

A G E N D A
August 9, 2006 5:00 p.m.

Vice-Chairman Barrett called the meeting to order.

Roll call was taken. PRESENT – Raymond F. Callanan, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Jean Raymond, Albert Janik, Jeffrey Trottier, Kenneth J. DeCerce, Thomas Richardson, Frank Thompson, Harry G. Gutheil, Jr., Willard H. Peck, Thomas N. Wood, III, J. Gregory Connors, John Lawler, Arthur J. Johnson - 17. ABSENT - George J. Hargrave, Richard C. Hunter, Sr., Mary Ann Johnson, Cheryl Keyrouze, Paul Sausville, Joanne Dittes Yepsen – 6.

On a motion by Mr. Connors, seconded by Mr. Trottier, the minutes of the meeting of July 12, 2006 were approved unanimously.

Mr. Wickerham, County Administrator, reviewed the following Agenda items:

BUILDINGS AND GROUNDS

Amending the 2006 budget to increase expenses and revenues by \$105,000 to cover the rise in fuel expenses. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham said that cost will get passed on to individual departments.

Amending the 2006 Capital Plan and budget to increase the Airport Capital work expenses and revenues by \$237,324 for a total project cost of \$941,074. (Joe Ritchey, Public Works Commissioner)

Amending Resolution #136-06 to increase FAA Avigation Grant from \$625,000 to \$894,021 for the purpose of acquiring additional easements adjacent to airport runways. (Joe Ritchey, Public Works Commissioner)

PUBLIC WORKS

Authorizing the Chairman to enter into an amended contract with M.J. Engineering & Land Surveying for \$238,420 in additional tasks involved in the design of the Round Lake Bypass and amending the budget in relation thereto. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham said we are in the process of handing that project back to the State.

SOCIAL PROGRAMS

Accepting a \$743 donation from St. Mary's Church, Crescent to purchase discovery box items for the RSVP Discovery Box Program and amending the 2006 Budget. (Sandi Cross, Office for the Aging Director)

Authorizing the Chairman to accept an additional \$641 in RSVP funding to cover mandatory staff training and amending the budget in relation thereto. (Sandi Cross, Office for the Aging Director)

WATER COMMITTEE

Accepting the finding in the Final Environmental Impact Statement for the County Water Project. (Wes Carr, Youth Bureau Director)

Authorizing Malcolm-Pirnie to proceed on the next phase of the Water project including preparation and evaluation of bid documents. The cost of this phase will not exceed \$109,808. (Wes Carr, Youth Bureau Director)

Authorizing the Chairman to take easements for the Water project. (Wes Carr, Youth Bureau Director)

Mr. Wickerham stated these resolutions will be tabled on Tuesday and will be subject to an adjourned Board Meeting that the Chairman will call.

ECONOMIC DEVELOPMENT

Authorizing the Chairman to enter into necessary agreements for the acceptance of a State Snowmobile Trail Fund Grant in the amount of \$89,010. (Jason Kemper, Planning Director)

Mr. Wickerham said this is money that is paid by the snowmobilers themselves through registrations.

Authorizing the Chairman to accept \$248,000 in State Aid for the MS4 Storm Water Management Project and amending the budget in relation thereto. (George Hodgson, Environmental Management Director)

Mr. Wickerham stated we will be passing this money along to Cooperative Extension for this project.

Authorizing the Chair to apply for and accept "I Love New York" tourism funds in an amount not to exceed \$238,850 and designating the Saratoga County Chamber of Commerce as our Tourism Promotion Agent. (David Wickerham, County Administrator)

Mr. Wickerham said it is our expectation we will be getting about \$65,000.

PUBLIC SAFETY

Authorizing the Chairman to enter into agreements with NYS to accept a \$97,200 Homeland Security Grant. (Paul Lent, Emergency Services Director)

Mr. Wickerham stated this grant will be used for radiological equipment and other equipment.

Authorizing the Chairman to enter into agreements with Verizon to provide Wireless 911 service and equipment at a cost not to exceed \$853,000. (Jim Bowen, Sheriff)

Authorizing the Chairman to enter into an agreement with Interact to provide services and equipment for Computer Aid Dispatch (CAD) as part of the Wireless 911 Emergency Dispatch Project at a cost not to exceed \$590,670. (Jim Bowen, Sheriff)

Amending Resolution #83-06 to correct contract pricing sheet used to calculate total contract cost for Patriot Towers inspection work on County Radio Towers. (Paul Lent, Emergency Services Director)

SUPERVISOR'S ITEM

Honoring the memory of former supervisor Glen Hammond from the Town of Greenfield. (Supervisor Al Janik)

CHAIRMAN'S ITEM

Appointing Charles Hanehan of the Town of Saratoga and Raymond O'Connor of the Town of Wilton to the Saratoga County IDA for the unexpired terms of William Peck and John Simoni.

LAW AND FINANCE

Authorizing the Chairman to enter into agreements with LA Associates in an amount not to exceed \$25,000 to provide services relative to grant applications relating to the Hudson River Dredging and amending the budget in relation thereto. (George Hodgson, Environmental Management Director)

Amending the 2006 budget under Environmental Management Services to appropriate an additional \$5,000 for reproduction services. (George Hodgson, Environmental Management Director)

Mr. Wickerham said the \$30,000 for the above items will come from the Contingency account.

On a motion by Mr. Lawler, seconded by Mr. Callanan, the meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, AUGUST 15, 2006
AT 4:00 P.M., D.S.T.

Board called to order by Chairman Gutheil.

Roll call was taken. PRESENT – Raymond F. Callanan, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Albert Janik, Jeffrey Trottier, Kenneth J. DeCerco, Paul Sausville, Thomas Richardson, Harry G. Gutheil, Jr., Richard C. Hunter, Sr., Thomas N. Wood, III, Cheryl Keyrouze, Joanne Dittes Yepsen, Arthur J. Johnson - 19. ABSENT - J. Gregory Connors, John Lawler, Willard H. Peck, Frank Thompson – 4.

The invocation was given by Thomas Wood, Chaplain.

PUBLIC INPUT

Frances Capiello, Town of Ballston, stated she is against spending \$76 million for water. She said Schenectady County is ready and willing to have us buy water for \$1.05/gal., she said. She said 48 years ago, she came to live in Schenectady from New York City and then to Ballston Lake. She said Saratoga County is growing far too fast. You keep developing and developing. This is a beautiful area, so why are you making it so ugly, she said. If you want New York City, then go down there, she stated. She stated Saratoga County is becoming nothing more than developments. Pretty soon, it will become like Clifton Park, she added. It is up to you people to see if we really need \$76 million down the drain, she stated.

PRESENTATION OF RESOLUTION NO. 195

Chairman Gutheil, along with Supervisors Janik, A. Johnson, Keyrouze, Wood and Yepsen, presented a copy of Res. 195 to Lindsey Ferguson, of the Town of Greenfield, as being named Gatorade New York State Track and Field Athlete Of The Year.

The Clerk presented the following:

Copy of a resolution adopted by the Putnam County Legislature “Memorialization/Support Of The Champlain Quadricentennial Commemoration/Hudson-Fulton 400th Commemoration.”

Referred to Supervisor A. Johnson and the County Administrator.

Notice of a formal complaint, received by the Federal Energy Regulatory Commission, filed by the Fourth Branch Associates against the Hudson River-Black River Regulating District.

Received and filed.

On a motion by Mr. Lucia, seconded by Mr. Trottier, Rule 8 was suspended for the balance of the day on Resolution Nos. 174 through 195 by a unanimous vote.

On a motion by Ms. Daly, seconded by Mr. Callanan, Resolution Nos. 181, 182 and 183 were tabled subject to an adjourned meeting on August 29th.

On a motion by Mr. DeCerco, seconded by Mr. Barrett, all resolutions were adopted by a unanimous vote, with the exception of Resolutions 181, 182 and 183.

RESOLUTION 174 - 06

Introduced by Supervisor Janik

HONORING THE MEMORY OF GLEN D. HAMMOND

WHEREAS, GLEN D. HAMMOND died on July 22, 2006; and

WHEREAS, GLEN was a resident of the Town of Greenfield; and

WHEREAS, GLEN served in the U.S. Army during the Korean War, and was captured and spent two and a half years as a prisoner of war of the Chinese Army; and

WHEREAS, GLEN served his community as an honorary lifetime member of the American Legion Post 70 in Saratoga Springs, was a member and Vice Commander of the Northeast New York Chapter of Ex-Prisoners of War, and was appointed to the Advisory Committee of Ex-Prisoners of War in Washington, D.C. on June 8, 1982, and volunteered his services to the Gerald B. H. Solomon National Cemetery; and

WHEREAS, GLEN was active in community organizations such as Little League, the International Brotherhood of Pulp and Sulphite Workers, the Saratoga Carpenters Union, the Greenfield PTA, the Greenfield Seniors, the Greenfield Snowmobile Club and served as a Trustee of the Porter Corners United Methodist Church and as past captain and a life member of the Greenfield Fire Company; and

WHEREAS, GLEN served for seven years on the Greenfield Planning Board; and

WHEREAS, GLEN served as Supervisor of the Town of Greenfield and a member of this Saratoga County Board of Supervisors from 1984 to 1987; and

WHEREAS, it is appropriate and fitting that this Board commemorate the passing of our friend, and associate; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Saratoga expresses its sense of loss and its sincere sympathies upon the death of GLEN D. HAMMOND and to his beloved family; and be it further

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to the family of GLEN D. HAMMOND.

RESOLUTION 175 - 06

Introduced by Supervisor Gutheil

APPOINTING MEMBERS TO THE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, Chapter 855 of the Laws of 1971 established the County of Saratoga Industrial Development Agency; and

WHEREAS, there are currently two openings on the Industrial Development Agency due to the resignations of William Peck and John Simoni; now, therefore, be it

RESOLVED, that the following people are appointed as members of the County Industrial Development Agency for the stated terms:

<u>Name</u>	<u>Term Expires</u>
Charles Hanahan Town of Saratoga 223 County Road 67 Saratoga Springs, NY 12866	12/31/07
Raymond O'Connor Town of Wilton 19 Carlyle Terrace Saratoga Springs, NY 12866	12/31/06

RESOLVED, that the proper certificates of appointment be filed with the Secretary of State.

RESOLUTION 176 - 06

Introduced by Supervisors M. Johnson, Grattidge, Hargrave, Hunter, Janik, Richardson and Thompson

AMENDING THE BUDGET TO INCREASE APPROPRIATIONS AND REVENUES IN THE BUILDINGS AND GROUNDS DEPARTMENT IN RESPONSE TO INCREASED FUEL COSTS

WHEREAS, Unanticipated increases in the cost of fuel require that additional funds be added to the Department of Public Works/Building & Grounds budget; now, therefore, be it

RESOLVED, that the 2006 Saratoga County Budget is amended as follows:

DEPARTMENT OF PUBLIC WORKS/BUILDINGS AND GROUNDS:

APPROPRIATIONS:

Increase Acct.: #1-50-521-8611 Vehicle Fuel \$105,000

REVENUES:

Increase Acct.: #1-50-1219.I Internal Gas \$105,000

BUDGET IMPACT STATEMENT: The additional \$105,000 in expenses will be charged back to County Departments.

RESOLUTION 177 - 06

Introduced by M. Johnson, Grattidge, Hargrave, Hunter, Janik, Richardson and Thompson

AMENDING RESOLUTION 136-06 TO INCREASE THE FEDERAL AVIATION ADMINISTRATION AVIGATION GRANT FOR THE PURPOSE OF ACQUIRING ADDITIONAL LAND/EASEMENTS AT THE SARATOGA COUNTY AIRPORT AND AMENDING THE 2006 BUDGET

WHEREAS, by Resolution 136-06, this Board of Supervisors accepted a FAA grant in the amount of \$625,000 for the acquisition of avigation easements over properties adjacent to the Saratoga County Airport; and

WHEREAS, additional funds are needed for the completion of this project; and

WHEREAS, additional FAA grant funds are available in the amount of \$237,324 for acquisition of avigation easements and an amendment to the 2006 Capital Plan and Budget is required to accept these funds; now, therefore, be it

RESOLVED, that Resolution 136-06 be and is hereby amended to read as follows:

RESOLVED, that the Chair of the Board execute all documents necessary to apply for and accept an FAA grant in the amount of \$625,000 and additional grant funds in the amount of \$237,324 for the purpose of acquiring land/easements in the approaches to Runway 14-32 at the County Airport; and be it further

RESOLVED, that the 2006 Saratoga County Capital Plan be amended to increase Airport Capital work expenses, and be it further

RESOLVED, that the 2006 Saratoga County Budget be amended as follows:

AIRPORT:

Appropriations:

Increase Acct. #1-50-513-7091 Land \$231,391

Revenues:

Increase Acct. #1-50-3592 SA Airport \$ 5,934

Increase Acct. #1-50-4592 FA Airport \$225,457

AIRPORT:

TRANSFER:

FROM: Acct. #1-50-000-8221 Building Materials \$ 5,933

TO: Acct. #1-50-513-7091 Land \$ 5,933

BUDGET IMPACT STATEMENT: This will result in an additional \$5,933 in County expenses.

RESOLUTION 178 - 06

Introduced by Supervisors Thompson, Barrett, Hunter, Janik, Keyrouze, Lucia and Peck

AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH M.J. ENGINEERING AND LAND SURVEYING, P.C. AND AMENDING THE 2006 BUDGET IN RELATION THERETO

WHEREAS, Saratoga County has contracted with M.J. Engineering and Land Surveying, P.C. for engineering services in the design of a bypass road for traffic around the Village of Round Lake; and

WHEREAS, additional services not contemplated in said contract have become necessary; and

WHEREAS, the Commissioner of Public Works and Public Works Committee recommend amending the contract with M.J. Engineering and Land Surveying, P.C. for additional engineering services as requested by NYSDOT; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized and directed to execute an amendment to the agreement with M.J. Engineering and Land Surveying, P.C. of Clifton Park, New York for its engineering services, for additional services in the design of the Round Lake bypass, at a total cost not to exceed \$238,420, the form and content of said agreement being subject to the approval of the Contract Administrator and the County Attorney; and be it further

RESOLVED, that the 2006 Saratoga County Budget be amended as follows:

DEPARTMENT OF PUBLIC WORKS/HIGHWAY DIVISION

Appropriations:

Increase Acct. #2-50-510-8130 Arch/Engineers \$238,420

Revenues:

Increase Acct. #2-50-3505 NYS Trans. Bond \$238,420

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 179 - 06

Introduced by Supervisors Hargrave, Barrett, Callanan, Grattidge, Keyrouze, Lucia and Yepsen

AUTHORIZING ACCEPTANCE OF A DONATION TO SARATOGA COUNTY OFFICE FOR THE AGING AND AMENDMENT TO 2006 BUDGET

WHEREAS, the Saratoga County Office for the Aging has received an offer of a donation of \$743 from St. Mary’s Church of Crescent, in the Town of Clifton Park; and

WHEREAS, an amendment to the 2006 Saratoga County Office for the Aging Budget is necessary to implement acceptance of this generous donation; now, therefore, be it

RESOLVED, that this Board of Supervisors accepts the generous donation of \$743 by St. Mary’s Church of Crescent, that will be used for the RSVP Discovery Box Program; and, be it further

RESOLVED, that the 2006 County Budget be, and the same hereby is, amended, as follows:

OFFICE FOR THE AGING:

APPROPRIATION:

Increase Acct. #1-76-000-8200 Dept. Supplies \$743

REVENUES:

Increase Acct. #1-76-1554 Donations \$743

and, be it further

RESOLVED, that the Supervisor of the Saratoga County Office for the Aging take the appropriate steps to express the gratitude of the Board for this generous gift.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 180 - 06

Introduced by Supervisors Hargrave, Barrett, Callanan, Grattidge, Keyrouze, Lucia and Yepsen

AMENDING THE SARATOGA COUNTY BUDGET TO ACCEPT ADDITIONAL FUNDS FOR THE RETIRED SENIOR VOLUNTEER PROGRAM

WHEREAS, additional funds are available from the State Office of the Aging for the Retired Senior Volunteer Program, and

WHEREAS, an amendment to the 2006 Budget is necessary to accept these funds; now, therefore, be it

RESOLVED, that the 2006 Saratoga County Budget is amended as follows:

AGING:

Appropriations:

Increase Acct. #1-76-000-8512 Conference \$641.00

Revenues:

Increase Acct. #1-76-4777 FA RSVP \$641.00

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 181 – 06 (TABLED)

Introduced by Supervisors Callanan, Connors, Daly, A. Johnson, Sausville, Thompson and Wood

ACCEPTING THE FINDING IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE COUNTY WATER PROJECT

WHEREAS, by Resolution 128-04 this Board of Supervisors declared itself Lead Agency under the State Environmental Quality Review Act (SEQRA) for review of the environmental impact of the County Wide Water Project; and

WHEREAS, Saratoga County determined that an Environmental Impact Statement (EIS) be drafted and reviewed in accordance with SEQR, and published and circulated a Draft EIS and conducted a public hearing in relation thereto; and

WHEREAS, Saratoga County compiled and reviewed written and oral responses to the DEIS, and has responded to said responses in a Final EIS, dated and issued on August 9, 2006; and

WHEREAS, this Board has reviewed the said FEIS and a proposed Findings Statement and Decision attached hereto; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby adopts, approves, ratifies and accepts the SEQR Findings Statement and Decision attached hereto, and incorporates the said document herein as the Resolution of this Board of Supervisors.

BUDGET IMPACT STATEMENT: No budget impact.

IN THE MATTER OF THE SARATOGA COUNTY WATER
TREATMENT AND TRANSMISSION FACILITIES PROJECT

SEQR FINDINGS STATEMENT AND DECISION

(Approved and Issued August 29, 2006)

Introduction

1. As required by the decision-making and findings requirements of the State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and implementing regulations thereunder at 6 NYCRR Part 617 ("SEQR"¹) and §617.11 in particular, this Resolution adopts the following written Findings Statement and Decision in approving the Saratoga County Water Treatment and Transmission Facilities Project ("the County Water Project" or "the Project").

2. SEQR requires that where a proposed action has been the subject of a Final Environmental Impact Statement ("FEIS"), like the proposed Project, agencies which make a final decision to undertake, fund, approve or disapprove an action must allow at least ten days for final consideration of the FEIS before making their decision on the project. 6 NYCRR §617.11.

3. The above-referenced SEQR provision [6 NYCRR §617.11(c) and (d)], also requires that the agency must render a written decision and findings statement, which makes specific summary certifications that SEQR has been complied with, and which also requires that the "findings" themselves must:

- (1) consider the relevant environmental impacts, facts and conclusions disclosed in the final EIS;
- (2) weigh and balance relevant environmental impacts with social, economic and other considerations;
- (3) provide a rationale for the agency's decision;
- (4) certify that the requirements of this Part have been met;

4. The Project has been the subject of a Draft Environmental Impact Statement ("DEIS"), issued and circulated under cover of a "Notice of Completion of Draft EIS and Notice of SEQR Public Hearing" dated February 28, 2006 and a Final EIS circulated under cover of a "Notice of Completion of Final EIS" dated and issued August 9, 2006. The FEIS, as is common, incorporates the DEIS by reference and responds to public and agency comment on the DEIS made orally at the March 16, 2006 public hearing or in written comments filed with the lead agency during the DEIS public comment period (February 28 - April 7, 2006).

5. Both the DEIS and FEIS as well as all other required SEQR documents and public notices related to the County Water Project were circulated and made generally available to involved and interested agencies and the public in accordance with the provisions of SEQR relative to "document preparation, filing, publication and distribution" set forth at 6 NYCRR §617.12. SEQR documents for the Project were distributed to involved agencies and supervisors in paper

¹ The SEQR regulations are available online on the NYS DEC website at <http://www.dec.state.ny.us/website/regs/part617.html> . General information about the SEQR law and its application to decisions of state and local government agencies is also available at the NYS DEC website at <http://www.dec.state.ny.us/website/dcs/seqr/index.html>.

format, and the EISs were made available to the public in the County offices as well as three public libraries in the proposed Project's service area.

6. As newly required by an amendment to the SEQR law last year (L. 2005, Ch. 641), the DEIS and FEIS are also published electronically and maintained in a downloadable (*.pdf) version on the County's world wide website at <http://www.co.saratoga.ny.us/cntyatty/attyindx.html>.

7. This findings statement is issued in compliance with the above referenced provisions of SEQR at 6 NYCRR §617.11 and, as required by the cited regulation, will reference the "relevant environmental impacts, facts and conclusions disclosed in the final EIS" by citation to those documents in the following specific findings relative to the Project and our decision to proceed with its further development and implementation.

Project Description, Location, Purpose, Public Benefit and Need

8. The County Water Project involves construction and operation of a raw water intake structure and raw water pump station on the south bank of the upper Hudson River in the Town of Moreau, approximately 6,000 feet upstream of the Sherman Island hydroelectric dam. The intake and raw water pump station will be located on State-owned land in the vicinity of the Moreau State Park, adjacent to the Hudson River. Access will be provided off Potter Road through easements within Mine Road, a town access road, and State land. FEIS at 2-1; DEIS §2.3.

9. A State campground is currently being developed by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) pursuant to the Moreau State Park Master Plan for the raw water pump station parcel. The raw water pump station layout has been coordinated to minimize impact to the proposed campground development. The raw water transmission main is approximately 1.6 miles long and is located entirely within the Town of Moreau. Id.

10. The proposed water treatment plant is located on a 16 acre portion of an approximately 30 acre County-owned parcel located at the corner of Butler and Potter Roads in the Town of Moreau which is currently a County pine forest plantation. FEIS at 2-1; DEIS at 2-4.

11. The Project includes approximately 28 miles of 30" - 36" diameter undergrounded pipeline for bulk transmission of the finished water mostly beneath existing roads or utility rights-of-way through the towns and/or city of Moreau, Greenfield, Wilton, Saratoga Springs, Milton, Ballston, and Malta, as well as a water storage tank near the southern terminus of the proposed transmission main on or near the proposed Luther Forest Technology Campus ("LFTC") in the Town of Stillwater. DEIS §§ 2.2, 2.3; DEIS at 2-4.

12. The Project is intended to provide for a near and long-term source of high quality drinking water primarily for the residents of northern and central portions of Saratoga County in compliance with current and reasonably foreseeable federal and state standards and requirements for withdrawal, treatment and transmission of water to municipalities, water districts or other large commercial/industrial users, including the proposed semiconductor manufacturers planning to locate at the LFTC, near the southern terminus of the backbone water pipeline and associated storage tank. DEIS §3.0 at 3-1, 3-2; FEIS §3.3, Comments/Responses 3-9, 3-11, 3-12, 3-20.

13. The Project design is based on, and is the culmination of, several previous planning and feasibility studies for a potential regional bulk water system, going back to the 1960s. In the most recent planning iteration in the late 1980s, continued growth in the County convinced the Board of Supervisors to again investigate a regional water system and the Saratoga County Water Agency commissioned a new study. The study report entitled, "Final Report Intermunicipal Water Supply Study", was published in April 1990 and recommended the upper Hudson River in the Town of Moreau as the preferred source of supply. Two subsequent updates to the Draft Water Supply Master Plan that was originally developed in the 1990 study report, dated May 1995 and June 2002, reinforced the upper Hudson River source water recommendation. DEIS at 2-1.

14. The most recent feasibility study upon which the Project engineering is based is the "Draft Schematic Design Report – Water Treatment and Transmission Facilities (Malcolm Pirnie, June 2003)", hereinafter "Draft Schematic Design Report", which specified the proposed location, design and engineering for the intake, treatment works, finished water backbone pipeline and storage tank. DEIS at 3-1, 19-4. FEIS Appendix "H" (report).

15. The Project engineers have also selected and prospectively contracted for the proposed membrane treatment technology for the treatment plant, based on the effectiveness of that method of water purification and in anticipation of more stringent federal and state requirements for drinking water purity. DEIS, §19.3 (alternative water treatment technologies).

16. The 2003 Draft Schematic Design Report identified an initial demand of 6 MGD based on a projection of community demands, including Saratoga Springs and an industrial demand from LFTC. The 20- to 25-year projections

were noted as 16 MGD average daily demand and 26 MGD peak daily demand. DEIS at 3-1; Draft Schematic Design Report, supra. More recently, this Board of Supervisors has reviewed minimum demands which would allow the facility to be financed through the Saratoga County Water Authority at a minimum 3.65 MGD level, assuming receipt of federal and state grants for the project of \$20 Million, which would allow for the facility to be built and operated on water system user fees, rather than "ad valorem" real property taxes, a major concern raised in many of the public comments on the DEIS. FEIS §3.2, Comments/Responses 2-12, 2-18; EIS §3.3, Comments/Responses 3-9, 3-27.

Potential Significant Environmental Impacts and Mitigation

17. Construction and operation of the Proposed Action is not expected to result in any unavoidable adverse impacts on the environment. All potentially adverse environmental impacts would either be avoided, minimized, or appropriately mitigated such that they do not constitute a significant adverse impact. FEIS at 2-2.

18. Implementation of the Proposed Action would not change the substrate of the Hudson River bottom at the site of the intake structure. Two steel pilings would be founded on bedrock to support the intake structure in the Hudson River. Five pilings would be installed upstream of the intake structure to protect it from damage by submerged logs or other river debris. No additional fill would be deposited within the river channel. Such changes would not result in significant adverse impacts to the local aquatic community, but would add additional structure for utilization by fish and other local aquatic organisms as habitat for colonization. FEIS at 2-4; DEIS §16.2.

19. Impacts to terrestrial resources have been avoided and minimized through site location and project engineering and adverse impacts are not expected. Most of the finished water transmission main route parallels existing roads, rights-of-way, and railroad beds; these railroad beds have been converted to gas and sewer pipeline rights-of-way. These areas are disturbed and, therefore, offer minimal habitat value. Most impacts to terrestrial resources as a result of construction of the finished water transmission main would be temporary. FEIS at 2-4; DEIS §17.2.

20. Most of the proposed impacts, both permanent and temporary, would be located through very narrow sections of larger freshwater wetlands. These impacts affect a small percentage of the overall freshwater wetland areas and by nature would not have significant negative effects on the wetland systems. Stretching over 28 miles and several sub-watersheds, the overall impacts of the Proposed Action would be minimal and it is anticipated that there would be no net loss of freshwater wetland functions and values. DEIS at 17-15.

21. Adverse impacts are not expected to occur to Karner blue butterfly and frosted elfin habitat or to populations of these species as a result of construction of the finished water transmission main because suitable habitat does not occur within the construction right-of-way. Impacts to Indiana bats associated with the construction and operation of the Proposed Action are not anticipated. Potential impacts to wintering bald eagles would also be minimized by stringent construction oversight and limited site disturbance. FEIS §3.17, Comment/Response 17-2 (Bald Eagle); DEIS §17.2.6.2, FEIS §3.17, Comment/Response 17-5 (Indiana bat); DEIS §17.1.6 (Karner Blue). The Project Sponsor has agreed to a mitigating condition requested by the NYS DEC to avoid winter construction near the Hudson River to avoid disturbance to wintering bald eagle habitat. FEIS §3.17, Comment/Response 17-2.

22. The use of hazardous materials is not expected to cause adverse impacts to the environment. At the water treatment plant site, chemicals (except for Powered Activated Carbon (PAC) that would be stored in a silo) will be stored in tanks or totes that would have secondary containment systems to prevent their unexpected or uncontrolled release. A Spill Prevention Plan (SPP) will be prepared for the Proposed Action that will identify measures to ensure the chemical storage systems comply with applicable codes and regulations and are maintained in proper working order. The chemicals that are delivered in bulk will be unloaded in an area that will have secondary containment to collect and contain chemicals in the event of a spill. The SPP will also identify measures to ensure the diesel fuel storage systems comply with regulations and are maintained in proper working order. The SPP will address the delivery and storage of fuel and will include mitigation measures in the event of a petroleum spill. DEIS §18.3.

23. Adverse impacts on surface water and aquatic resources are not anticipated. Stream crossings will be avoided, if possible. The lengths of the unavoidable crossings will be minimized by pulling in sideslopes, wherever possible. Stream impacts will be mitigated in accordance with New York State Department of Environmental Conservation (NYSDEC) and United States Army Corps of Engineers (USACE) permitting and stream mitigation requirements. FEIS at 2-3; DEIS §15.2.

24. Construction of the Proposed Action will not result in adverse impacts to groundwater. The Proposed Action will disturb the soils and overburden on the sites of the raw water intake line, raw water pump station, raw water transmission main, water treatment plant, finished water transmission main, and water storage tank. The anticipated depth of disturbance for most of the project is approximately 8 feet below ground surface (bgs), while the anticipated depth to groundwater in the surficial overburden deposits is approximately 10 feet bgs. Construction of the raw water pump station will involve

activities 60 feet below bgs and will require temporary dewatering. Temporary dewatering will not result in adverse impacts to groundwater. FEIS at 2-3; DEIS §§7.2, 8.2.

25. Construction noise impacts will not be adverse, and will be short-term and temporary in nature. Noise mitigation measures will be implemented during construction to minimize noise impacts at the surrounding sensitive receptors, particularly along the raw water transmission main and the finished water transmission main routes. Depending on the work site location and type of construction activity, a variety of mitigation measures will be implemented to minimize construction noise impacts. Noise impacts from operating the water treatment plant and raw water pump station will be minimal and not adverse since most equipment will be located inside enclosed buildings with several hundred feet of undeveloped property located between these facilities and the closest sensitive receptors. FEIS at 2-3; DEIS §§ 13.2, 13.3.

26. The Proposed Action is not expected to result in adverse impacts to air quality. Mitigation measures would be implemented during construction at the sites of the raw water intake line, raw water pump station, raw water and finished water transmission mains, water treatment plant, and water tank to control fugitive dust emissions. A Storm Water Pollution Prevention Plan would be prepared for the Proposed Action that would contain Best Management Practices (BMPs) for the minimization of fugitive dust generation. The BMPs instituted would include the utilization of a water truck for dust suppression, sweeping the roadways to remove mud and dirt tracked onto the road, and construction of stabilized entrances at the raw water pump station and water treatment plant site in order to minimize mud track out. FEIS at 2-3; DEIS §§12.2, 12.3.

27. Construction of the Proposed Action would not have adverse impacts on the consolidated geologic formations underlying the Project Site. Mitigating measures would be implemented during construction at the sites of the raw water intake line, raw water pump station, raw water transmission main, water treatment plant, finished water transmission main, and water tank to minimize subsurface disturbances to the greatest extent possible. FEIS at 2-2; DEIS §§ 7.2, 7.3.

28. Construction of the Proposed Action will not result in adverse impacts to soils and topography. Construction would disturb the soils located on the sites of the raw water intake line, raw water pump station, raw water transmission main, water treatment plant, finished water transmission main, and the water tank. Soils will be replaced following construction and disturbed areas will be restored. The topography of the Project Site would be modified to the least degree possible on the raw water pump station and water treatment plant sites. Upon completion of construction of the buildings and facilities on these sites, the topography would be restored to as close to the original grades as possible. The topography of these two sites would not be significantly modified by construction of the Proposed Action. Id.

29. It is anticipated that construction of the Saratoga County Water Treatment and Transmission Facilities project would not result in adverse impacts to historic or archaeological resources. The Phase IB Report recommends avoidance of each site that may contain significant cultural resources. Through rerouting and redesign of sections of the raw water and finished water transmission mains, impacts to nine of the 11 identified sites have avoided. The other two sites have been investigated further and preliminary Phase II findings indicate that no additional avoidance is required in these areas since they are not significant. FEIS at 2-2, 3-34; DEIS §§9.2, 9.3.

30. The Visual Character Assessment identifies that the Proposed Action is only expected to potentially have a temporary impact on the viewscape of the raw water pump station site directly west of this site on the raw water intake line site, from a small section of the Hudson River located directly west of this location, and directly across the river at its western bank. Temporary impacts are not expected to be significant and would not result in a disturbance to unique or rare viewsheds in the Project Site. FEIS at 2-2; FEIS §3.6, Comments/Responses 6-4, 6-5, 6-6.

Alternatives

31. As per the approved Final Scoping Statement, the DEIS and FEIS considered the following alternatives as mandated by SEQR's requirement for EISs to consider "...a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor. The description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed", including the required "no action" alternative..." (i.e., not proceeding with the project). 6 NYCRR §617.9(b)(5)(v). These alternatives studied in the DEIS per §6.0 of the approved Final Scoping Statement (DEIS, Appendix "H"), which set forth alternatives to be evaluated, including alternative water sources, water treatment technologies, and alternate facility locations for the intake and raw water pump station, treatment plant site, water transmission main and storage tank. DEIS §19.0; FEIS §3.19.

32. None of the alternatives studied would either better meet the objectives of the project sponsor or cause less environmental impact than the preferred alternative. The facility locations and configurations chosen were those which minimized or avoided significant environmental impacts. Id.

Growth-Inducing Impacts

33. The role of the utility systems in fostering and affecting land use has been the subject of much study, especially recently with the increased interest in “smart growth” and “sustainable development.” In the case of this project, it has been contemplated in association with the development of LFTC and the general growth trends of the region. To date, there have been numerous studies of both this project and the development of LFTC. While the potential growth impact of the project is recognized, like the potential impact of the LFTC, it is a very complex process to predict what future actions may be taken by private developers and enterprises in connection with a public project such as the Proposed Action. Each community’s regulations and governing bodies will determine how development occurs. FEIS at 2-6; DEIS §21.0.

34. All new developments would need to be in compliance with local zoning plans and be subject to their own environmental reviews on a case-by-case basis. No project specific mitigation measures are proposed as any change in development patterns or new development would need to be consistent with local zoning, and be approved on a local level. Each would be subject to its own site plan approval and SEQRA review process and as such is beyond the scope of this study. Id.

35. When new development is proposed, both public and private development decisions are governed primarily by economic, financial, and site-specific considerations within the real estate marketplace (primarily related to supply and demand – i.e., land availability, affordability, and population growth). Residential and commercial growth in the area surrounding the reach of the Proposed Action is affected, to a considerable extent, by public policy initiatives; including such factors as funding and public subsidies, and Plans that are implemented by various federal, state, and City agencies. Therefore, the proposed construction and operation of the Proposed Action in and of itself is not expected to induce development within its service area beyond the growth that would occur normally or at an increased pace on account of LFTC. Id.

36. The DEIS and FEIS document that all of the areas which would likely receive water along the pipeline backbone have zoning and planning boards, laws and procedures relative to review of new development and that most are considering master plan revisions where the issues of concern to the public such as control of traffic, sprawl, allowable uses and densities, open space preservation and similar land use issues are being currently reviewed on account of LFTC development or other growth concerns. DEIS §21.0; FEIS §3.21.

Effects on Use and Conservation of Energy

37. The Proposed Action would require energy for construction and operation of the intake structure, raw water intake line, raw water pump station, raw water transmission main, water treatment plant, finished water transmission main, and water tank. Energy in the form of diesel fuel would be required to operate the mobile and stationary equipment that would be utilized to construct the Proposed Action; construction activities would be staged to complete each task in the shortest time period necessary. Energy would be required during operations to pump the raw water from the Hudson River, treat it, and send it through the finished water transmission main for distribution. FEIS §2.6; DEIS §23.1

38. In order to process raw water from the Hudson River, a series of vertical turbine pumps would be located at the raw water pump station and water treatment plant to lift water through the conveyance system to the water treatment plant for processing. The estimated maximum power required to pump the raw water from the intake structure to its discharge point at the water treatment plant is 17,800 kW per day. Based on the proposed design, it is estimated that the total energy used to operate the water treatment plant and distribution system is anticipated to be 35,700 kW per day. Adequate power exists in the region; therefore, operation of the Proposed Action would not have a significant adverse impact on energy sources or supplies. Id.

39. Energy conservation measures would be implemented at the buildings that would be located at the raw water pump station and water treatment plant sites. Energy savings would be maximized in the water treatment process with the use of variable frequency drives that would allow all pump systems to speed up and down as system demand requires. The Proposed Action, with the incorporation of energy conservation measures, would not have a significant adverse impact on the use of conservation of energy sources or supplies. Id.; DEIS §23.2.

Conclusions and SEQRA Certifications

40. Based on the foregoing findings and facts contained in the FEIS for this Project as set forth above in ¶¶ 8 through 39 above, the Board of Supervisors hereby approves the construction and operation of the proposed Project as specified in the Draft Schematic Design Report, and authorizes all agencies and instrumentalities of the County, including the Saratoga County Water Authority, to proceed with the implementation of the Project, including seeking further governmental permits, approvals, grants or loans required, purchasing necessary lands or easements for development, preparing and letting construction bids, and seeking such advice in assistance in public finance, engineering, legal and other services related to the project as may be necessary and desirable, all subject to the further reviews and approvals and conditions as

may be directed from time to time by the Board of Supervisors, Saratoga County Water Authority or other agencies involved in the further implementation of the project.

41. Based on the foregoing findings and facts contained in the FEIS for this Project as set forth above in ¶¶ 8 through 39 above, the Board of Supervisors hereby finds and determines that given the demonstrated public need and benefit of the project and its lack of significant adverse environmental impacts and its avoidance of same by project design, location and mitigation, that our decision to proceed with the Project as proposed gives due consideration to and represents a reasonable and proper balancing of environmental with social, economic and other relevant considerations.

42. Based on the foregoing findings and facts contained in the FEIS for this Project as set forth above in ¶¶ 8 through 39 above, the Board of Supervisors hereby specifically finds, determines and certifies that with respect to above decision to proceed with the Project as proposed, that the procedural and substantive requirements of SEQR have been met as described in ¶¶ 4 through 7 above, and that that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

RESOLUTION 182 – 06 (TABLED)

Introduced by Supervisors Callanan, Connors, Daly, A. Johnson, Sausville, Thompson and Wood

AUTHORIZING AGREEMENT WITH MALCOLM PIRNIE FOR ENGINEERING SERVICES FOR THE PREPARATION AND EVALUATION OF BID DOCUMENTS FOR THE COUNTY WATER PROJECT

WHEREAS, by Resolution 128-04, this Board of Supervisors resolved to pursue the creation of a County wide water system including a water treatment facility obtaining water from the upper Hudson River and a pipeline to transmit treated water south to the area of Saratoga Springs and from there to communities and facilities in need of a safe and reliable public water supply; and

WHEREAS, by Resolution 155-04, this Board of Supervisors authorized an agreement with Malcolm Pirnie, Inc. for engineering services for the design of the County Wide Water System; and by Resolution 34-05 for further engineering services to complete environmental review and permit applications; and

WHEREAS, the County is prepared to go out to bid for contracts for the construction of the system; and

WHEREAS, the Water Committee recommends that Malcolm Pirnie, Inc. be retained for this purpose; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Malcolm Pirnie, Inc. of Albany, New York to provide engineering consultant services for the preparation and evaluation of bid documents for the construction of the County Wide Water Supply System for a sum not to exceed \$109,808, the form and substance of such contract subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: Funds from State grant will underwrite this phase.

RESOLUTION 183 – 06 (TABLED)

Introduced by Supervisors Callanan, Connors, Daly, A. Johnson, Sausville, Thompson and Wood

AUTHORIZING THE NEGOTIATION AND EXECUTION OF EASEMENTS FOR THE COUNTY WIDE WATER SYSTEM

WHEREAS, Resolution 130-06 authorized our agreement with Malcolm Pirnie, Inc. to prepare easement documents for the transmission line of the county wide water system; and

WHEREAS, these easements will be necessary for the construction and maintenance of the system; now, therefore, be it

RESOLVED, that Saratoga County, its employees, agents and subcontractors are authorized to take all steps necessary to negotiate and obtain easements for the county wide water system by purchase or otherwise; and be it further

RESOLVED, that the Chair of the Board is authorized to executed any and all necessary documents to obtain easements for the construction and maintenance of the county wide water system.

BUDGET IMPACT STATEMENT: None. The costs of the easements are included in the total project cost.

RESOLUTION 184 - 06

Introduced by Supervisors Peck, Daly, DeCerco, A. Johnson, Lawler, Sausville and Yepsen

AUTHORIZING CHAIR TO ENTER INTO THE NECESSARY AGREEMENTS TO ACCEPT A SNOWMOBILE 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 SFY 2006/07 grant and to serve as a conduit between the State and the Association for the distribution of grant funds; and

WHEREAS, that the Association has submitted to our Economic Development Committee a list of the approved trail mileage for each snowmobile club within the County and the Committee approved said list; 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 Trail Development Fund Grant not to exceed \$89,010 and for its administration by the Saratoga County Association of Snowmobile Clubs; and be it 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 be it 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. 100% State Aid.

RESOLUTION 185 - 06

Introduced by Supervisors Peck, Daly, DeCerco, A. Johnson, Lawler, Sausville and Yepsen

AUTHORIZING THE ACCEPTANCE OF A NEW YORK STATE STORM WATER MS4 GRANT AND FUNDING COUNTY SHARE AND AMENDING THE 2006 COUNTY BUDGET

WHEREAS, Saratoga County has determined that certain work, as described in its application for a New York Storm Water Grant is desirable, is in the public interest, and is required in order to implement the Grant; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of a contract and Saratoga County deems it to be in the public interest and benefit under this law to enter into a State Assistance Contract, now, therefore, be it

RESOLVED, the Chair of the Saratoga County Board of Supervisors is the representative authorized to act in behalf of the Saratoga County Board of Supervisors in all matters related to State assistance under ECL Article 56 Title 3, and is authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Saratoga County Board of Supervisors, and be it further

RESOLVED, that the Board of Supervisors agrees that it will provide, through in-kind services, its portion of the Project and that such in-kind services will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and be it further

RESOLVED, that a certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation, and be it further

RESOLVED, that the 2006 County Budget be, and the same hereby is, amended, as follows:

PLANNING DEPARTMENT:

APPROPRIATION:

Increase Acct. #1-90-900-8724 Cooperative Extension	\$248,000
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REVENUES:

Increase Acct. #1-90-3987 MS4 Funding	\$248,000
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and, be it further

RESOLVED, that this Resolution take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 186 - 06

Introduced by Supervisors Peck, Daly, DeCerce, A. Johnson, Lawler, Sausville and Yepsen

DESIGNATING THE SARATOGA COUNTY CHAMBER OF COMMERCE AS THE COUNTY TPA (TOURISM PROMOTION AGENCY) AND AUTHORIZING THE SARATOGA COUNTY CHAMBER OF COMMERCE TO APPLY FOR "I LOVE NEW YORK" GRANTS FOR 2006-2007

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

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

WHEREAS, the maximum possible grant approximates \$238,850; and

WHEREAS, the 2006 Budget for tourism promotion includes a sufficient amount for the required local commitment for that maximum grant request with a total possible program expenditure of \$238,850; and

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

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

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

RESOLVED, that the Chairman of this Board of Supervisors is authorized and directed to execute and file necessary applications, acceptance and subrecipient documents required by the New York State Department of Economic Development for the maximum award of tourism matching funds for 2006-2007 with a possible total program expenditure of \$238,850.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 187 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS TO ACCEPT \$97,200.00 IN STATE HOMELAND SECURITY AID FOR THE PURCHASE OF EMERGENCY MANAGEMENT EQUIPMENT AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, funds are available from New York State under its Homeland Security Program; and

WHEREAS, these funds can be used to purchase emergency management equipment; now, therefore, be it

RESOLVED, that the 2006 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES DEPARTMENT

Appropriations:

Increase Acct.: #1-36-363-7080 Equipment	\$90,000
Increase Acct.: #1-36-363-8519 Prof. Safety Supplies	\$ 7,200

Revenues:

Increase Acct.: #1-36-3306 Homeland Security	\$97,200
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 188 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

AUTHORIZING AGREEMENTS WITH VERIZON FOR THE PURCHASE, INSTALLATION AND MAINTENANCE OF A WIRELESS 911 SYSTEM

WHEREAS, by Resolution 116-05, this Board of Supervisors accepted a grant to implement a wireless 911 system; and

WHEREAS, Venison, through its subsidiaries, Venison, Select Services, Inc. and Verizon, New York, Inc., has been selected to furnish equipment and software necessary for a wireless 911 system and for its maintenance; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Verizon Select Services, Inc. for the sale and installation of Wireless 911 system equipment at a cost not to exceed \$515,959.47 and with Verizon, New

York, Inc. for a maintenance agreement at a cost not to exceed \$306,889.00, the form and substance of said agreements subject to the approval of the County Attorney and the Contract Administrator; and be it further

RESOLVED, that the Chair appoint a change order committee to consider and execute any change orders at a cost not to exceed 20% of the said costs.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 189 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson, and Trottier

AUTHORIZING AN AGREEMENT WITH COLOSSUS, INCORPORATED, d/b/a INTERACT PUBLIC SAFETY SYSTEMS TO PROVIDE EQUIPMENT, INSTALLATION AND MAINTENANCE OF A COMPUTER AID DISPATCH SYSTEM

WHEREAS, by Resolution 116-05, this Board of Supervisors accepted a grant to implement a wireless 911 system; and

WHEREAS, Colossus, Inc., d/b/a Interact Public Safety Systems, has been selected to provide equipment, installation and maintenance of a Computer Aid Dispatch system to be used in conjunction with the wireless 911 system; now, therefore, be it

RESOLVED, that the Chair execute an agreement with Colossus, Inc. d/b/a Interact Public Safety Systems, for the purchase, installation and maintenance of a Computer Aid Dispatch system for the wireless E-911 system, at a cost not to exceed \$590,670, the form and substance of such agreement subject to the approval of the County Attorney and the Contract Administrator; and be it further

RESOLVED, that the Chair of the Board appoint a change order committee to consider and execute change orders of a cost not to exceed 20% of said cost.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 190 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

AUTHORIZING AMENDMENT OF PATRIOT TOWERS, INC. CONTRACT TO CORRECT RATES OF PAYMENT

WHEREAS, by Resolution 83-06 this Board of Supervisors authorized a contract with Patriot Towers, Inc. for emergency repairs to the County's radio towers at a cost not to exceed \$25,900; and

WHEREAS, the contract executed between Saratoga County and Patriot Towers, Inc. provided for incorrect rates of payment for the agreed services; and

WHEREAS, an amendment to the said contract is needed to correct the stated rates in accordance with the intent of the parties; and

WHEREAS, the total cost of the services of Patriot Towers, Inc. will not exceed the limit of \$25,900 set by Resolution 83-06; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the contract with Patriot Towers, Inc. to provide for payment for their services in the emergency repair of the County's radio towers in accordance with the Tower Repair and Inspections Proposed Pricing dated March 13, 2006 of Patriot Towers, Inc., for a cost not to exceed \$25,900 the substance and content of said amendment subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 191 - 06

Introduced by Supervisors Barrett, DeCerce, Hargrave, A. Johnson, M. Johnson, Peck and Wood

AUTHORIZING AN AGREEMENT WITH LA GROUP, LANDSCAPE ARCHITECTURE AND ENGINEERING, P.C. TO ASSIST IN MAKING GRANT APPLICATIONS IN RELATION TO THE PCB DREDGING PROJECT AND AMENDING THE 2006 BUDGET

WHEREAS, the PCB Dredging Project will have a multitude of impacts on the various communities of Saratoga County located along the Hudson River; and

WHEREAS, funds may be available through grants from state and federal agencies to address and mitigate these impacts; and

WHEREAS, it is necessary to obtain qualified expert assistance in writing effective applications for grant funds; and

WHEREAS, the Dredging Committee recommends the retaining of LA Group Landscape Architecture and Engineering, P.C. for this purpose; and

WHEREAS, an amendment to the 2006 Budget is necessary for this purpose; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with LA Group, Landscape Architecture and Engineering, P.C. of 40 Long Alley, Saratoga Springs, New York to assist in making grant applications relating to the Hudson River PCB Dredging Project, for a sum not to exceed \$25,000, the form and substance of said agreement subject to the approval of the County Attorney and the Contract Administrator; and be it further

RESOLVED, that the 2006 Saratoga County Budget is amended as follows:

ENVIRONMENTAL SERVICES

TRANSFER:

FROM: Acct. #1-14-999-9000 Contingency	\$25,000
TO: Acct. #1-82-000-8130 Arch/Engineers	\$25,000

BUDGET IMPACT STATEMENT: This will reduce contingency by \$25,000.

RESOLUTION 192 - 06

Introduced by Supervisors Barrett, DeCerco, Hargrave, A. Johnson, M. Johnson, Peck and Wood

AMENDING THE BUDGET UNDER ENVIRONMENTAL MANAGEMENT TO PROVIDE \$5,000 FOR REPRODUCTION SERVICES

WHEREAS, various functions within our Environmental Management Department have necessitated unusual large document reproduction costs; and

WHEREAS, the 2006 Budget does not provide funds for this purpose; now, therefore, be it

RESOLVED, that the 2006 Budget is amended as follows:

ENVIRONMENTAL MANAGEMENT SERVICES:

TRANSFER:

FROM: Acct. #1-14-999-9000 Contingency	\$5,000
TO: Acct. #1-82-000-8560 Printing	\$5,000

BUDGET IMPACT STATEMENT: This will reduce contingency by \$5,000.

RESOLUTION 193 - 06

Introduced by Supervisors Barrett, DeCerco, Hargrave, A. Johnson, M. Johnson, Peck and Wood

ADOPTING LOCAL LAW NO. 6-06 TO CHANGE SARATOGA COUNTY SEWER DISTRICT NO. 1'S BILLING PROCEDURE FOR ANNUAL SEWER USER CHARGES FOR THE CITY OF MECHANICVILLE

WHEREAS, Resolution 158-06 introduced and presented proposed Local Law No. 6 - 2006 to this Board of Supervisors and scheduled a public hearing thereon for July 12, 2006 at 4:50 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 15th day of August, 2006 hereby adopts a Local Law identified as Local Law No. 6 as set forth in annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

LOCAL LAW NO. 6 FOR 2006

A LOCAL LAW TO CHANGE SARATOGA COUNTY SEWER DISTRICT NO. 1'S BILLING PROCEDURE FOR ANNUAL SEWER USER CHARGES FOR THE CITY OF MECHANICVILLE

BE IT RESOLVED by the Board of Supervisors of the County of Saratoga as follows:

SECTION 1. Purpose

It is the purpose of this Local Law to amend County of Saratoga Local Law No. 3 of the year 1984 to change the procedure by which Saratoga County Sewer District No. 1 bills its annual sewer user charge to the City of Mechanicville from a single bulk billing to the City of Mechanicville to separate billings of the City's individual users.

SECTION 2. Amendment of Local Law No. 3 of 1984

Article X, Section 104 of Local Law No. 3 of 1984 is hereby amended to read as follows:

Section 104. Rates: The SARATOGA COUNTY SEWER DISTRICT #1, subject to the approval of the Board of Supervisors, shall at least bi-annually review its schedule of rates and charges.

Town and County Tax ~~[bill]~~ bills and the City of Mechanicville City and County Tax bills shall be utilized whenever possible for the billing of the annual user charge for the trunking and treatment of SEWERAGE. The ~~[Cities]~~ City of Saratoga Springs ~~[and Mechanicville]~~ shall ~~[each]~~ be considered a single user and shall be billed annually by the District for the total sum due from the ~~[particular]~~ municipality for the trunking, treatment and collection of the sewerage. Billing of individual sewer user charges in the City of Mechanicville shall commence with the annual user charges billed for the year 2007.

The District may bill separately for the collector sewerage charge, which charge may be paid in installments as determined by the Commission and the Board of Supervisors.

Penalties for unpaid user and collector charges shall be levied at the rate of one percent per month for each month or portion thereof that the bill is unpaid after the last day fixed for payment. Bills remaining unpaid as of November 1, of each year will also be subject to the enforcement and collection procedures as set forth in Section 266(3) of the County Law.

Section 3. Effective Date

This Local Law shall take effect upon filing in the office of the Secretary of State in accordance with section twenty-seven of the Municipal Home Rule Law.

EXPLANATION – Matter underscored is new; matter in brackets and stricken out is old law to be omitted.

RESOLUTION 194 - 06

Introduced by Supervisors Barrett, DeCerco, Hargrave, A. Johnson, M. Johnson, Peck and Wood

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 3-06, PRINT NO. 1 TO APPROVE THE ALLOCATION OF ZONE LANDS FOR THE PROPOSED EXPANSION OF DC SPORTS MANUFACTURING PROJECT AS A REGIONALLY SIGNIFICANT PROJECT OF THE SARATOGA COUNTY EMPIRE ZONE

WHEREAS, Resolution 171-06 introduced and presented proposed Introductory No. 3, Print No. 1 of 2006 to this Board of Supervisors and scheduled a public hearing thereon for August 9, 2006 at 4:45 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board, as lead agency, under the State Environmental Quality Review Act hereby determines that the adoption of this Local Law will have no significant negative environmental impact; and be it further

RESOLVED, that this Board of Supervisors, on this 15th day of August, 2006 hereby adopts a Local Law identified as Introductory No. 3, Print No. 1 as set forth in annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

A LOCAL LAW APPROVING THE ALLOCATION OF ZONE LANDS FOR THE PROPOSED EXPANSION OF DC SPORTS MANUFACTURING PROJECT AS A REGIONALLY SIGNIFICANT PROJECT OF THE SARATOGA COUNTY EMPIRE ZONE

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

Section 1.

WHEREAS, DC Sports sells sporting goods and screen printed/embroidered athletic apparel to high schools and colleges throughout the United States; and

WHEREAS, DC Sports is proposing to relocate its corporate headquarters and expand its production capabilities from Bergen County, New Jersey to the City of Mechanicville; and

WHEREAS, DC Sports will be hiring approximately 25 people, including management, office personnel and production workers, necessary for the company to operate out of its new headquarters. Within three years, the amount of new hires would exceed 60 people; and

WHEREAS, the project is not within the boundaries of the Saratoga County Empire Zone; and

WHEREAS, the New York State Department of Economic Development has determined that the proposed expansion is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Saratoga County Empire Zone Administrative Board has determined that the proposed expansion is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law

NOW THEREFORE BE IT RESOLVED that the Saratoga County Board of Supervisors approve the allocation of zone lands for the proposed expansion of the DC Sports manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development Law.

BE IT FURTHER RESOLVED, said empire zone acreage to constitute the following property description:

City of Mechanicville DC Sports Empire Zone

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the City of Mechanicville, County of Saratoga, State of New York, lying generally at the intersection of the east line of Hudson Street with the north line of Hill Street, and being more particularly described as follows:

Being an irregular shaped parcel identified on the 2005 tax maps of the City of Mechanicville as and containing the following Tax Map Parcel: 262.61-2-14.

Section 2.

The Saratoga County Empire Zone Administrative Board requests that the New York State Commissioner of Economic Development approve this addition to the Saratoga County Empire Zone as described in Section 1.

Section 3.

This local law shall take effect immediately.

RESOLUTION 195 - 06

Introduced by Supervisors Janik, A. Johnson, Keyrouze, Sausville, Thompson, Wood and Yepsen

CONGRATULATING LINDSEY FERGUSON ON BEING NAMED GATORADE NEW YORK STATE TRACK AND FIELD ATHLETE OF THE YEAR

WHEREAS, the Saratoga County Board of Supervisors wishes to acknowledge the significant accomplishments of residents of Saratoga County; and

WHEREAS, Lindsey Ferguson of the Town of Greenfield was recently named the 2005-2006 Gatorade New York State Track and Field Athlete of the Year; and

WHEREAS, Lindsey has been captain and leader of the Saratoga Springs High School Girls Cross Country Team, which has met with great success, winning multiple sectional, state and meet titles; and

WHEREAS, Lindsey is a two time state and national steeple chase champion, having set and then broken the national record in the event; and

WHEREAS, it requires huge amounts of time and hard work to attain the skills and expertise needed to excel as well as Lindsey has; and

WHEREAS, this Board of Supervisors wishes to recognize the dedication and hard work as well as the accomplishments of this individual; now, therefore, be it

RESOLVED, that this Board of Supervisors expresses its congratulations and that of the residents of Saratoga County to Lindsey Ferguson for being named the Gatorade New York State Track and Field Athlete of the Year and acknowledges and appreciates the dedication and hours of hard work that led to her success, and be it

RESOLVED, that the Clerk of the Board deliver a certified copy of this Resolution to Lindsey Ferguson.

Ms. Daly stated she has been asked by the Clifton Park World Series President, Mr. Butler, to inform the Board that the Babe Ruth World Series will begin on Friday with a picnic and a full game scheduled for next week. Mr. Butler has requested that the Supervisors ask for him when they go to a game so that he can personally meet with you, she said. She stated for a game schedule, you can go to the web at CliftonParkWorldSeries.com.

Mr. Johnson, of the Special Events Committee, reminded all Supervisors of the Golf Outing scheduled for Friday, September 8th at the Pioneer Hills Golf Club that will have a shot gun start. He said the Committee would like to see you all participate in a luncheon around 12:30 p.m. even if you do not play golf.

Mr. Trottier said he put information in each Supervisor's box on the opening of the Bow Bridge on August 25th at 3:00 p.m. He said the bridge has been restored to its original likeness. He extended an invitation to everyone for this grand opening.

On a motion by Mr. Callanan, seconded by Mr. Barrett, the meeting was adjourned to August 29, 2006 at 4:00 p.m.

Barbara J. Plummer, Clerk