

AGENDA SESSION
September 11, 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, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Daniel Lewza, Willard H. Peck, John Collyer, Thomas N. Wood III, Matthew E. Veitch, John Lawler, Arthur Johnson - 18. ABSENT: Richard Lucia, Thomas Richardson, Preston L. Jenkins, Jr., Joanne Dittes Yepsen, Edward D. Kinowski, - 5.

On a motion by Mr. Collyer, seconded by Mr. Wood the minutes of the August 14, 2013 meeting were unanimously approved.

Mr. Hellwig presented the following:

EQUALIZATION AND ASSESSMENT

Accepting tender offers on parcels in the Towns of Northumberland and Halfmoon.

PERSONNEL AND INSURANCE

Appointing Joanne Bosley as Director of Real Property Tax Services effective October 1, 2013.

Appointing Eileen Bennett as Director of Data Processing.

Amending the 2013 budget for Interest Arbitration Award for the Saratoga County Deputy Sheriff's PBA contract.

ECONOMIC DEVELOPMENT

Authorizing the Chairman to enter into agreements for NYS Snowmobile Grant and Aid Program funding.

Endorsing the Champlain Canal Trail and supporting efforts in completing the trail.

Authorizing the Chairman to enter into an agreement with TIP Strategies for completion of an Economic Development Strategic Plan.

RACING

Recognizing the enormous success of the Saratoga 150 Festival and celebrating 150 years of racing at the Saratoga Race Course.

BUILDINGS AND GROUNDS

Authorizing the Chairman to enter into an agreement with the FAA to accept funding for a Wildlife Hazard Assessment Study and authorizing an agreement with McFarland-Johnson to perform the study.

Introducing a Local Law to authorize the County to lease real property to Christ Episcopal Church.

LAW AND FINANCE

Authorizing the Chairman to enter into agreements with NYS to accept a Local Government Records Management Improvement Fund Grant.

Authorizing the issuance of tax anticipation notes in an aggregate principal amount not to exceed \$14,000,000 in anticipation of collection of real property taxes.

Adopting a Fund Balance Policy to ensure fiscal security through the maintenance of a financially responsible unassigned fund balance.

Authorizing blanket official undertaking for County Officers required by law to execute and file official undertakings.

Authorizing a transfer of \$5,380 from the Data Users fund to the Public Health Nursing Department for the purchase of 10 laptops.

On a motion by Mr. Hargrave, seconded by Mrs. Wormuth the agenda was unanimously set for the September 17, 2013 Board Meeting.

Mrs. Southworth asked everyone to remember those who lost their lives on this day in 2001.

Mrs. Johnson told the Board about a homeless woman and her child who has been helped by the Veterans Agency. She thanked the employees of that department. Mrs. Johnson said they were looking for furniture to be donated to them and had some donated. She is now looking for trucks to transport it. Mrs. Wormuth asked Mrs. Johnson to have someone get a hold of her as she has access to a lot full of trucks.

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

Respectfully submitted,

Pamela A. Hargrave, Clerk

REGULAR SESSION
TUESDAY, SEPTEMBER 17, 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, 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, – 21. ABSENT – Mindy Wormuth, Arthur J. Johnson – 2.

The invocation was given by Patti Southworth, Chaplain.

PRESENTATIONS:

Chairman Grattidge called to the podium, Marcia White from SPAC, Live Nation and representatives from Farm Aid. Mr. Grattidge read a proclamation that was prepared for the Farm Aid benefit being held at SPAC on September 21st, 2013 and presented the proclamation to Ms. White, Live Nation representatives and Farm Aid representatives.

Mrs. Daly joined Mr. Grattidge at the podium and asked the members from the Childhood Cancer Coalition to join them. Mrs. Daly read a proclamation prepared for the Coalition and acknowledging September as Childhood Cancer Awareness month in Saratoga County.

PUBLIC INPUT:

Anna Stanko, Town of Milton Re: Gateway House of Peace. Mrs. Stanko updated the Board on what has been going on at the Gateway House of Peace house that has been leased from Saratoga County. There have been numerous fundraisers to pay for renovations at the house. They hope to open their doors in February of 2014. She invited the Board to an open house for Supervisors, Elected Officials and Department Heads of Saratoga County after the October 2013 Board Meeting. She thanked the Board for their support.

Beth Cervenak, NYS Department of Finance Re: STAR Program. Ms. Cervenak handed out paperwork on the STAR Program and told the Board about the registration program that has begun. She explained how to complete an on line application and encouraged anyone with questions to contact their office.

Dan Tuczinski, Attorney Re: Sale of tax auction parcel. Mr. Tuczinski handed out a letter to the Board about a parcel in the Town of Halfmoon. He said this parcel was foreclosed on by the County. The County then subdivided and kept a small portion of this parcel. The former owner came to the County to pay the back taxes and the Board has a resolution before them today conveying the property back to the former owner. He encouraged the Board to let the parcel go to auction where the County will receive a considerable amount of money for this parcel.

On a motion by Mr. Veitch, seconded by Mr. Wood the minutes of the August 20, 2013 board meeting were unanimously approved.

The Clerk presented the following:

Resolution from Hamilton County supporting the Towns of Indian Lake, Long Lake, Newcomb, Minerva and North Hudson concerning their plan for economic success.

Copy to Supervisor Peck and County Administrator.

Correspondence from Assemblyman Dan Stec acknowledging receipt of Resolution No 156 of 2013

Received and filed.

Correspondence from Cornell University announcing a partnership between the College of Agriculture and Life Sciences and the College of Engineering that creates a pathway for the Local Roads Program to continue at Cornell University.

Copy to Public Works Commissioner.

Correspondence from the NYS Division of Homeland Security and Emergency Services notifying the County of a State Homeland Security Grant.

Copy to County Administrator and Emergency Services Director.

REPORTS OF COMMITTEE:

Mrs. Johnson said the first outreach program meeting will be held in Corinth at the Ambulance Corp building for Corinth, Hadley, Edinburg and Day. She also updated the Board on the homeless veteran and her daughter thanking Supervisors Lawler and Wormuth for their offer of transportation; Mr. Sausville and his wife Nancy for helping carry furniture to the veterans' new apartment and Mrs. Daly for her offer of future help of needed items.

Mrs. Daly told the Board the Capital Resource Corporation will hold a public hearing on October 1st, 2013 at 2:30pm in the Board Rooms for proposed financing for Saratoga Hospital and invited the supervisors to attend.

On a motion by Mr. Veitch, seconded by Mr. Kinowski resolution No.'s 169 thru 183 with the exception of Resolution No.'s 169 and 175 were adopted by a unanimous vote.

Discussion on Resolution No. 169

Mrs. Johnson said at a meeting today of the E & A Committee, the Committee did vote on this property. She said she is reading the letter submitted by Mr. Tuczinski just now and would like to know the County Attorney's opinion on the property in question.

Mr. Dorsey said it has been the County's policy to allow prior owners to redeem parcels, for the taxes owed, up to the day of the auction. As long as the offer is there for the full amount of the taxes owed, penalties and interest by the former owner, the County sells back the parcel to that owner. Mr. Dorsey said that the County has a number of options once it forecloses on a parcel. A couple of those options were utilized with regards to this parcel. The County retained a portion and then sold back the other portion to the prior owner for back taxes, penalties and interest.

On a motion by Mrs. Johnson, seconded by Mr. Sausville Resolution No. 169 was adopted by a unanimous vote.

RESOLUTION 169 - 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>
Edmund Rucinski 73 Staniak Road Mechanicville, NY 12118	2010, 2011, 2012 & 2013	Halfmoon	261.-1-53.1	\$40,760.74
Torrington Industries, Inc. 222 Maple Street PO Box 269 Glens Falls, NY 12801	2010, 2011, 2012 & 2013	Northumberland	157.-1-9.21	\$13,167.56

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

RESOLUTION 170 - 13

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

REAPPOINTING JOANNE BOSLEY AS THE DIRECTOR OF REAL PROPERTY TAX SERVICES III

WHEREAS, pursuant to Resolution 215-10, Joanne Bosley was appointed to the position of Director of Real Property Tax Services III to fill the unexpired term of Carol Holley ending on September 30, 2013; and

WHEREAS, pursuant to Real Property Tax Law §1530, the term of director of a county real property tax services agency shall be six (6) years; and

WHEREAS, our Law and Finance Committee has recommended that Joanne Bosley be reappointed to the position of Director of Real Property Tax Services III; now, therefore, be it

RESOLVED, that Joanne Bosley of the Town of Malta, New York, is reappointed to the position of Director of Real Property Tax Services III for a term of six (6) years to commence on October 1, 2013 and end on September 30, 2019, with all the powers and duties as set forth in Article 15-A of the Real Property Tax Law §1530.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 171 - 13

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

APPOINTING EILEEN BENNETT AS DIRECTOR OF DATA PROCESSING

WHEREAS, by reason of the retirement of Robert Kingsbury a vacancy was created in the position of Director of Data Processing; and

WHEREAS, our Personnel and Insurance Committee has recommended a qualified applicant to fill the vacant position of Director of Data Processing; now, therefore, be it

RESOLVED, that Eileen Bennett of the Town of Hadley, New York, be and she hereby is appointed to the position of Director of Data Processing at the base level of Salary Grade No. 18, base salary of \$76,139; and be it further

RESOLVED, that this Resolution shall take effect September 18, 2013.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 172 - 13

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

AMENDING THE 2013 BUDGET IN ACCORDANCE WITH THE INTEREST ARBITRATION AWARD ISSUED BY THE PUBLIC ARBITRATION PANEL FOR THE SARATOGA CONTY DEPUTY SHERIFF'S PBA, LOCAL 2096, COVERING CONTRACT YEARS 2010 AND 2011

WHEREAS, the last collective bargaining agreement (CBA) between the County and the Saratoga County Deputy Sheriff's Police Benevolent Association, Local 2096 of New York State Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO (PBA), expired on December 31, 2009; and

WHEREAS, the County and the PBA met on nine occasions, starting in 2010, to negotiate a successor contract, but said negotiations were unsuccessful; and

WHEREAS, thereafter, pursuant to Civil Service Law §209(4)(a), a mediator appointed by the New York State Public Employment Relations Board met with representatives from the County and PBA to effect a settlement, but after several meetings mediation was determined to be unsuccessful; and

WHEREAS, on September 28, 2012, the County and the PBA filed a joint petition for interest arbitration pursuant to Civil Service Law §209(4); and

WHEREAS, a hearing was held on January 31, 2013 before a duly designated Public Arbitration Panel during which the County and the PBA submitted their arguments, evidence and data; and

WHEREAS, the Public Arbitration Panel recently issued its Interest Arbitration Panel Award covering the period of January 1, 2010 through December 31 2011, as Civil Service Law §209(4)(c)(vi) limits the period of the Panel's award to two years from the termination date of the previous CBA; and

WHEREAS, the Panel's Interest Arbitration Award requires the County to retroactively pay to all members of the PBA employed on or after January 1, 2010, except for those PBA members employed at base Step and Step 1, an increase of 1% for 2010 and an increase of 1.5% for 2011; and

WHEREAS, the total cost of this award through the end of 2013 is calculated to be \$547,563, which will need to be transferred from the unappropriated fund balance into the budget of the Sheriff's Department; now, therefore, be it

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

SHERIFF'S DEPARTMENT:

Appropriations:

Increase Acct.: #1-30-000-6890 General Salary \$547,563

Revenues:

Increase Acct.: #1-0599.M Appropriated Fund Balance \$547,563

BUDGET IMPACT STATEMENT: This award will reduce the fund balance in the General Fund by \$547,563.

RESOLUTION 173 - 13

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

AUTHORIZING CHAIR TO ENTER INTO THE NECESSARY AGREEMENTS TO APPLY FOR, ACCEPT AND ADMINISTER A NEW YORK STATE SNOWMOBILE GRANT-IN-AID PROGRAM GRANT

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

WHEREAS, the Association has requested that Saratoga County apply for a 2013/2014 New York State Snowmobile Grant-In-Aid Program Grant in an amount up to \$89,000, and to serve as a conduit between the State and the Association for the distribution of grant funds; and

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

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

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

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

BUDGET IMPACT STATEMENT: None. The program is grant funded, and all funding is passed through to Snowmobile Clubs.

RESOLUTION 174 - 13

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

ENDORING THE CHAMPLAIN CANAL TRAIL AND SUPPORTING CONTINUED COLLABORATIVE PLANNING AND IMPLEMENTATION EFFORTS BETWEEN COMMUNITIES IN COMPLETING THE TRAIL

WHEREAS, the Champlain Canal Trail (CCT) is one of four in New York State's Canalway Trail System and is the second longest (Erie/365 miles, Oswego/37 miles, Cayuga/Seneca/22 miles); and

WHEREAS, when completed, Whitehall, New York, will link the CCT with Lake Champlain bicycle trails and become the natural gateway to Canada and Waterford, New York, will link the CCT to the Erie Canalway Trail leading across New York State to Buffalo, and

WHEREAS, the CCT can play an integral role in improving the health and well-being of people living in and around the community by providing a close-to-home place for physical activity; and

WHEREAS, the CCT will increase levels of safety by providing transportation alternatives; and

WHEREAS, the CCT will provide trail connections to the waterfront and downtown area, supporting economic revitalization efforts; and

WHEREAS, the CCT will strengthen a corridor-wide identity linking historic, recreational and economics resources; and

WHEREAS, taking a coordinated, partnership approach to the CCT Action Plan will help position communities to obtain trail funding while minimizing competition with each other; and

WHEREAS, increased coordination and support between communities will help complete the entire trail, ensuring that all Champlain Canal communities capture the full range of benefits for local residents, visitors, and businesses; and

WHEREAS, the CCT will connect with the Zim Smith Trail in the City of Mechanicville; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby strongly endorses the Champlain Canal Trail as set forth in the Champlain Canal Trail Action Plan, and, be it further

RESOLVED, that Saratoga County will participate in collaborative planning and implementation efforts for the Champlain Canal Trail.

BUDGET IMPACT STATEMENT: No budget impact.

Discussion on Resolution No. 175

Mrs. Southworth said several years ago the County worked with SEDC to put together a strategic plan and she said it worked very well as they worked with each of the municipalities. She said she was told that was the plan the towns were to use as well. She said this is a waste of taxpayers money and instead should be working with our County partners as the County has in the past. We are working toward the same goal. She said the statement that there is no budget impact is misleading. She said the funding was included in the budget but in times of fiscal stress there is an effect on the budget because that is \$95,000 that won't be used on another program such as the Probation system or other unfunded mandates.

Mr. Jenkins said he is very concerned about the fiscal condition of the County based on the Controller's report and his own research of the balance sheets. He said the County is in the process of adopting a Fund Balance Policy, which is great. The County is also in the process of shutting down a nursing home from the County's operation because of the pressure on the County finances. Yet at the same time the County is going into a process that may be forming a new County department when the County doesn't need new expenses.

Mr. Sausville said he recently reminisced with a former Malta Supervisor about the history of Economic Development in the Town of Malta focusing on the Luther Forest Technology Campus. He commended SEDC staff at that time for their efforts as they had the energy and vision for this project. He said this is all history but nothing has really happened since then with regards to Economic Development. He said this resolution is to reinvigorate the development. He said it is time to change and time to take the initiative to do something different.

Ms. Yepsen said she has expressed concern in the past about splintering the dollars when there are only so many to go around for economic development purposes. She is concerned that the County is not looking at this as one County as we already have organization in the County that are doing this. If the County wants to regenerate, the County needs to look at these organizations and keep the \$95,000 in Saratoga County and not send it to Texas.

Mr. Veitch said he has watched this process since it started and had concerns when this started. As the process took shape, he understood better what was being proposed. This resolution only sets up the Economic Development Strategic Plan and it does nothing else as far as he is concerned. He thanked the Committee for sharing Tip Strategies response and proposal and he was very impressed. He thanked the Economic Development Committee for their work on the project.

Mr. Kinowski said for his colleagues in the room that have issues with the fiscal restraints on the County he doesn't disagree, but the County has to grow and find a path to move forward. He said the right thing to do is to look at new opportunities and methods. The Committee did an outreach to find those new ideas and opportunities.

Mr. Collyer said as a Supervisor he feels change is good. However, he feels SEDC has a proven track record over 35 years and an impressive membership. He said it not in the best interest of the taxpayers for the County to create a position for someone or outsource this to another entity. The County is getting a good bang for their buck now and a change won't be as impressive.

Mrs. Daly said she wanted to acknowledge a statement by past Chairman Wood when he was sitting in the front of the Board rooms. He said we will never get any further than we are if we continue to do business the way we are. She thanked Supervisor Sausville for his statements and she also thanked Supervisor Veitch for his extensive research. She the times have changed and Economic Development practices need to be put on a new course. She applauds Chairman of Economic Development Committee Lawler for the work that he did. She asked her colleagues to trust in this process as she is sure a whole new beginning will be placed before them.

Mrs. Southworth said if the County is going towards best practices, then she hopes those best practices include the discontinuation of corporate welfare to business that want to come here and that they really want to come here to do business.

Mr. Lawler thanked all the supervisors who offered their opinions and shares his colleagues concern over the use of taxpayers' money. He said it is clear that the economic development plans here lack a strategy and any ongoing effort or plan. He said if there is a plan, it is not working. Without moving forward with a plan, we will watch more people leave the state in search of jobs. Without a cohesive plan going forward, how can we be successful. We are voting on today is a plan. A plan that will chart the way for economic development in Saratoga County. The County has not had their act together in years and opportunities are going to other areas in the State. The County should not be proud of the fact that Saratoga County does not have a plan. The County is not in the game.

Mr. Grattidge said he this was a high priority when he took office, to develop a plan to lay out a road map and the money was placed in the budget to support this purpose. He will support the efforts to move into the next era.

Mr. Barrett commended Chairman Lawler and his committee as he knows they did put a lot of effort into this process. He is sure the company under consideration is a reputable, fantastic company. As he has said before, there are local companies that do a great job for the County. And certainly do a good job in Clifton Park. He said he has a good working relationship with them. He does not think the County should break away from SEDC and that is why he will vote no today.

On a motion by Mr. Lawler, seconded by Mr. Peck Resolution No. 175 was adopted by the following vote:
AYES (123,754.5): Alan Grattidge (4,133), Anita Daly (13,352.5), 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), Paul Sausville (14,765), Thomas Richardson (5,196), Daniel Lewza (18,575), Willard H. Peck (5,087), Thomas N. Wood, III (5,674), Matthew E. Veitch (13,293), Edward D. Kinowski (8,287), John Lawler (8,423). NOES (95,852.5): – Patricia Southworth (9,776), Philip C. Barrett (13,352.5), John Collyer (1,995), Joanne Dittes Yepsen (13,293), Mindy Wormuth (21,535), Preston L. Jenkins, Jr. (14,728), Arthur J. Johnson (16,173).

Mr. Lawler thanked the Supervisors that voted in favor of this resolution and for the Supervisors who did not support this resolution; he promised that they will deliver an Economic Development Plan that will make you feel like the tax payers' money was used in a positive manner.

RESOLUTION 175 - 13

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TIP STRATEGIES, INC. FOR THE COMPLETION OF AN ECONOMIC DEVELOPMENT STRATEGIC PLAN

WHEREAS, the County entered into a minor contract with E. M. Pemrick & Company of Ballston Lake, New York, for the preparation of a Request for Proposals (RFP) for a consultant to develop the County's first Economic Development Strategic Plan; and

WHEREAS, as stated in the RFP, the primary objectives of the Economic Development Strategic Plan are to: (1) provide a framework to guide economic development efforts throughout Saratoga County over the next five to ten years; (2) recommend an appropriate organizational structure to lead economic development activities in Saratoga County; and (3) advise the County on the steps needed to create this structure, and provide strategic guidance on the staff, funding, and other resources necessary to support the organization and implement the countywide economic development program; and

WHEREAS, nine formal responses were submitted in response to the RFP, and our Economic Development Committee selected and interviewed four finalists; and

WHEREAS, our Economic Development Committee has recommended the acceptance of the proposal of TIP Strategies, Inc.; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with TIP Strategies, Inc. of Austin, Texas, for the preparation and completion of a countywide Economic Development Strategic Plan at a cost not to exceed \$95,000; with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 176 - 13

Introduced by Supervisors Veitch, Barrett, A. Johnson, Richardson, Southworth, Wood and Yepsen

RECOGNIZING THE ENORMOUS SUCCESS OF THE SARATOGA 150 FESTIVAL CELEBRATING 150 YEARS OF RACING AT THE SARATOGA RACE COURSE AND ACKNOWLEDGING THE SUBSTANTIAL SUPPORT PROVIDED BY THE HONORARY CHAIRS, FOUNDING MEMBERS AND SPONSORS

WHEREAS, on August 3, 1863, thoroughbred owners John Hunter and William Travers, and casino owner John Morrissey, created a race track on the north side of Union Avenue in Saratoga Springs, on a site which is now the Oklahoma Training Track; and

WHEREAS, the initial four day race meet held in August 1863 attracted thousands of locals and tourists to the track; and

WHEREAS, the success of this initial meet prompted John Hunter, William Travers, John Morrissey and Leonard James to construct a new, permanent grandstand in 1864 across Union Avenue on the current site of Saratoga Race Course; and

WHEREAS, Saratoga Race Course is not only the oldest race track in the United States, but also the oldest sporting venue in the country, and has been named by Sports Illustrated as one of the "Top Ten Sporting Venues in the World"; and

WHEREAS, while the initial four day racing meet has expanded to forty days, the quality of racing Saratoga Race Course has continued at the highest level and the Saratoga meeting is considered the premiere racing meet in the nation, if not the world; and

WHEREAS, over the past 150 years, racing fans have witnessed many historic races at Saratoga Race Course and been thrilled by such epic champions as Man O'War, Gallant Fox, Secretariat, Seattle Slew, Affirmed, Alydar and Rachael Alexandra; and

WHEREAS, in order to appropriately celebrate the 150th Anniversary of Saratoga Race course, the Saratoga 150 Committee was formed to plan a five month celebration filled with daily events to feat the crown jewel that is Saratoga Race Course; and

WHEREAS, Marylou Whitney and John Hendrickson have graciously served as Honorary Chairs of the Saratoga 150 Celebration; and

WHEREAS, over sixty-four local non-profit organizations were involved in sponsoring 150 separate events during the Saratoga 150 Festival; and

WHEREAS, the Saratoga 150 Festival included such signature events as the Floral Fete Parade and Ice Cream Social; the Saratoga 150 Family Fun Night at the Spa State Park; the Saratoga Arts Fest; the \$2.00 Bettors Ball; Encampments for the Revolutionary War, War of 1812, French and Indian War, and Civil War; the Saratoga Wine & Food Festival War; and a gift by Marylou Whitney and John Hendrickson of \$15,000 to each of five lucky racing fans to bet on key stakes races; and

WHEREAS, the Saratoga 150 Festival was an enormous success, with food, beverage, and apparel sales up 18% during 2013 Saratoga Racing Meet, and approximately \$41 million bet nationwide on races run on Travers Day; and

WHEREAS, the success of the Saratoga 150 Festival was the result of the cumulative efforts of many individuals, businesses and not-for-profit organizations that donated their time, labor, energy, creativity and financial support over the past year; and

WHEREAS, it is appropriate that this Board acknowledge and congratulate the Saratoga 150 Committee and all those who contributed to making the Saratoga 150 Festival a huge success; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby recognizes and applauds the enormous success of the Saratoga 150 Festival celebrating the 150th Anniversary of Saratoga Race Course; and, be it further

RESOLVED, that this Board congratulates the Saratoga 150 Committee, Honorary Chairs Marylou Whitney and John Hendrickson, and every person, business and not-for-profit corporation that donated their time, labor, energy, creativity and financial support to make the Saratoga 150 Celebration the huge success and thoroughly enjoyable event that it was; and be it further

RESOLVED, that the Clerk of the Board forward a copy of this Resolution to the Saratoga 150 Committee and Honorary Chairs Marylou Whitney and John Hendrickson.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 177 - 13

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

AUTHORIZING AN AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) TO ACCEPT A GRANT FOR A WILDLIFE HAZARD ASSESSMENT STUDY AND AUTHORIZING AN AGREEMENT WITH McFARLAND-JOHNSON, INC. TO PERFORM THE STUDY FOR AN AMOUNT NOT TO EXCEED \$91,971

WHEREAS, pursuant to Resolution 206-12, this Board authorized an agreement with McFarland Johnson, Inc. for engineering services in the preparation of a Saratoga County Airport Master Plan Update for a sum not to exceed \$361,375; and

WHEREAS, the Federal Aviation Administration (FAA) and McFarland Johnson, Inc. recommended that the County apply for a FAA grant to conduct a Wildlife Hazard Assessment Study as part of the Airport Master Plan Update due to ongoing problems with deer, turkeys, and other wildlife roaming in the airport runway areas; and

WHEREAS, an FAA grant is available in the amount of \$90,000 for a Wildlife Hazard Assessment Study; and

WHEREAS, the acceptance of this grant requires our approval; and

WHEREAS, our Buildings and Grounds Committee and the County's Commissioner of Public Works have recommended that an agreement be authorized with McFarland Johnson, Inc., the County's Airport consultant, to conduct the Wildlife Hazard Assessment Study at a cost not to exceed \$91,971; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the County Commissioner of Public Works execute all documents necessary to apply for and accept an FAA grant in the amount of \$90,000 to conduct a Wildlife Hazard Assessment Study at the Saratoga County Airport; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute an agreement with McFarland Johnson, Inc. of Binghamton, New York, to perform a Wildlife Hazard Assessment Study, as part of the Saratoga County Airport Master Plan Update, at a cost not to exceed \$91,971, with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. The study will be funded 90% FAA, 5% NYSDOT, and 5% local share, and the funding for the local share is available in the 2013 budget.

RESOLUTION 178 - 13

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

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2013 AUTHORIZING THE LEASING OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO CHRIST EPISCOPAL CHURCH OF THE DIOCESE OF ALBANY, AND SETTING A PUBLIC HEARING THEREON

WHEREAS, the Christ Episcopal Church of the Diocese of Albany has requested that the County lease a portion of the County's property on West High Street in the Village of Ballston Spa, Town of Ballston, to the Church for the Church's use as a parking lot for a day care center the Church proposes to construct on its adjoining property, as well as for parking for Church services and social functions that will be needed due to an anticipated loss of parking spaces along West High Street caused by the creation of a right hand turn lane from West High Street eastbound onto Church Avenue southbound; and

WHEREAS, the County's lease of the requested portion of its property to the Church would serve the municipal and public purposes of: 1) facilitating the creation of a right hand lane requested by the New York State Department of Transportation from New York State Route 67 (West High Street) eastbound onto New York State Route 50 (Church Avenue) southbound, thereby alleviating traffic congestion anticipated to be caused by proposed commercial development along New York State Route 50 in the Town of Ballston; and 2) alleviating parking congestion around the Saratoga County Municipal Complex; and

WHEREAS, our Buildings and Grounds Committee has indicated its support of such use and the leasing of the requested portion of such County property appears to be in the County's interests; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 1, Print No. 1 of 2013, entitled "A LOCAL LAW AUTHORIZING THE LEASING OF A PORTION OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO CHRIST EPISCOPAL CHURCH OF THE DIOCESE OF ALBANY", is hereby introduced before this Saratoga County Board of Supervisors, and this Board of Supervisors shall hold a Public Hearing thereon on October 9, 2013 at 4:50 p.m. at the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York, 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of the Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 179 - 13

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

AUTHORIZING ACCEPTANCE OF A LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT, AMENDING THE 2013 COUNTY COMPENSATION SCHEDULE, INCLUDING POSITIONS IN THE 2014 COUNTY COMPENSATION SCHEDULE AND AMENDING THE 2013 COUNTY BUDGET

WHEREAS, Resolutions 156-91, 113-93, 172-97,114-98, 168-98, 141-99, 24-00, 138-00, 143-01, 129-02, 135-04, 157-05, 169-06, 170-06, 173-07 and 174-07, 174-08, 152-09 and 197-10, 33-12 and 272-12 authorized acceptance of state grants to improve County records management for implementation by Saratoga County and the County Clerk; and

WHEREAS, a new Local Government Records Management Improvement Fund Grant has been awarded by the New York State Archives for 2013-2014, and its acceptance requires our approval; now, therefore, be it

RESOLVED, that the Board of Supervisors accept the Local Government Records Management Improvement Fund Grant for the year 2013-2014 in the amount of \$35,800; and be it further

RESOLVED, that the Saratoga County Compensation Schedule for 2013 is hereby amended to include, and the 2014 County Compensation Schedule shall include, the following positions to facilitate grant projects as stated above, contingent upon these positions being fully funded by the grant:

UNDER COUNTY CLERK:

CREATE (2) positions of Clerks, Part-time effective (10/1/13-12/31/13)

CREATE (5) positions of Clerks, Part-time effective (1/1/14 – 12/31/14);

and, be it further

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

APPROPRIATIONS:

Increase Acct. #1-19-000-6696.P, Clerks, Part-time \$7,371.00

Increase Acct. #1-19-000-6930, Social Security \$ 564.00

REVENUES:

Increase Acct. #1-19-3089, State Aid for Records Management \$7,935.00;

BUDGET IMPACT STATEMENT: No budget impact. 100% State Aid.

RESOLUTION 180 - 13

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

AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE COUNTY OF SARATOGA, NEW YORK, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,000,000 IN ANTICIPATION OF THE COLLECTION OF REAL PROPERTY TAXES FOR THE COUNTY OF SARATOGA

BE IT RESOLVED, by the Board of Supervisors of the County of Saratoga, New York (the “County”) as follows:

SECTION 1. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell tax anticipation notes, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may

be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

SECTION 2. The notes are issued in anticipation of the collection of Real Property Taxes for the County.

SECTION 3. Such Real Property Taxes shall be levied for the 2014 County fiscal year.

SECTION 4. The notes are authorized to be issued against estimated uncollected Real Property Taxes of approximately \$51,577,684 to be received during the 2014 County fiscal year.

SECTION 5. The notes shall be issued in an aggregate principal amount not to exceed \$14,000,000 and shall be used to pay costs for general operating expenses. The proceeds of the notes shall not be used to redeem tax anticipation notes previously issued by the County.

SECTION 6. The notes shall mature no later than one year after issuance.

SECTION 7. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such notes as the same become due and payable.

SECTION 8. The County Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the notes authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended.

SECTION 9. This resolution shall be effective immediately.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 181 - 13

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

ADOPTING A SARATOGA COUNTY FUND BALANCE POLICY

WHEREAS, the County's independent auditors, Toski & Co., P.C., have recommended that the County adopt a fund balance policy to comply with the requirements of Governmental Accounting Standards Board (GASB) Statement No. 54 entitled "Fund Balance Reporting and Governmental Fund Type Definitions"; and

WHEREAS, our County Treasurer's Office, with the assistance of Toski & Co., P.C., has drafted the following Fund Balance Policy which satisfies the requirements of GASB Statement No. 54; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors does hereby adopt a Saratoga County Fund Balance Policy as follows:

SARATOGA COUNTY

Fund Balance Policy

Dated: September 17, 2013

Policy Statement

The fund balance of the County's General Fund has been accumulated to provide stability and flexibility to respond to unexpected adversity and/or opportunities.

County finances will be managed so as to maintain balances of the various funds at levels sufficient to mitigate current and future risks, such as revenue shortfalls and unanticipated expenditures, ensure stable tax rates and user fees, and protect the county's creditworthiness. Saratoga County is to retain an unassigned fund balance, in the General Fund, of a range from 5% to 15% of General Fund appropriations, which stems from the following:

• This amount provides the liquidity necessary to accommodate the County's uneven cash flow, which is inherent in its periodic tax collection schedule as well as reliance on Federal and State program reimbursement. The County Board of Supervisors will set aside certain amounts as committed fund balance. The County Treasurer will set aside assigned fund balances equal to the amount of outstanding purchase orders or encumbrances.

The County Board of Supervisors delegates to the County Treasurer the authority to determine and set aside, the proper amounts to be assigned for purposes as are deemed necessary. This would provide the liquidity to respond to contingent liabilities and provide for capital asset replacements.

Effective as of the year ending December 31, 2013, unassigned fund balance shall be any remaining amounts.

The County will spend, as allowed and available, the most restricted dollars before less restricted in the following order:

- a) Nonspendable (if funds becomes spendable)
- b) Restricted
- c) Committed
- d) Assigned
- e) Unassigned

The County will be mindful of its role and responsibility as a fiduciary of public funds when acting on reserve fund issues.

This policy may be updated as deemed necessary per the County Board of Supervisors.

Purpose

The County of Saratoga (the "County") has enacted this Fund Balance policy in an effort to ensure financial security through the maintenance of a financially responsible unassigned fund balance that guides the creation, maintenance, and use of resources for financial stabilization purposes.

Reserve funds (which essentially are a legally authorized account, for particular specific purposes) are an important component in the County's financial planning for specific expenses, future projects, acquisitions and other lawful purposes. To this end the County may establish and maintain reserve funds in accordance with New York State Laws. The County will also consider rules and/or opinions issued by the New York State Comptroller when they are not in conflict with law.

County reserve funds must be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The County may engage independent experts and professionals, including but not limited to auditors, accountants and other financial and legal counsel, as necessary to monitor all reserve fund activity and prepare reports that the County may require.

The County's primary objective is to maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures. The County also seeks to maintain the highest possible credit ratings which are dependent, in part, on the County's maintenance of a fiscally sound fund balance.

Definitions

Fund Balance: The difference between the assets and liabilities reported in a governmental fund. Fund balance is not necessarily the cash balance of the County. The fund balance consists of other assets as well such as amounts due from the state and federal government, taxes receivable, including those that the County administers for towns, villages and school districts, and accounts receivable. Fund balances are classified into various components depending on the limitations placed on the use of the funds. The hierarchy indicates the extent to which a government is bound to observe spending constraints that govern how it can use amounts reported in the governmental funds balance sheet.

The County shall comply with the reporting requirements of Article 3 of General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) Statement Number 54, Fund Balance Reporting and Governmental Fund Type Definitions. GASB Statement Number 54 established the following classifications depicting how specific amounts can be spent:

- Nonspendable fund balance consists of amounts that are not in a spendable form in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, and financial assets held for resale.
- Restricted fund balance consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by grantors, bondholders or laws and regulations of higher levels of governments; or through constitutional provisions or enabling legislation.
- Committed fund balance consists of amounts constrained to specific purposes by a government itself using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest-level action to remove or change the constraint.
- Assigned fund balance consists of amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority.
- Unassigned fund balance consists of amounts that are available for any purpose; these amounts are reported only in the General Fund.

BUDGET IMPACT STATEMENT; No budget impact.

RESOLUTION 182 - 13

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

AUTHORIZING BLANKET OFFICIAL UNDERTAKING FOR COUNTY OFFICERS AND EMPLOYEES REQUIRED BY LAW TO EXECUTE AND FILE OFFICIAL UNDERTAKINGS

WHEREAS, certain County Officers are required to execute and file undertakings by reason of certain provisions of the County Law; and

WHEREAS, Public Officers Law §11 allows for the substitution of a blanket undertaking for such individual undertakings; and

WHEREAS, the County of Saratoga has in effect a blanket undertaking for all County Officers and employees required by law to execute and file undertakings; and

WHEREAS, said blanket undertaking provides coverage for the failure of said officers and employees to faithfully perform their duties or to account for all moneys or property received by them by virtue of their positions, and for their fraudulent or dishonest acts; and

WHEREAS, Public Officers Law §11 requires this Board to approve the blanket undertaking as to form and sufficiency of coverage; now, therefore, be it

RESOLVED, that the Board approves a blanket undertaking issued as Policy Number 104097632 by Travelers Insurance Company in the amount of \$1,000,000.00 (One Million and 00/100) coverage for all County officers and employees, and providing employee dishonesty coverage and faithful performance of duty coverage for said officers and employees as required by Public Officers Law §11, with an appropriate deductible established at the time of the purchase of the policy in accordance with the usual practice of the County, and be it further

RESOLVED, that a certified copy of this Resolution be attached to said blanket undertaking and a copy thereof be filed in the Office of the County Clerk.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 183 - 13

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

AUTHORIZING A TRANSFER OF \$5,380 FROM THE DATA USERS FUND INTO THE PUBLIC HEALTH NURSING DEPARTMENT FOR THE PURCHASE OF LAPTOP COMPUTERS AND AMENDING THE 2013 COUNTY BUDGET

WHEREAS, nursing staff from our Public Health Nursing Service working with patients under the Certified Home Health Agency (CCHA) Program must access patient care and medication records through a web portal which is done using laptop computers with wireless internet capability; and

WHEREAS, due to a shortage of these laptops, the Public Health Nursing Service submitted a request for the purchase of additional laptop computers to our Technology Committee; and

WHEREAS, our Technology Committee has recommended that the Public Health Nursing Service be authorized to purchase up to ten new laptops at a cost of \$5,380 with available funds transferred from the Data Users Fund; now, therefore, be it

RESOLVED, that the Director of the County Data Processing Department is hereby authorized to purchase up to ten laptop computers for the County Public Health Nursing Service at a total cost not to exceed \$5,380; and it is further

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

DATA PROCESSING AND PUBLIC HEALTH:

TRANSFER:

FROM: #1-23-231-9000 Unallocated Amount	\$5,380
TO: #1-40-412-7033 Personal Computers	\$5,380

BUDGET IMPACT STATEMENT: No budget impact.

Chairman Grattidge announced the following appointment:

Great Sacandaga Lake Advisory Council
Jason Kemper
(to fill the unexpired term of Robert Monacchio)
217 Northville Road
Edinburg, NY 12134

Mr. Grattidge introduced Joanne Bosley, Real Property Tax Director. Mrs. Bosley thanked the Board for the reappointment. He then introduced Eileen Bennett, Director of Data Processing starting September 18, 2013. Mrs. Bennett thanked the Board for the opportunity to be in a leadership role.

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

Respectfully submitted,

Pamela A. Hargrave, Clerk