

A G E N D A

October 11, 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, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Albert Janik, Jeffrey Trottier, Kenneth J. DeCerco, Paul Sausville, Thomas Richardson, Frank Thompson, Harry G. Gutheil, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Cheryl Keyrouze, Joanne Dittes Yepsen, J. Gregory Connors, Arthur J. Johnson – 22. ABSENT - John Lawler – 1.

On a motion by Mr. Hargrave, seconded by Mr. Thompson, the minutes of the meeting of September 13, 2006 were approved unanimously.

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

PUBLIC HEALTH

Authorizing the Chairman to enter into an agreement with NYS Department of Health to accept a \$200,635 Bio-terrorism grant for the period beginning August 31, 2006 and ending August 30, 2007. ((Helen Endres, Public Health Nursing Director)

EQUALIZATION AND ASSESSMENT

Conveying 17 parcels sold at the September auction to the successful bidders. (Sam Pitcherale, County Treasurer)

Approving a refund of \$7,372.56 in the Town of Clifton Park for an assessment error on sewer charges. (Carol Holley, Real Property)

Authorizing conveyance of lands in the Town of Moreau to Moreau Realty, LLC for \$66,000. (Mark Rider, County Attorney)

Mr. Wickerham said this was an environmentally challenged piece of property, and this was the high bid of sealed bids.

BUILDINGS AND GROUNDS

Authorizing the Chairman to enter into an agreement with Anjerami Oliver Waldbillig Associates for replacement of the Maplewood Manor's kitchen sewer lines at a cost not to exceed \$152,506. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham stated they were the low proposer.

SUPERVISOR'S ITEM

Honoring the memory of Carl Seymour former Supervisor from the Town of Northumberland. (Supervisor Bill Peck)

LAW AND FINANCE

Authorizing Inter-agency transfers necessary to close out the 2006 budget. (David Wickerham, County Administrator)

Mr. Wickerham stated this gives the County Administrator the authority to make transfers without Board resolution. Copies will be given to all Supervisors at the end of the year, he said.

Approving IDA bonds in the amount of \$5 million to refinance a project for the American Housing Foundation, Inc. (Jason Kemper, Planning Director)

Mr. Wickerham said this gives certain tax breaks to the tax-exempt organization.

Authorizing the Chairman to enter into an amended contract with APCC (Air Pollution Characterization and Controls) for the amended amount of \$15,000 for each year of the remaining term of the bid. (Jim DiPasquale, Sewer District Director)

Mr. Wickerham said this year; they exceeded our \$10,000 minor contract maximum.

Authorizing the Chairman to enter into an agreement with Info Quick Solutions for digitizing mortgages and deeds at a cost not to exceed \$162,750. (Kathy Marchione, County Clerk)

Authorizing settlement of claim. (Mark Rider, County Attorney)

Mr. Wickerham said this is a lawsuit involving the Saratoga Springs School District, City of Saratoga Springs, ourselves and Quad Graphics. The settlement was \$68,000 for the overall claim, he said.

Vice-Chairman Barrett said Sam Pitcherale, County Treasurer, has presented us with an outside audit performed on County finances. It was extremely clean, and in Sam's words, we received an A. Great job by Sam and his staff, he said.

Mr. DeCerce said all Supervisors should have received an invitation to Cooperative Extension's annual meeting and roast beef dinner that will be held on October 26th at the 4-H Training Center. You will get a report on their progress at that time, he said.

Mr. DeCerce said the National Jr. Ornamental Horticulture Association Convention was held in Omaha, Nebraska, and we had a contingency led by Sue Beebe. He said a New York State 4-H team placed first in the country in the major competition. Katherine Beebe placed fourth over all in the nation. Saratoga County came home with 13 outstanding top honors, and Sue Beebe received Honorary Leadership Award. All of these are a major credit to our Cooperative Extension and 4-H organizations, he stated.

Mr. DeCerce said this Board allowed the PCB Dredging Committee to engage with the L.A. Group to develop a brochure to be used in our future. He said the Saratoga County Chamber of Commerce, all of the Supervisors and Mayors have tried to have a leg up on this dredging process. He stated we will have a brochure very soon. The draft we have really jumps, he said. Your \$25,000 was well spent and will bring an opportunity to bring Saratoga County forth in writing proposals for funds in mitigating the dredging. I will be happy to talk to any of you separately on this, he added.

On a motion by Mr. Hargrave, seconded by Mr. Lucia, the meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, OCTOBER 17, 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, Frank Thompson, Harry G. Gutheil, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Cheryl Keyrouze, Joanne Dittes Yepsen, J. Gregory Connors, John Lawler, Arthur J. Johnson - 23. ABSENT – 0.

PRESENTATIONS

Members of 4-H distributed baskets of goods to the Supervisors and staff.

Amber Sleight of Galway, Nykia Leach of Charlton, Hannah Nardin of Gansevoort, and Molly and John Pokrzywka of West Charlton, discussed their involvement in 4-H and what it means to them. They thanked the Board of Supervisors for their continued support of 4-H and Cornell Cooperative Extension.

SAFETY SUGGESTION CONTEST WINNERS

Frank Thompson, Chairman of the Labor/Management Safety Committee, stated the Safety Suggestion Contest has been in existence for at least 19 years. As a result, more than 50 suggestions have been implemented through the years. The Committee has always taken the philosophy that all winning suggestions should be implemented. Many safety issues have been resolved through this contest and Committee. This year, there were 10 safety suggestion entries. Compared to past years, the number of entries are down. I believe this is a direct result of this Committee's involvement in unannounced safety inspections of County buildings, he said. Due to the lack of entries, the Committee decided to award only 1st and 2nd place winners this year.

Mr. Thompson announced the following winners of this year's Safety Suggestion Contest:

2nd Place, \$50 – Linda Baldwin, Social Services. Her suggestion was for a baby changing station in the Woodlawn Ave. Building.

1st Place, \$100 – Tracy Murphy, Social Services. Her suggestion was for the crosswalk to be painted in front of Building No. 1 in addition to a "People Crossing" sign.

Chairman Gutheil presented County Clerk Kathy Marchione with a copy of Resolution No. 218 that congratulates her and her employees on the award of the William H. Kelly Annual Archives Award For Excellence In Local Government Archival Program Development.

Chairman Gutheil congratulated Kathy. He stated she is the only one in New York State to receive this award. We are really proud of the job she does here, he said. Her staff is user friendly, and they do a super job, he said.

Mrs. Marchione thanked the Board for this resolution. She said she was honored when Mr. Wickerham called her to say they were receiving the William H. Kelly award because it was not anything they had applied for or thought about. We were selected for outstanding records management, and I am so honored that I will be able to go down on Monday and receive the award, she stated. She said the award is for Saratoga County. She thanked the New York State Archives because much of the \$550,000 that they received are grant funds that have allowed them to do a lot of the work they are being honored for. She said she also thanks the Supervisors because the projects that she is working on this year, which are over \$150,000, are a direct result of the support they have given her office. This is an award that we all share, and I thank you very much, she said.

PUBLIC INPUT

Amy Kaissar, of the Epiphany Theater Co., said this is a company she co-founded seven years ago. It is dedicated to supporting the work of early career artists while working to make theater accessible to all. They are

a year round professional theater company, and they are moving from New York City to Saratoga County. She said this move has been two years in the making. Their first performance will be tomorrow night. We feel very strong that the move is prompted by the idea that we feel theater is a form of community dialog, she said. In addition to productions, we also do a tremendous amount of access and education programming. Access programming insures that no interested individual is unable to attend. It includes programming like babysitting night for parents where they can drop off their children for free babysitting; pay what you can night; and singles night. Education programs are what get the conversation going. They include study guides for students, student hour matinees, lectures and debates for adults, etc. She stated the first Saratoga production is The Doll House, which runs October 18 to November 11 at BOCES on Henning Road in Saratoga Springs. She explained the great economic impact of this also because Saratoga County is a premier destination. She stated there will be a follow up production in the spring. We are really excited to be here, and we are thrilled that the first show starts tomorrow night, she said. She stated she would love to talk to the Supervisors individually and would be delighted if they would come and see the show.

Chairman Gutheil welcomed them to Saratoga, and he said they made a fine choice. He wished them luck.

Carrie Woerner, Saratoga Preservation Foundation, stated Saratoga County is rich in historic resources. In the Green Infrastructure Plan, 25% of it is dedicated to protecting the cultural resources. She said she wanted to share information with the Board on the economic impact of preservation and some of the tools the communities have available to further the preservation of cultural and historic resources. She stated heritage tourism is the fastest growing tourism in the country. In New York State, a heritage tourist stays twice as long and spends three times as much money as any other kind of tourist. In a study done a few years ago by a leading real estate economist in the country, he found for every million dollars spent on rehabbing old buildings in New York State, it adds \$1.9 million to the State's economy. In that same study, a million dollars spent rehabbing an old building compared to that same million dollars spent on new construction, creates five more construction jobs and three more permanent jobs. As we look at Saratoga Springs, Ballston Spa, the Village of Round Lake, etc., it gives our communities a sense of place. They don't look like everywhere in the USA, she said. She stated they look like very specific, interesting and culturally rich diverse communities. She said New York State has put in place a number of economic tools to aid municipalities in adopting historic preservation out of the economic engine in their communities.

Ms. Woerner stated two months ago, the Governor signed into law a new bonding authority to allow communities to bond for restoration and repair of historic properties. There is the Certified Local Government Program that provides funding and assistance for municipalities and the State Environmental Protection Fund grant. There is a New York State rehab tax credit for commercial property as well as for residential properties in distressed areas. For a million dollar rehab project, the tax credits would reduce the real cost of that project to \$700,000. The Saratoga Springs Preservation Foundation is the only staffed historic preservation organization in the County, she said. About 25% of their members come from outside of Saratoga Springs. She said the County, itself, has 65 distinct historic districts or sites on the National Register. It is already taking place in your community. These are tools municipalities and counties can put in place to help encourage more investment, she stated.

Barbara Thomas, President of the League of Women Voters in Saratoga County, said the State has given our Saratoga County Election Commissioners the awesome responsibility of choosing HAVA compliant voting machines to replace our lever machines. The current State timeline calls for the State to complete certification of machines by December 21st, and for our Commissioners to make a choice by January 5th. They need your proactive support as they grapple with the issues of voting system integrity, security and cost, she stated. Ultimately, the County is responsible for the purchase and maintenance costs and for voter confidence in the system. She stated Saratoga County will be eligible for about \$2.5 million in HAVA funds to offset the initial purchase price. Whether that will be sufficient remains to be seen and depends on the systems chosen, she said. She pointed out there are two major electronic voting systems under consideration – Direct Recording Electronic (DRE) that both records and counts the votes and Precinct Based Optical Scanning. Precinct Based is another way of saying polling site, she said. This counts the votes after a paper ballot is marked but has no role in actually recording the individual votes, she stated. Optical scanners are used with separate ballot marking device. State law now requires that every voting machine produce an individual voter verified paper record and that audits comparing a paper record to the machine total is being conducted.

Mrs. Thomas stated the League of Women Voters of Saratoga County supports a Precinct Based Optical Scan voting system. We want every vote to be counted accurately, and we want the public to have confidence in the election process, she said. We think paper ballots counted by Precinct Based Optical Scanners and with accessibility provided by a ballot marker device best meets the test of being secure, accurate, accountable and accessible, she said. Each Supervisor has received in their mailbox a list of the reasons why the Saratoga League supports optical scanning. She said it boils down to being the system that has proven reliability and is cost effective. Also in your mailbox was a cost comparison sheet prepared by Barbara Murphy, a member of the League and a DVD entitled "Bought and Sold – Electronic Voting in New York State", she said. She stated the DVD allows you to see the machines in use on Election Day.

Barbara Murphy said she is a member of the League of Women Voters and a resident of Clifton Park. She said after following the HAVA voting issue for four years, she strongly favors a voting system choice of the Paper Ballot with an Optical Scanner (PBOS) and Ballot Marker over any Direct Recording Electronic (DRE) machine. PBOS is superior to DREs in security, cost and simplicity, she said. She stated all types of electronic voting systems are vulnerable to hacking. One person writing computer program code can alter the outcome of an entire election. Computer professionals have intentionally hacked into ES&S, Diebold, Sequoia and Liberty systems to prove this even though these systems had been Federally certified, she stated. New York State's new law gratefully requires a paper ballot record of each vote cast by voters. For DREs, paper records are produced by the machines rather than by the voter, she said. They are subject to miscoding and intentional tampering, she said. In addition, voters are not easily able or accustomed to checking their votes registered on a DRE voting screen against a paper ballot produced by the machine. For example, a Brennan Law Center study noted in a test of 108 mistakes deliberately programmed into machine-printed ballots, voters testing the machines detected only three of them, she said. She said on the PBOS systems, optical scan programming is inherently simpler, with the voters' hand marked ballots being the paper of record. The Optical Scan has no barrier between the voter and the ballot. A paper ballot hand marked by each voter can truly be expected to faithfully capture the voters' intent. It can either be hand counted or counted by optical scanners, she added. The Cost Comparison chart you have received shows in greater detail the estimated initial costs of lever replacement systems for Saratoga County, she said, and she reviewed these costs.

On a motion by Mr. Lucia, seconded by Mr. Trottier, the minutes of the meeting of September 19, 2006 were approved unanimously.

The Clerk presented the following:

Copy of a resolution adopted by the Town of Hadley "Urging The Hudson River-Black River Regulating District To Ensure A Sufficient Public Review And Comment Period For Rule Making."

Referred to Supervisor A. Johnson and the County Administrator.

Dear Mr. Gutheil:

We were very impressed and moved by the ceremony held in Ballston Spa honoring Terry's father as the Deceased Veteran of the Month. Thank you for being there, for your gracious words, and for the time and effort you gave to make the ceremony so memorable.

Gratefully,

Terry & Katherine Waldron

Dear Chairman Harry:

Please extend my heartfelt thanks to you, your Deceased Veteran Program Committee, the County Board of Supervisors and all the people involved in this memorable veterans' program. Yes indeed, my father, Hawley Waldron, was a WWI Marine hero and a great father to a great Mechanicville family of 8 boys and 2 girls. The Saratoga County Board of Supervisors never forgets the veterans. This is another great program it displays for the public. Thank you.

Ray Waldron (#4 Son)

REPORTS:

Saratoga County Mental Health Center's 2005 Annual Report.

Received and filed.

Mr. Wood, Chairman of the Racing Committee, said the Economic Analysis of the Saratoga Race Course report was commissioned by the IDA, and he thanked the IDA for their foresight in authorizing this study. The study was done by Economic Research Associates, which the firm is very experienced in studying the economic impact of race tracks throughout the United States. Our Racing Committee has always been research based data driven, and this report provided us with the data to document the very thing we suspected. The report confirms the importance of the Saratoga Race Course for the County and for the City of Saratoga Springs. He said the one surprise was the magnitude of the numbers of the impact on the area. The full text of the report is on the web, he said. Each of you has an 8-page executive summary in your mailbox. We ultimately hope to share this report with other State leaders and leaders of our neighboring counties, he added.

Larry Benton, IDA member, showed a power point presentation on the highlights of this study.

Mr. Lawler, Chairman of the Public Safety Committee, stated the Committee received a Notice of Completed Application from the APA regarding the County's application to install an emergency radio communications system in the Adirondack Park area. He said this represents a major milestone in the process and represents a significant advancement of this project. In fact, it is the farthest we have been since we started this project, he stated. We have also been advised that a draft permit for this project will be presented to the APA's Board of Directors on November 9th for their consideration, and we are cautiously optimistic that the permit will be approved at that meeting. He thanked the entire Board for supporting this project throughout the year, and he said he wanted to recognize the excellent work done by Emergency Services Director, Paul Lent, and his entire staff. He acknowledged and thanked all of the members of the Public Safety Committee who have resolutely stood by this project since we started in January. It does appear we are finally going to get an answer on November 9th, he said. It looks like it is going to move forward, he stated.

Mr. Peck said the Economic Development Committee scheduled for November 2nd will be rescheduled to November 9th at 4:00 p.m.

Mr. DeCerco reminded the Board of the 4-H dinner on October 26th. You all have invitations, he said. Please join me at that annual meeting, he added.

ARCHIVES REPORT

Kathy Marchione, County Clerk, said every year we come forward from our office with an Archives Week Project. Around this room you will see that our exhibit this year is Volunteer Firemen – The Early Years. The exhibit consists of 13 framed firemen exempt certificates dating 1898 through 1950. One certificate was framed from each municipality having certificates dating prior to 1950 on file at the County Clerk's Office, she said. Many of these certificates provide documentation of how many years the firemen have served in the capacity of firefighter. The purpose of these certificates was to excuse firemen from jury duty and was understood they had fulfilled their civic responsibility by serving as firemen, she stated. Many people also believed that by removing these firemen from their community put the communities at risk in case of a fire, she added. She said this was especially true pre-dating 1950 when many people did not own vehicles and major highways had not yet been developed. Each Supervisor has on their desk a list of the firemen who have framed certificates and are a part of the exhibit. If your town has a fire exempt certificate on file in our office, you have been provided a list of all of the certificates we have on file by fire company and by name of the individual fireman. She said what they are seeing is that the legacy of firefighting carries from generation to generation. She mentioned this will be a traveling exhibit, and it will be offered to museums, historical societies, towns, villages, schools and public fire companies, and we will offer the exhibit in part if there is something you are doing in your own community.

Mrs. Marchione stated the reasons they selected this particular record this year was twofold. First, it is Archives Week, and second, it is Fire Prevention Month as well. In searching the records, Liz Callaghan brought to my attention that she searched all of the Supervisors' names to see if your ancestry might have been involved in filing a fire exempt certificate. We have found one, and that was for Supervisor DeCerco's uncle, Victor DeCerco, for 1955, she said. She thanked the Board for their support of finances provided to their office to be able to move forward with projects like this, and she also thanked her staff. She said Liz Callaghan was the coordinator from her office of this project.

On a motion by Mr. Peck, seconded by Mr. Connors, Rule 8 was suspended for the balance of the day on Resolutions 217 through 228 by a unanimous vote.

On a motion by Mr. Callanan, seconded by Mr. Trottier, all resolutions were adopted by a unanimous vote.

RESOLUTION 217 - 06

Introduced by Supervisor Peck

HONORING THE MEMORY OF CARL L. SEYMOUR

WHEREAS, CARL L. SEYMOUR died on October 2, 2006; and

WHEREAS, CARL L. SEYMOUR was a resident of the Town of Northumberland; and

WHEREAS, CARL L. SEYMOUR graduated from the Schuylerville Central School in 1954 and served with the U.S. Air Force from 1955-1959; and

WHEREAS, CARL L. SEYMOUR worked at General Foods in Saratoga Springs for 30 years, where he retired as manager; and

WHEREAS, CARL L. SEYMOUR served the Town of Northumberland as Town Justice and was instrumental in forming the Town Youth Commission; and

WHEREAS, CARL L. SEYMOUR served for many years as the Chairman of the Saratoga County Soil and Water Conservation District, and was a member of the Italian American War Veterans of Saratoga Springs

WHEREAS, CARL L. SEYMOUR served as the Supervisor of the Town of Northumberland and a member of this Board of Supervisors from 1986 through 1991; 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 CARL L. SEYMOUR to his wife Gale 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 CARL L. SEYMOUR.

RESOLUTION 218 - 06

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

CONGRATULATING KATHLEEN MARCHIONE AND THE COUNTY CLERK'S EMPLOYEES ON THE AWARD OF THE WILLIAM H. KELLY ANNUAL ARCHIVES AWARD FOR EXCELLENCE IN LOCAL GOVERNMENT ARCHIVAL PROGRAM DEVELOPMENT

WHEREAS, the success of the County of Saratoga in delivering services to its residents is due to the hard work, dedication, knowledge and experience of its employees; and

WHEREAS, this Board of Supervisors wishes to acknowledge and congratulate County employees when they achieve and receive recognition for their accomplishments in their job; and

WHEREAS, Saratoga County, due to the efforts of our Saratoga County Clerk, Kathleen Marchione, has been selected by the New York State Board of Regents and the New York State Archives to receive the 2006 William H. Kelly Annual Archives Award for Excellence in Local Government Archival Program Development; and

WHEREAS, this Award recognizes outstanding efforts in archives and records management in New York State by a broad range of individuals and organizations; and

WHEREAS, the Award recognizes Kathy and her employees for working tirelessly to protect and promote Saratoga County's rich collection of historical records, as well as Kathy's accomplishments in microfilming all court records from 1800 to 1974 and for digitizing them to increase public access; now, therefore, be it

RESOLVED, that this Board of Supervisors congratulates Kathleen Marchione and her staff on their accomplishment of earning the 2006 William H. Kelly Annual Archives Award for Excellence in Local Government Archival Program Development, and expresses its appreciation and that of all Saratoga County residents for their efforts and accomplishments in the promotion and facilitation of access to and preservation of Saratoga County's rich collection of historical records; and be it further

RESOLVED, that the Clerk of the Board prepare a suitably encrolled copy of this Resolution and present it to Kathleen Marchione and the employees of the Saratoga County Clerk's Office.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 219 - 06

Introduced by Supervisors Daly, Callanan, Connors, Lucia, Raymond, Richardson and Thompson

AUTHORIZING ACCEPTANCE OF BIO-TERRORISM GRANT

WHEREAS, Resolution 189-05 authorized application for and acceptance of a Public Health Preparedness and Response to Bio-Terrorism Grant; and

WHEREAS, continued funding is available from the New York State Department of Health in the amount of \$200,635 for Public Health Preparedness and Response to Bioterrorism Grant activities for the period August 31, 2006 through August 30, 2007, and

RESOLVED, that the Chair of the Board is authorized to execute all documents and agreements necessary to accept additional grant funds in the amount of \$200,635 from the New York State Department of Health through Health Research, Inc. for preparedness and response to Bio-Terrorism, the form and substance of such document subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: These revenues are already included in the 2006 Budget.

RESOLUTION 220 - 06

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

RATIFYING EMERGENCY REPAIRS TO COORDINATE THE REPLACEMENT OF MAPLEWOOD'S KITCHEN WASTE WATER SYSTEM

WHEREAS, on or about August 2, 2006, a blockage occurred in the sewer pipes below the kitchen at Maplewood Manor in the Town of Ballston which created an emergency situation in which the sewer line had to be immediately replaced to ensure the health and safety of Maplewood Manor employees and residents; and

WHEREAS, by Resolution 205 of 2006, this Board of Supervisors ratified the determination that an emergency situation existed that obviated the necessity of following normal procedures to engage a consultant to design the emergency repair of the pipes; and

WHEREAS, until the pipes are repaired the emergency condition continues such that compliance with the bidding process under General Municipal Law §103 endanger the health and safety of the residents and employees of Maplewood Manor due to the lengthy time required; and

WHEREAS, in lieu of the formal bidding process, proposals were solicited for the necessary repair work, and the county's consultants, the Commissioner of Public Works and the Public Works Committee recommend that the lowest proposal of Anjerami Oliver Waldbillig Associates be accepted; now, therefore, be it

RESOLVED, that this Board of Supervisors reaffirms that an emergency situation exists as a result of the deterioration of the sewer pipes below the kitchen at Maplewood Manor, thereby obviating the necessity of compliance with the bidding requirements of General Municipal Law §103, and be it further

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute a contract with Anjerami Oliver Waldbillig Associates for the repair of the sewer pipes below the kitchen of Maplewood Manor for a cost not to exceed \$152,506, the form and substance subject to the approval of the County Attorney and Contract Administrator.

BUDGET IMPACT STATEMENT: This cost can be accommodated within the Maplewood Manor's 2006 budget.

RESOLUTION 221 - 06

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

AUTHORIZING INTER-AGENCY TRANSFERS
NECESSARY TO CLOSE OUT 2006 BUDGET

WHEREAS, inter-agency transfers are necessary to accommodate various adjustments to balance and close out the 2006 Budget; and

WHEREAS, a delegation of the authority to approve these transfers is necessary to implement them in a timely and lawful manner; now, therefore, be it

RESOLVED, that, effective October 17, 2006, the County Administrator is authorized to make any inter-agency transfers necessary to close out the 2006 Budget and he shall submit a written report thereof to the Law and Finance Committee in 2007.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 222 - 06

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

APPROVING IDA BONDS TO REFINANCE A PROJECT FOR AMERICAN HOUSING FOUNDATION,
INC.

WHEREAS, Resolutions 175-06, 74-06 and 11-06 appointed the current members of the County of Saratoga Industrial Development Agency (the "IDA"); and

WHEREAS, to accomplish its stated purposes, the IDA is authorized and empowered under the Act to issue its civic facility revenue bonds to finance the cost of acquisition, construction and installation of one or more "projects" (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey or lease said projects with the obligation to purchase; and

WHEREAS, American Housing Foundation, Inc., a New York not-for-profit corporation having its principal office at 100 State Street, Albany, New York 12207 (the "Company"), has presented an application (the "Application") to the IDA, a copy of which has been filed with the IDA, requesting that the IDA consider undertaking the following project (the "Project"): (A) to issue its civic facility revenue refunding bonds in the principal amount not exceeding \$5,000,000.00 (the "Bonds") in order to (1) refinance a project previously undertaken by the IDA and described in the following paragraph (the "Original Project"); (2) finance a portion of the costs associated with such refinancing, and (3) finance certain capital costs associated with the initial development of the Project Facility (as defined below); and (B) to lease (with an obligation to purchase) or sell the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the IDA; and

WHEREAS, the Original Project consisted of the following: (1) the acquisition of an interest in an approximately 6.04 acre parcel of land located on Route 9 and Cramer Road in the Town of Malta, Saratoga County, New York (the "Land"), (2) the construction on the Land of an 82 unit senior citizen residential rental facility (the "Facility") and (3) the acquisition and installation in the Facility of certain machinery and equipment (the "Equipment" and together with the Land and the Facility, the "Project Facility"); and

WHEREAS, this Board has been advised by the IDA that it proposes to issue, subsequent to the adoption of this resolution, its civic facility revenue refunding bonds from time to time in a principal amount sufficient to

finance the Project, together with incidental costs in connection therewith, which principal amount is presently estimated to be approximately \$5,000,000.00; and

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

WHEREAS, pursuant to Section 147(f) of the Code, said interest will not be excludable from gross income for federal income tax purposes unless the issuance of the Bonds shall be approved by this Board of Supervisors after the IDA has conducted a public hearing thereon following reasonable public notice; and

WHEREAS, on September 27, 2006, the IDA held a public hearing to consider both the issuance of the proposed Bonds and the nature and location of the proposed Project, and a report of said public hearing has been made available to each member of this Board prior to this meeting; and

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

RESOLVED, that, for the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for federal income tax purposes pursuant to Section 147(f) of the Code, this Board of Supervisors, as the elected legislative body of Saratoga County, New York, hereby approves the issuance of the Bonds by the IDA, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the County of Saratoga Industrial Development Agency, shall never be a debt of the State of New York, the County of Saratoga, or any political subdivision thereof (other than the County of Saratoga Industrial Development Agency), and that neither the State of New York, the County of Saratoga nor any political subdivision thereof (other than the County of Saratoga Industrial Development Agency) shall be liable thereon.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 223 - 06

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

AUTHORIZING AMENDMENT TO CONTRACT WITH AIR POLLUTION CHARACTERIZATION AND CONTROL LTD. FOR EMISSION COMPLIANCE SERVICES AT THE SEWER TREATMENT PLANT

WHEREAS, the Saratoga County Sewer District #1 is required to comply with standards and regulations of the Environmental Protection Agency and Department of Environmental Conservation in regard to emissions from the incinerator at the Sewage Treatment Plant; and

WHEREAS, the County contracts with Air Pollution Characterization and Control Ltd. for services to maintain such compliance; and

WHEREAS, the failure and resulting replacement of part of the continuous emission system has required additional services from Air Pollution Characterization and Control Ltd. not provided for under the existing contract, and an amendment of the contract is needed; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute an amended contract with Air Pollution Characterization and Control Ltd. of Greene, Maine to provide additional services in maintaining compliance with EPA and DEC emissions standards for the incinerator at the Sewage Treatment Plant of the Saratoga County Sewer District #1 for a sum not to exceed \$15,000 per year for 2006 and 2007, the form and substance subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funds are available in 2006 Budget.

RESOLUTION 224 - 06

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

AUTHORIZING THE CHAIR TO ENTER INTO A CONTRACT WITH IQS SYSTEMS FOR COMPUTER SOFTWARE FOR DIGITIZATION OF LAND RECORDS IN THE COUNTY CLERK'S OFFICE

WHEREAS, the majority of the present land records in the Saratoga County Clerk's Office are available in paper form only; and

WHEREAS, the Saratoga County Clerk's Office seeks to provide faster and more efficient access to their land records; and

WHEREAS, application software is available which will enable the digitizing of mortgages and deeds and their indexing in the County Clerk's Office; and

WHEREAS, proposals were solicited from vendors for this software and the Saratoga County Clerk, the Data Processing Users Committee and the Contract Administrator recommend the proposal of IQS Systems to provide an application software upgrade, installation and technical support, and maintenance and verification services for land record digitizing and indexing for a cost not to exceed \$162,750 per year for two years; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to enter into an Application Software Agreement with IQS Systems of Morgan Road, Liverpool, New York to provide application software upgrade, installation, technical support and maintenance and verification services for the purpose of digitizing and indexing mortgages and deeds in the Saratoga County Clerk's Office, for a cost not to exceed \$162,750 per year for two years, the form and content of the agreement being subject to the approval of the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: The County Clerk will realize a savings of \$5,748 over the amount originally budgeted.

RESOLUTION 225 - 06

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

AUTHORIZING SETTLEMENT OF LEGAL ACTION FOR RETURN OF FUNDS PAID UNDER PILOT AGREEMENT WITH QUAD GRAPHICS

WHEREAS, a legal action has been commenced and cross claims and counterclaims asserted where by it is alleged that Quad Graphics, Inc. paid excessive amounts under a Payment in Lieu of Taxes Agreement with the Saratoga County Industrial Development Agency; and

WHEREAS, it is alleged in this action that Quad Graphics, Inc. paid more than was due under said PILOT Agreement to the Saratoga Springs Central School District, the City of Saratoga Springs and the County of Saratoga; and

WHEREAS, after extensive litigation and negotiations, a compromise settlement of this action has been proposed whereby each taxing jurisdiction pays an amount to resolve the action, the amount of contribution of Saratoga County being proposed to be the sum of \$68,000; and

WHEREAS, it has been recommended by the County Attorney that acceptance of this settlement proposal is in the best interests of the County; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby authorizes the settlement of the legal action entitled "Saratoga Springs Enlarged School District against Saratoga County Industrial Development Agency, the City of Saratoga Springs, New York, the Assessor of the City of Saratoga Springs, New York, Quad Graphics, Inc. and the County of Saratoga," and all cross claims and counterclaims and related causes of action, Index No. 2004-1830, for the sum of \$68,000, and be it further

RESOLVED, that the County Attorney, County Treasurer and County Auditor are hereby authorized to execute the necessary documents to effectuate this Resolution.

BUDGET IMPACT STATEMENT: The settlement amount is available within the County Attorney's claims budget.

RESOLUTION 226 - 06

Introduced by Supervisors Hunter, DeCerce, Grattidge, Hargrave, M. Johnson, Keyrouze and Yepsen

AUTHORIZING AUCTION SALE OF COUNTY-OWNED LANDS ACQUIRED FOR UNPAID TAXES

WHEREAS, pursuant to Resolution 166-96, following public notice, this Board, by its Equalization and Assessment Committee, did offer on September 19, 2006, at auction sale, certain parcels of land in several Towns within the County, which parcels are more particularly described below; and

WHEREAS, the persons named below were the highest responsible bidders for each parcel; and

WHEREAS, the Committee finds that the return of these properties to the tax rolls is in the best interest of County residents; and

WHEREAS, all proposed conveyances of County lands require approval of this Board; now, therefore, be it

RESOLVED, that the following proposed conveyances of County lands to the following bidders or their designee at the auction of September 19, 2006 are approved; and, be it further

RESOLVED, that the Chairman of the Board or, if appropriate, the Commissioner of Social Services, convey the following lands to the following parties upon their payments of the indicated amount and certain administrative fees to the County Treasurer:

HIGH BIDDER	TOWN	S/B/L	FORMER OWNER	AMOUNT
Manmoham Komal 110 Brookline Road, Apt. 8 Ballston Spa, NY 12020	Ballston	216.41-2-21	Lester Dieterle	\$ 550.00
Michael Gilmore 107 Blue Barnes Road Rexford, NY 12148	Clifton Park	263.-2-82.2	The Carlsbad Group, Inc.	\$ 50.00
James Connors 520 Leahy Lane Ballston Spa, NY 12020	Clifton Park	269.-2-11.11	Jeffrey D. Guttridge	\$4,000.00
Upstate Waste Reduction Services, Inc. 430 Rt. 146, Lot 116 PO Box 675 Clifton Park, NY 12065	Clifton Park	272.1-2-12.3	Dorothy Grose	\$7,100.00
George Johnsen 1788 Hadley Hill PO Box 182 Hadley, NY 12835	Clifton Park	289.29-1-79	Lester Dieterle	\$ 25.00
Skip Harsha 350 Clark Road PO Box 76 Gansevoort, NY 12831	Corinth	58.-1-32	Terry Bovee	\$3,900.00
Richard G. Stutzenstein Helen Stutzenstein 200 Hyspot Road Greenfield Center, NY 12833	Greenfield	150.-2-45	Michael Malagiero	\$ 700.00
Michael Deets 149 Middletown Road Waterford, NY 12188	Halfmoon	278.10-2-61	Michael Cohen	\$ 650.00
Town of Malta 2540 Rt. 9 Malta, NY 12020	Malta	250.5-1-56.5	NSR Land Development, Inc.	\$ 150.00
Jeanne Cramer 48 Marshall Avenue	Malta	251.-1-21	Toni Prosser	\$ 50.00

PO Box 817
 Schenectady, NY 12304

Upstate Waste Reduction Services, Inc. 430 Rt. 146, Lot 116 PO Box 675 Clifton Park, NY 12065	Milton	188.20-1-44	Lenore Simmons	\$ 75.00
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George Johnsen 1788 Hadley Hill PO Box 182 Hadley, NY 12835	Milton	190.15-3-13	Donald Fuller	\$ 25.00
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Manmohan Komal 110 Brookline Road, Apt. 8 Ballston Spa, NY 12020	Stillwater	253.17-1-66.1	Norma J. Blucher	\$1,100.00
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Manmohan Komal 110 Brookline Road, Apt. 8 Ballston Spa, NY 12020	Wilton	114.7-1-13	Thomas Mulholland	\$1,300.00
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BUDGET IMPACT STATEMENT: The gross proceeds of \$348,503 for the March and September auctions represent a gain of \$230,332 over the foreclosed delinquent taxes. Additionally, since January 31, 2006, the County Treasurer has collected \$34,982.65 in delinquent taxes for properties that would otherwise have been included in this year's auctions.

RESOLUTION 227 - 06

Introduced by Supervisors Hunter, DeCerco, Grattidge, Hargrave, M. Johnson, Keyrouze and Yepsen

APPROVING TAX REFUND OF \$7,372.56 IN CHARGES ON A PARCEL IN THE TOWN OF CLIFTON PARK

WHEREAS, the 2006 tax bill for a certain tax parcel in the Town of Clifton Park was paid and a refund has been requested in the Town of Clifton Park due to an erroneous sewer district charge; now, therefore, be it

RESOLVED, that the County Treasurer refund the following overpayment of taxes, penalties and interest:

<u>TOWN OF CLIFTON PARK</u>	<u>Tax Parcel</u>	<u>Year</u>	<u>Amount</u>
Country Club Golf LLC	264.-3-94	2006	\$7,372.56

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 228 - 06

Introduced by Supervisors Hunter, DeCerco, Grattidge, Hargrave, M. Johnson, Keyrouze and Yepsen

AUTHORIZING CONVEYANCE OF TAX PARCEL 63.4-1-1 TO MOREAU REALTY, LLC FOR \$66,000

WHEREAS, Resolution 93 of 2006 authorized the foreclosure of the delinquent tax liens on tax parcel 63.4-1-1 in the Town of Moreau and its sale by sealed bid; and

WHEREAS, said foreclosure was completed by the Tax Enforcing Officer and the property has been offered for sale to the highest sealed bidder; and

WHEREAS, the bid of Moreau Realty, LLC in the amount of \$66,000 was the highest amount bid for the property; and

WHEREAS, it is in the best interest of Saratoga County to accept this bid; now, therefore, be it

RESOLVED, that the proposed conveyance of tax parcel 63.4-1-1 to Moreau Realty, LLC, the highest bidder by sealed bid, is approved; and be it further

RESOLVED, that the Tax Enforcing Officer is authorized to convey tax parcel 63.4-1-1 in the Town of Moreau to Moreau Realty, LLC upon its payment of the sum of \$66,000.

BUDGET IMPACT STATEMENT: This conveyance will return this parcel to the tax roll in the Town of Moreau.

Chairman Gutheil announced the following appointments:

ADVISORY YOUTH BOARD

Emily Young (Youth Representative)
Town of Malta

Nick D'Alberto (Youth Representative)
Town of Stillwater

SARATOGA COUNTY WATER AUTHORITY

Supervisor Anita Daly	Exp. 12/31/06
Supervisor Raymond F. Callanan	Exp. 12/31/06
Supervisor Arthur Johnson	Exp. 12/31/06
Supervisor J. Gregory Connors	Exp. 12/31/07
Supervisor John Lawler	Exp. 12/31/07
Charles Wait	Exp. 12/31/07
Adirondack Trust, 473 Broadway, Saratoga Spgs., NY 12866	
Kevin King	Exp. 12/31/07
2540 Route 9, Ballston Spa, NY 12020	

Chairman Gutheil thanked the previous members who have worked on the Authority for the years, time and dedication they have given to it.

On a motion by Mr. Johnson, seconded by Mr. Peck the Water Authority appointments were confirmed by a unanimous vote.

Mr. Wood, said the Saratoga Gaming and Raceway Foundation has \$40,000 available to award to not-for-profit foundations. He said he placed in each Supervisor's mailbox the application guidelines and a copy of the application. These applications are due November 1st. These applications are also available on the County's website, he added.

Mr. Trottier said he will be going to Syracuse next week to represent the County and to give a presentation on the historic Bow Bridge rehabilitation at the NYS Department of Transportation's Bridges Conference.

Mrs. Plummer mentioned Board and department head photos will be taken for the Proceedings before the November Board Meeting, and she will send a notice out on this to everyone.

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

Barbara J. Plummer, Clerk