Grounds Committee and Commissioner of Public Works have recommended that the USDA's lease be extended for a term of six months commencing October 1, 2013 at the current annual rental rate of \$19.67 sq. ft.; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to execute a lease extension agreement with the United States Department of Agriculture for the lease of 1828 sq. ft. of office space in Saratoga County Office Building #5 at the monthly rental rate of \$2,996.39 for the term October 1, 2013 through March 31, 2014, with the form and content of such lease extension agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 162 - 13

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

AUTHORIZING ACCEPTANCE OF A NEW YORK STATE OFFICE OF VICTIMS SERVICES GRANT

WHEREAS, a grant in the amount of \$66,985 is available from the New York State Office of Victim Services for the purpose of assisting the District Attorney's Office in providing services for victims of crime; and

WHEREAS, the acceptance of this Office of Victims Services grant requires our approval; now therefore, be it

RESOLVED, that the Chair of the Board and/or the County Administrator execute all documents necessary to apply for and accept a New York State Office of Victim Services grant in the amount of \$66,985 to assist the District Attorney's Office in providing services to crime victims.

BUDGET IMPACT STATEMENT: None. 100% State Aid

RESOLUTION 163 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH PATRIOT TOWERS, INC. TO INSTALL A NEW LED LIGHTING SYSTEM ON THE COUNTY'S EMERGENCY RADIO TOWER IN

THE TOWN OF PROVIDENCE AND AMENDING THE 2013 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the County’s emergency radio system includes an emergency radio tower located in the Town of Providence; and

WHEREAS, Federal Aviation Administration regulations require the County to maintain a lighting system on the tower due to its height; and

WHEREAS, since the tower’s construction in 2008, the lighting system on the tower has used incandescent bulbs; and

WHEREAS, subsequent to the expiration of the lighting system’s two year warranty, the County has incurred substantial repair costs for the system; and

WHEREAS, our Office of Emergency Services solicited bids for an upgrade of the lighting system on the Providence tower; and

WHEREAS, our Public Safety Committee has recommended that a contract for the installation and maintenance of an energy efficient LED lighting system on the Providence tower be awarded to Patriot Towers, Inc., the lowest bidder; and

WHEREAS, an amendment to the 2013 County Budget is needed to expend these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Patriot Towers, Inc. of Scottsville, New York, for the installation, and maintenance pursuant to a five year warranty, of an energy efficient LED lighting system on the County’s emergency radio tower located in the Town of Providence, at a cost not to exceed \$13,498, with the form and content of such agreement being subject to the approval of the County Attorney; and, be it further

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

GENERAL FUND:

Transfer:

FROM: 1-14-999-9000 Unallocated Amount	\$13,498
TO: 1-36-362-7094 Building Components	\$13,498

BUDGET IMPACT STATEMENT: This transfer will reduce the General Fund contingency account to \$347,938.

RESOLUTION 164 - 13

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

AUTHORIZING THE CHAIR TO ENTER INTO A FOUR YEAR AGREEMENT WITH PITTSFIELD COMMUNICATIONS SYSTEMS, INC. FOR THE MAINTENANCE OF COUNTY RADIO SYSTEM EQUIPMENT

WHEREAS, the County entered into an existing minor contract with Pittsfield Communications Systems, Inc. (Pittsfield) on February 12, 2012 for the provision by Pittsfield of non-warranty maintenance services of radio equipment utilized by the various County departments who use the County radio system; and

WHEREAS, due to an unanticipated volume of service calls and the provision of necessary services not covered in Pittsfield’s original proposal, the cost of service rendered to the various County departments by Pittsfield in 2012 exceeded the minor contract limit of \$10,000; and

WHEREAS, pursuant to Resolution 68-13 and 143-13 authorized increases of \$4,000 and \$6,200 respectively in the contract amount authorized with Pittsfield in order to pay for said additional non-warranty maintenance services of the County’s radio equipment in 2012; and

WHEREAS, due to the continued high volume of service calls to Pittsfield for maintenance of the County’s radio system equipment utilized by our Office of Emergency Services, Department of Public Works, and Sheriff’s Department, the Office of Emergency Services solicited bids for maintenance of said County radio system equipment; and

WHEREAS, our Public Safety Committee has recommended that the County enter into an agreement with Pittsfield Communications Systems, Inc., the lowest bidder, for a term of four years, at Pittsfield Communications 2011 service rates; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Pittsfield Communications Systems, Inc. of Pittsfield, Massachusetts, for radio maintenance services, including the installation and removal of radios, the installation and removal of light bars, and other non-warranty maintenance services for the Office of Emergency Services, the Department of Public Works and the Sheriff's Department, for a term of four years commencing August 1, 2013, at the following 2011 rates of Pittsfield Communications Systems, Inc.:

1 – Pittsfield hourly rate: \$95.00 per hour. (Anything not covered in below listed pricing)

2 – Installation of a one piece mobile radio: \$125.00

3 – Removal of a one piece mobile radio: \$25.00

4 – Installation of a two piece mobile radio: \$185.00

5 – Removal of a two piece mobile radio: \$40.00

6 – Installation of a light bar with controller: \$285.00

7 – Removal of a light bar and controller: \$75.00

8 – Installation of siren controller and speaker: \$125.00

9 – Removal of siren controller and speaker: \$40.00

10 – Installation of (Havis, etc.) mobile console: \$129.00

11 – Removal of (Havis, etc.) mobile console: \$50.00

12 – Installation of computer docking station: \$139.00

13 – Removal of computer decking station: \$50.00

14 – Installation of Head Light Flashers: \$125

15 – Removal of Head Light Flashers: \$65

16 – Programming Mobile Radio with County Templates: \$35

17 – Programming Portable Radio with County Templates: \$35;

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 165 - 13

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

AMENDING RESOLUTION 235-12 TO AUTHORIZE AN ALTERNATIVE SUBCONTRACT FOR DIETICIAN SERVICES WITH CHRISTINE A. KUDLACIK, RD, CDN

WHEREAS, pursuant to Resolution 235-12, this Board approved the Office for the Aging’s proposed 2013 Annual Implementation Plan, and authorized the Chair of the Board and/or the Director of our Office for the Aging to execute subcontracts with various providers pursuant to said Annual Implementation Plan; and

WHEREAS, pursuant to Resolution 235-12, a subcontract with Peggy Ghanine, RD for Dietician Services was authorized at a cost of \$35.00 per hour; and

WHEREAS, subsequent to the adoption of Resolution 235-12, Peggy Ghanine obtained full-time employment elsewhere, and she never executed her subcontract for Dietician Services; and

WHEREAS, after a prolonged search, the Office for the Aging has located a dietician willing to assume the dietician services that were to be performed by Peggy Ghanine; now, therefore, be it

RESOLVED, that Resolution 235-12 is hereby amended to authorize the Chair of the Board and/or the Director of the Office for the Aging to execute the following subcontract in conformance with the 2013 Annual Implementation Plan, with the form and content of said subcontract being subject to the approval of the County Attorney:

<u>PROVIDER</u>	<u>FUNDING</u>	<u>SERVICE</u>	<u>TERM</u>	<u>AMOUNT</u>
Christine A. Kudlacik, RD, CDN 79 Louden Raod Saratoga Springs, NY 12866	Title IIIC WIN	Dietician Services	8/21/13-12/31/13 8/21/13-3/31/14	\$35.00/hour \$35.00/hour

BUDGET IMPACT STATEMENT: None. The rate for these services will remain at \$35.00/hour.

Mrs. Southworth said that the County should have to go through the rules and regulations that are out there. The County should go through the same process anybody else should have to go through. She said one of the problems others have is that government exempts itself from the process that we make them go through. It is a good idea that we follow the same process as anyone else would.

On a motion by Ms. Raymond, seconded by Mr. Rowland, Resolution 166 was adopted by the following vote: AYES (209,831): –Alan Grattidge (4,133), Philip C. Barrett (18,352.5), Anita Daly (19,352.5), Richard Lucia (6,531), Mary Ann Johnson (856), Jean Raymond (1,214), George J. Hargrave (3,545), Richard Rowland (7,775), Arthur M. Wright (2,048), Mindy Wormuth (21,535), Paul Sausville (14,765), Thomas Richardson (5,196), Daniel Lewza (18,575), Preston L. Jenkins, Jr. (14,728), Willard H. Peck (5,087), John Collyer (1,995), Thomas N. Wood, III (5,674), Matthew E. Veitch (13,293), Joanne Dittes Yepsen (13,293), Edward D. Kinowski (8,287), John Lawler (8,423), Arthur J. Johnson (16,173). NO’S (9,776): Patricia Southworth (9,776).

RESOLUTION 166 – 13

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

AUTHORIZING THE CHAIRMAN TO EXECUTE A WAIVER PURSUANT TO AGRICULTURE AND MARKETS LAW §305(4)(d)

WHEREAS, Resolution 130-13 authorized the sale of the Saratoga County Landfill to Finch Paper, LLC; and

WHEREAS, Finch Paper, LLC has made application to the Saratoga County Industrial Development Agency (IDA) for financial assistance in the form of sales, mortgage and real property tax abatements relative to its purchase, operation and planned expansion of the County Landfill; and

WHEREAS, the County Landfill property lies within the boundaries of Saratoga County Consolidated Agricultural District #1; and

WHEREAS, Agricultural and Markets Law §305(4)(b) and (c) require that a public benefit corporation, such as the IDA, intending to acquire an interest in farmland within an agricultural district or advance a grant, loan, interest subsidy or other funds to construct commercial or industrial facilities within an agricultural district, must file both a preliminary and final notice of intent with the New York State Commissioner of

Agriculture and Markets describing among other things, the proposed actions, anticipated adverse impacts on farm operations and agricultural resources within the district, and alternatives to the proposed action; and

WHEREAS, Agriculture and Markets Law §305(4)(d) provides that the County, as owner of the Landfill property, can waive the requirement that the IDA file a preliminary and final notice of intent with the NYS Commissioner of Agriculture and Markets by executing a written waiver to be filed by the IDA with Commissioner; and

WHEREAS, the IDA has requested that the County execute such a waiver to be filed by the IDA with the Commissioner of Agriculture and Markets; and

WHEREAS, the County Landfill property has been inactive farmland for well over a decade; and

WHEREAS, our Public Works Committee has recommended that the Chair of the Board be authorized to execute a waiver pursuant to Agriculture and Markets Law §305(4)(d); now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a waiver, on behalf of the County of Saratoga, of the requirement that the Saratoga County Industrial Development Agency file a preliminary and final notice of intent with the NYS Commissioner of Agriculture and Markets pursuant to Agriculture and Markets Law §305(4)(d) relative to any financial assistance to be provided by the IDA to Finch Paper, LLC in connection with Finch's purchase of the County Landfill; and be it further

RESOLVED, that the Clerk of the Board is directed to forward said executed waiver to the Saratoga County Industrial Development Agency.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 167 - 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, pursuant to Resolution 127-13, this Board authorized the Chair to execute an additional 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 associated with complying with SEQRA and conducting ongoing contract negotiations with the purchaser of the County Landfill, Finch Paper, LLC, at an additional cost not to exceed \$6,500; and

WHEREAS, due to a higher than anticipated volume of legal work associated with negotiating the Landfill Purchase and Sale Agreement with Finch Paper, LLC, it is necessary to amend the County's legal services retainer agreement with Attorney Schachner to increase the contract's amount by an additional \$18,500; 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 \$50,000; 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 \$18,500, thereby increasing the total contract amount to \$50,000; 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	\$18,500
TO: 1-90-920-9902 Transfer to Highway Fund	\$18,500

PUBLIC WORKS:

Appropriations:

Increase Acct.: #2-50-515-8130 Architects/Engineers	\$18,500
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Revenues:

Increase Acct.: #2-50-5031 Transfer from General Fund	\$18,500
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BUDGET IMPACT STATEMENT: This amendment will reduce the General Fund contingency account by \$18,500.

RESOLUTION 168 - 13

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

AMENDING THE 2013 BUDGET TO INCREASE EXPENSES AND REVENUES BY \$1,793,539 IN CONNECTION WITH THE SETTLEMENT AGREEMENT ENTERED INTO WITH THE HUDSON RIVER BLACK RIVER REGULATING DISTRICT

WHEREAS, Resolution 51-13 authorized the Chairman to execute a settlement agreement with the Hudson River Black River Regulating District in disposition of the County’s appeal of the District’s apportionment of a portion of its operating expenses to the County for the District’s fiscal years 2009-2010, 2010-2011, 2011-2012, 2012-2013, and 2013-2014; and

WHEREAS, the settlement the was reached took into account that the County had paid delinquent property and school taxes the District owed in the amount of \$3,764,004.73 in the Towns of Day, Edinburg, Hadley and Providence since 2010; and

WHEREAS, the settlement agreement reached between the County and the District provided that the County, in lieu of making cash payments of the District’s assessments, would take a credit against the amount owed by the District to the County for the District’s delinquent property taxes; and

WHEREAS, pursuant to the recommendation of the County’s independent auditor, it is necessary to amend the 2013 County budget to reflect the County’s payment to date of a portion of the District’s past assessments and the offsetting revenue for those payments, which the County has received from the District by way of a credit against the property taxes owed by the District; now, therefore, be it

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

NON DEPARTMENTAL:

Revenues:

Increase Acct.: #1-90-1001 Real Property Taxes	\$1,793,539
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Appropriations:

Increase Acct.: #1-90-900-8745.HRBR HRBRRD Litigation	\$1,793,539
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BUDGET IMPACT STATEMENT: The County’s payments to the District will be offset by way of credit against the property taxes owed to the County by the District.

Mr. Grattidge said the Treasurer presented the results of the 2012 Single Audit Report. As in previous years this was an unqualified audit report with no findings. For the General Fund as of December 21, 2012 was \$10,346,119. Although there is still work to do to build that up, we are moving in the right direction to improve this fund. This audit also analyzed our internal control for three Federal Programs in DSS. For those programs there were no reportable findings. He commended the staff and the Commissioner of Social Services on the great job they are doing.

Mr. Grattidge said he had the privilege of being at the Harness Track with Supervisors Veitch, Wormuth, Yepsen at a special event on Saturday evening. There was a record set for fastest time and is now tied for the World Record that they witnessed. He encouraged County residents to take advantage of this sport.

Mr. Grattidge encouraged all the golfers to get your foursomes and sign up for the Supervisors Golf Outing on Friday, September 13th. If you are not a golfer and still want to participate, you can come for lunch. See Pam for more details.

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

Respectfully submitted,

Pamela A. Hargrave, Clerk