

A G E N D A

January 10, 2007 5:00 p.m.

Vice-Chairman Hargrave 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, Kenneth J. DeCerce, Frank Thompson, Harry G. Gutheil, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Cheryl Keyrouze, Joanne Dittes Yepsen, John Lawler, Arthur J. Johnson - 19. ABSENT - J. Gregory Connors, Thomas Richardson, Paul Sausville, Jeffrey Trottier – 4.

On a motion by Mr. Hunter, seconded by Mr. Wood, the minutes of the meeting of December 13, 2006 were approved unanimously.

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

BUILDINGS AND GROUNDS

Authorizing the Chairman to accept a State DOT grant in the amount of \$23,527 for the purchase of airport avigation easements. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham said that is 2.5% of the total grant.

Reappropriating funds for the Avigation Easement Project in the amount of \$950,477.21. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham stated the County's part is around \$23,000.

Authorizing easements over the County Sewer mains to allow lateral sewer connections for homeowners in the Town of Clifton Park and the Town of Malta (2). (Jim DiPasquale, Sewer District Director)

Mr. Wickerham said we do not receive anything for those easements, but the owners will do the engineering and meet our inspection standards.

PUBLIC WORKS

Amending the 2007 budget under the Public Works Department to reappropriate \$406,477.63 for local and HBRR bridges. (Joe Ritchey, Public Works Commissioner)

PUBLIC SAFETY

Authorizing the Chairman to accept a \$71,200 Crime Victims Board Grant for the District Attorneys Office. (Jim Murphy, District Attorney)

Mr. Wickerham said this is included in the 2007 Budget, but we have to accept it from our end.

Amending the 2007 budget under Emergency Services to reappropriate \$784,161 for the completion of the burn building construction. (Ed Tremblay, Fire Coordinator)

Amending the 2007 budget under Emergency Services to reappropriate \$239,000.80 for purchases covered under Homeland Security funds. (Ed Tremblay, Fire Coordinator)

Amending the 2007 budget under the Sheriff's Department to reappropriate \$305,382.59 for Wireless 911 for completion of this project at the Sheriff's Dispatch Center. (Sheriff Jim Bowen)

EQUALIZATION AND ASSESSMENT

Authorizing the County Auditor to approve tax refunds and corrections not to exceed \$2,500 subject to the approval of the County Treasurer and Real Property Director. (County Attorney Mark Rider)

Accepting a tender offer from Citimortgage, Inc. on a parcel in the Town of Stillwater in the amount of \$1,569.93. (Sam Pitcherale, County Treasurer)

Mr. Wickerham stated this will end up with HUD.

ECONOMIC DEVELOPMENT

Authorizing the Chairman to enter into a contract with Saratoga Economic Development Corporation for administering the Empire Zone Program at an annual cost of \$60,000. (Mark Rider, County Attorney)

Mr. Wickerham stated that has been the contract amount for the last three years.

Recommending New York State conduct responsible and cost-effective fish monitoring for the Viral Hemorrhagic Septicemia (VHS) Disease in private New York State Fish Hatcheries. (George Hodgson, Environmental Management Director)

CHAIRMAN'S ITEM

Appointing Jeannette Bruno and Edward Dweck as members at-large to the Saratoga Lake Protection and Improvement District for terms to expire on December 31st of 2009.

LAW AND FINANCE

Authorizing the Chairman to accept grants for the Board of Elections as follows:

Polling Place Access Improvements \$65,650; Voting Access for individuals with disabilities polling place access \$31,539; Voter education/poll worker training \$131,301 and amending the budget in relation thereto. (Bill Frucci / Diane Wade, Elections Commissioners)

Amending the 2007 budget under the County Clerk's Office to reappropriate \$162,500 for the computerization and digitization of land records. (Kathy Marchione, County Clerk)

Mr. Wickerham said we anticipate that will be completed early in 2007.

Chairman Barrett said he would like to include on the agenda the appointment of Paul Lent as the Director of the Office of Emergency Services. This must have been an oversight at the Organizational Meeting, he stated.

Mrs. Plummer mentioned the 2005 Proceedings will be dedicated at Tuesday's Board Meeting.

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, JANUARY 16, 2007
AT 4:00 P.M., E.S.T.

Board called to order by Supervisor Thompson.

Roll call was taken. PRESENT – Alan Grattidge, Frank Thompson - 2. ABSENT - Raymond F. Callanan, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Albert Janik, Jeffrey Trottier, Kenneth J. DeCerce, Paul Sausville, Thomas Richardson, 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. ABSENT – 21.

Due to a power outage in Building #1 and weather conditions, the meeting was adjourned to Monday, January 22, 2007 at 4:00 p.m.

Barbara J. Plummer, Clerk

ADJOURNED SESSION
MONDAY, JANUARY 22, 2007
AT 4:00 P.M., E.S.T.

Board called to order by Chairman Barrett.

Roll call was taken. PRESENT –Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Albert Janik, Kenneth J. DeCerce, Frank Thompson, Harry G. Gutheil, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Cheryl Keyrouze, Joanne Dittes Yepsen, John Lawler, Arthur J. Johnson – 18. ABSENT - Raymond F. Callanan, J. Gregory Connors, Thomas Richardson, Paul Sausville, Jeffrey Trottier – 5.

The invocation was given by Tom Wood, Chaplain.

2005 PROCEEDINGS DEDICATION:

Mary Ann Johnson, 2005 Chairman of the Board of Supervisors, stated the following:

“Welcome everyone to this 2005 Proceedings dedication, and special thanks to the people who have come from the Town of Day to show their support and gratitude for the three people being recognized today.

“I was trying to think of a one liner that I could open my speech with, and the first thing that came to mind was ‘better late than never’, and I’ll tell you why. Normally, the book dedication is done around April, but the County was getting deeply involved with the Vietnam Moving Wall program, so the work on the book got postponed until after that was over with. A date was set for an October dedication and about one week before that date, I got a call from Barb that it was being postponed as the book was not ready. After calling my three distinguished guests that I was recognizing, a date was set for November.

“About a week before the November dedication, I received a call saying the book was in but there was a printing problem and it had to go back to the press. So I called my three friends again, and we decided to bypass December because of the busy holidays, and we set the date for January 16th.

“So January 16th arrived, and that morning I received a call from Barb saying the dedication was being cancelled because there were no lights or heat at the County building. Well, needless to say, I had to call my three friends again, and at this time I really don’t think I was their friend any more, but we rescheduled it for today. So, here we are, after three times and out, and I’m here today to dedicate this book to the three individuals that have spent the last 2 ½ years completing a major revision to our land use regulations. I’m going to give you a little history of what that involved.

“They started out in August of 2004 as volunteers at my request to study the landscape and the geological features around the Great Sacandaga Lake to determine if our land use regulations were set up to preserve and protect the areas around the Lake that would eventually be called ‘the view shed protection area’ for their special scenic, aesthetic and historical values. The visual appearance of the forests in that area was also considered to be a valuable natural resource.

“Their planning efforts were very detailed. Their dedication was impressive. They identified the visual impact of hillside development and of excessive clear-cutting of trees and then began their proactive approach with numerous meetings with APA, the County Planning Board, DEC, Finch & Pruyn, International Paper, local groups and local loggers. They made site visits with foresters to get their perspective on different logging aspects. After the public hearing, they made a decision to pull the logging requirements from the proposed law and proceed with the view shed protection area changes. This part of the revision passed Town Board and APA approval and is now a local law.

“The logging aspect was much more contentious, but they didn’t give up on their responsibilities, and they continued to meet with all the affected parties, and everyone made concessions along the way. They didn’t get all they wanted, but they have not denied anyone from making a living through the forestry of land. This

local law has passed through the Town Board and is now before the APA awaiting their stamp of approval which we expect to happen.

“Speaking of the APA, they were very helpful in working with this committee from start to finish especially Brian Grisi who is their local Planning Assistant Specialist. If this had been held last week, he would have been here.

“Now it is my privilege to introduce the three people who worked so diligently on this major project and who I have chosen to dedicate the 2005 Proceedings Book to: David Cox; He is here with his wife, Diane; Ted Mirczak who is here with his wife, Judy; and Ken Metzler who is our CEO and Zoning expert. He was one of the original writers of our zoning regulations, and I believe he knows every word by heart.” She then presented each of them with a copy of the 2005 Proceedings of the Board of Supervisors dedicating her term as Chairman to them for all of the work they have done in their land use regulations.

Mrs. Johnson said one thing they all agreed on when the project was all over was do not raise your hand when Mary Ann asks you to volunteer.

The Clerk presented the following:

Correspondence received from Kathy Marchione, County Clerk, appointing LoAnn Sanders and Kathy A. Jeanson as Deputy County Clerks.

Received and filed.

Correspondence received from John H. Ciulla, Jr., Public Defender, appointing the following Assistant Public Defenders for the term 1/1/07 through 12/31/07: Keith Ferrara, Esq.; John DeLong, Esq.; Stacey Gorman, Esq.; Mark Major, Esq.; Oscar Schreiber, Esq.; Diane Serbalik, Esq.; and Van Zwisohn, Esq.

Received and filed.

Correspondence from Mark M. Rider, County Attorney, appointing the following Assistants effective 1/1/07 through 12/31/07: Stephen M. Dorsey, First Assistant County Attorney, FT; Hugh G. Burke, FT; Karen D’Andrea, FT; Richard A. Kupferman, PT; Paul Pelagalli, PT; and Andrea DiDomenico, PT.

Received and filed.

Resolution adopted by the Saratoga Lake Protection and Improvement District supporting a County water system.

Received and filed.

Copy of a resolution adopted by the Saratoga County Soil & Water Conservation District commemorating Carl Seymour for his years of service and dedication to the District.

Received and filed.

Copy of a Complaint Against the Hudson River-Black River Regulating District Regarding Unauthorized Assessments Of Headwater Benefits Charges by the Fourth Branch Associates (Mechanicville).

Received and filed.

Copy of the Industrial Development Agency’s revised 2006 Budget as well as the estimated 2007 Budget.

Received and filed.

Harry G. Gutheil, Jr., Chairman
Saratoga County Board of Supervisors
40 McMaster Street
Ballston Spa, New York 12020

Dear Chairman Gutheil:

I would like to extend to you and the entire Board of Supervisors a sincere “thank you” for your most generous contribution to the Children’s Christmas Program. The number of unsponsored children has grown steadily over the years. Your kindness and generosity will certainly help with this problem and “brighten-up” Christmas for the less fortunate.

Thank you!

Sincerely,

Robert S. Christopher
Commissioner
Saratoga County Dept. of Social Services

Thank you so much for the Proclamation issued to me for my 25 years of service with the County. The desk clock with my name on it is a wonderful reminder. Thank you again.

Mary K. McChesney
(Saratoga County DMV)

To the Board of Supervisors of Saratoga County:

I just want to say thank you for the resolution introduced by Supervisor Callanan honoring the memory of my husband, Bill. I really appreciate it. Being elected Supervisor of the Town of Ballston and member of the Board of Supervisors was a new challenge for him. He enjoyed the challenges and always tried to do what was right for the people. Best wishes to you in 2007.

Sincerely,

Genevie Sewell

REPORTS:

REPORT NO. 1

LABOR/MANAGEMENT SAFETY COMMITTEE

2006 ANNUAL REPORT

TO THE HONORABLE BOARD OF SUPERVISORS:

Highlights of 2006

1. 2006 Safety Suggestion Contest Winners:

1st Place – Clearly identify crosswalk in front of Building #1 including crosswalk signs.

2nd Place – Baby-changing station in the Woodlawn Avenue Building.

All winning suggestions are in the process or have been implemented. In some cases the non-winning safety suggestions were implemented even though they were not selected for prizes.

2. Robert K. Hartman, Personnel Safety and Health Coordinator, presented an overview on New York State Legislation requiring public employers to create a Workplace Violence Prevention Program.

3. Sue Lent, Self Insurance Specialist, presented an overview of Self Insurance/Workers’ Compensation which included trends from past year(s) and projections for 2006.

4. Marilyn L. Rivers, Risk and Safety Manager for the City of Saratoga Springs, made a presentation on safety initiatives within the City of Saratoga Springs.

I wish to thank the members of this Committee for their loyal participation in this Committee’s mission. As a result of this Committee’s work, Saratoga County is a safer place to work and a safer place for the public to conduct its business.

Respectfully submitted,

Frank Thompson, Chairman
Labor/Management Safety Committee

Mr. Barrett said he received a report from Paul Lent on the ice storm. He said he and Paul spent a lot of time on the phone last Monday, and he thanked him for all of his hard work through the day and night and helping to get the warming shelters together. I want to thank Paul, the Red Cross, and everybody else who was involved for all of their help, he said.

Mr. Johnson moved to remove Resolution 265-06 from the table. Mr. DeCerce seconded. The motion failed by the following vote: AYES - Mr. Barrett 16,555; Mr. DeCerce 18,359; Mr. Grattidge 3,954; Mr. Hargrave 3,589; Mr. Janik 7,362; Mr. Johnson 12,541; Mrs. Johnson 920; Mr. Lucia 6,259; Mr. Peck 4,603; Ms. Raymond 1,384; Mr. Wood 5,114 – 80,640. NOES - Mr. Gutheil 13,549; Mr. Hunter 1,841; Ms. Keyrouze 13,093; Mr. Lawler 8,515; Mr. Thompson 17,103; Ms. Yepsen 13,093 – 67,194. ABSENT - Mr. Callanan 8,729; Mr. Connors 7,522; Ms. Daly 16,555; Mr. Richardson 5,019; Mr. Sausville 13,005; Mr. Trottier 1,971 – 52,801.

On a motion by Mrs. Johnson, seconded by Mr. Lucia, Resolutions 12 through 28 were adopted by a unanimous vote.

RESOLUTION 12 - 07

Introduced by Supervisor Barrett

APPOINTING COMMISSIONERS OF SARATOGA LAKE PROTECTION AND IMPROVEMENT DISTRICT

WHEREAS, pursuant to Chapter 460 of the Laws of 1986, the five Commissioners of the Saratoga Lake Protection and Improvement District are appointed by the Board of Supervisors; and

WHEREAS, the terms of Commissioners Dr. Edward Dweck and Jeanette Bruno have expired; now, therefore, be it

RESOLVED, that Dr. Edward Dweck and Jeanette Bruno be reappointed as Commissioners of the Saratoga Lake Protection and Improvement District for the stated term:

<u>Name</u>	<u>Municipality</u>	<u>Prior</u>	<u>Term Expires</u>
Dr. Edward Dweck	County at Large	Res. 12-04	12/31/09

1253 Rt. 9P
 Saratoga Springs, NY 12866

Jeanette Bruno
 7 East Cove Road
 Saratoga Springs, NY 12866

Town of Stillwater

Res. 12-04 12/31/09

RESOLUTION 13 - 07

Introduced by Supervisors M. Johnson, Connors, Gutheil, Hunter, Lucia, Raymond and Trottier

AUTHORIZING ACCEPTANCE OF A GRANT TO ACQUIRE EASEMENTS AT THE SARATOGA COUNTY AIRPORT, PIN 1902.42 (THE "PROJECT")

WHEREAS, the NYSDOT has offered a matching grant to federal grant AIP #3-36-0004-22-06; and
 WHEREAS, the County of Saratoga desires to advance the Project by committing funds for the local match, the funding shares being federal (FAA): \$894,020; State \$23,527; Local \$23,527; and Total \$941,074; and

WHEREAS, if the County of Saratoga and/or the FAA notifies the NYSDOT that the County of Saratoga has requested and received an increase in Federal funding for the Project based on increased eligible costs and has authorized the proportionate increase in local funding, the State share noted above shall be increased proportionately up to a maximum increase of 15%; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the acquisition of aviation easements for Runway 14 at the Saratoga County Airport (PIN 1902.42); and be it further

RESOLVED, that the Chair of the Board be and is hereby authorized to execute all necessary Agreements on behalf of the County of Saratoga with NYSDOT in connection with the Project, and it is further

RESOLVED, that a Certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. The revenues are already included in the 2007 budget.

RESOLUTION 14 - 07

Introduced by Supervisors M. Johnson, Connors, Gutheil, Hunter, Lucia, Raymond and Trottier

AMENDING THE 2007 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO SARATOGA COUNTY AIRPORT

WHEREAS, unexpended 2006 funds in the amount of \$950,437.21, to complete acquisition of aviation easements around the Saratoga County Airport need to be reappropriated to the 2007 budget; now, therefore, be it

RESOLVED, that the 2007 Saratoga County Budget is amended as follows:

PUBLIC WORKS/BUILDINGS DIVISION:

Appropriations:

Increase Acct.: #1-50-513-7091 Land Acquisition	\$847,875.00
Increase Acct.: #1-50-513-7098 Professional Services	\$102,562.21

Revenues:

Increase Acct.: #1-5099.M Fund Balance	\$ 23,760.93
Increase Acct.: #1-50-3592 SA Airport	\$ 23,760.93
Increase Acct.: #1-50-4592 FA Airport	\$902,915.35

BUDGET IMPACT STATEMENT: The local share of the project is \$23,760.93 and was included in the 2006 budget.

RESOLUTION 15 - 07

Introduced by Supervisors M. Johnson, Connors, Gutheil, Hunter, Lucia, Raymond and Trottier

AUTHORIZING SEWER LINE EASEMENTS OVER COUNTY LAND IN THE TOWNS OF CLIFTON PARK AND MALTA

WHEREAS, property owned by the County of Saratoga shown on the tax map as Parcel #250-2-14 adjoins property owned by Cory C. Reynolds and Lori E. Reynolds in the Town of Clifton Park shown on the tax map as Parcel #250.00-2-15.1; and

WHEREAS, property owned by the County of Saratoga shown on the tax map as Parcel #240.00-1-28 is in close proximity to two parcels owned by Daniel J. Rainville and Maria S. Rainville in the Town of Malta shown on the tax map as Parcel #240.00-1-4.21 and Parcel #240.00-1-4.22; and

WHEREAS, the property owned by the County contains an interceptor sewer line owned and operated by Saratoga County Sewer District #1; and

WHEREAS, these property owners need to obtain from the County of Saratoga easements for the installation, operation and maintenance of sewer lateral lines across said County lands, which lateral lines will connect to the Sewer District's interceptor line; and

WHEREAS, the requested easements will not endanger the sewer interceptor line or in any way inhibit the use of the County property by the Sewer District or the County; and

WHEREAS, the Saratoga County Sewer District Commission has recommended that the requested sewer line easements be granted by this Board; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents needed to grant a sewer line easement to Cory C. Reynolds and Lori E. Reynolds across County land shown as Tax Parcel #250.00-2-14 to benefit their property shown as Tax Parcel #250.00-2-15.1 in the Town of Clifton Park, the form and content of such easement to be subject to the approval of the County Attorney, and be it further

RESOLVED, that the Chair of the Board is authorized to execute any and all documents needed to grant a sewer line easement to Daniel J. Rainville and Maria S. Rainville across County land shown as Tax Parcel #240.00-1-28 to benefit each of their properties shown as Tax Parcel #240.00-1-4.21 and Tax Parcel #240.00-1-4.22 in the Town of Malta, the form and content of such easements to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 16 - 07

Introduced by Supervisors Thompson, Grattidge, Hargrave, Janik, Lucia, Raymond and Yepsen

AMENDING THE 2007 BUDGET TO REAPPROPRIATE UNSPENT FUNDS FOR BRIDGE CONSTRUCTION

WHEREAS, unexpended 2006 funds in the amount of \$406,477.63, authorized for the engineering, construction and/or reconstruction of the Bryants Bridge over Fish Creek in the Town of Saratoga, Stewarts Dam Bridge in the Town of Hadley, CR43 Bridge over the D & H Railroad in the City of Saratoga Springs, and the Dunning Street Roundabout in the Town of Malta, need to be reappropriated to the 2007 budget; now, therefore, be it

RESOLVED, that the 2007 Saratoga County Budget is amended as follows:

DEPARTMENT OF PUBLIC WORKS

Appropriations:

Increase Acct.	#2-50-510-7502 Highway Services	\$ 92,846.95
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Increase Acct. #2-50-510-8130 Engineering	\$313,630.68
Revenues:	
Increase Acct. #2-0599.M Fund Balance	\$251,956.88
Increase Acct. #2-50-3590 Marchiselli SA	\$ 47,241.92
Increase Acct. #2-50-4590 Marchiselli FA	\$107,278.83

BUDGET IMPACT STATEMENT: The HBRR bridges are 95% reimbursed through State and Federal Aid which totals \$299,198.80.

RESOLUTION 17 - 07

Introduced by Supervisors Trottier, Callanan, Connors, Grattidge, A. Johnson, M. Johnson and Lawler

AUTHORIZING ACCEPTANCE OF A CRIME VICTIMS BOARD GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS)

WHEREAS, a grant in the amount of \$71,200 is available from the New York State Crime Victims Board for the purpose of assisting the District Attorney's Office in providing services to crime victims, and

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

RESOLVED, that the Chair of the Board and/or the County Administrator execute all documents necessary to apply for and accept a New York State Crime Victims Board grant in the amount of \$71,200 to assist the District Attorney's Office in providing services to crime victims.

BUDGET IMPACT STATEMENT: No budget impact. The revenues has been included in the 2007 budget.

RESOLUTION 18 - 07

Introduced by Supervisors Trottier, Callanan, Connors, Grattidge, A. Johnson, M. Johnson and Lawler

AMENDING THE 2007 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO THE COMPLETION OF THE CONSTRUCTION OF THE BURN BUILDING

WHEREAS, unexpended 2006 funds in the amount of \$784,161.80 to complete the construction of the burn building need to be reappropriated to the 2007 budget; now, therefore, be it

RESOLVED, that the 2007 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES/FIRE:

Appropriations:

Increase Acct.: #1-36-363-7093 Building Construction	\$784,161.80
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Revenues:

Increase Acct.: #1-0599.M Fund Balance	\$784,161.80
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BUDGET IMPACT STATEMENT: Will reduce unappropriated Fund Balance by \$784,161.80.

RESOLUTION 19 - 07

Introduced by Supervisors Trottier, Callanan, Connors, Grattidge, A. Johnson, M. Johnson and Lawler

AMENDING THE 2007 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO PURCHASES COVERED UNDER STATE HOMELAND SECURITY FUNDS

WHEREAS, unexpended 2006 funds in the amount of \$239,000.80 are needed for purchases covered under State Homeland Security funds and need to be reappropriated to the 2007 budget; now, therefore, be it

RESOLVED, that the 2007 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES/FIRE:

Appropriations:

Increase Acct.: #1-36-363-7080 Equipment \$239,000.80

Revenues:

Increase Acct.: #1-36-3306 Homeland Security \$239,000.80

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 20 - 07

Introduced by Supervisors Trottier, Callanan, Connors, Grattidge, A. Johnson, M. Johnson and Lawler

AMENDING THE 2007 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO THE SHERIFF'S DEPARTMENT DISPATCH CENTER

WHEREAS, unexpended 2006 funds in the amount of \$305,382.59 for completion of the Sheriff's Department Dispatch Center need to be reappropriated to the 2007 budget; now, therefore, be it

RESOLVED, that the 2007 Saratoga County Budget is amended as follows:

SHERIFF'S DEPARTMENT:

Appropriations:

Increase Acct.: #1-30-000-7095 Capital Equipment \$305,382.59

Revenues:

Increase Acct.: #1-30-3988 Wireless 911 \$305,382.59

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 21 - 07

Introduced by Supervisors A. Johnson, Daly, Gutheil, Janik, Peck, Richardson and Sausville

AUTHORIZING AN AGREEMENT WITH SEDC AND THE SARATOGA COUNTY EMPIRE ZONE ADMINISTRATIVE BOARD FOR EMPIRE ZONE ADMINISTRATION SERVICES

WHEREAS, by Local Law 3 of 2000, this Board of Supervisors established the Saratoga Empire Zone pursuant to Article 18-B of the General Municipal Law; and

WHEREAS, the Saratoga County Empire Zone Administrative Board has been created to administer the Empire Zone; and

WHEREAS, Section 963 of the General Municipal Law and Section 4(a) of Local 3 of 2000 authorize the Administrative Board to contract with a local development corporation to assist the Board in performing its duties; and

WHEREAS, the Saratoga County Economic Development Corporation (SEDC) is a local development corporation qualified and willing to contract with the Administrative Board to assist the Board in performing its duties, now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with the Saratoga Economic Development Corporation and the Saratoga County Empire Zone Administrative Board for the provision of services by SEDC to the Administrative Board in the performance of its duties for the period January 1, 2007 through December 31, 2007, in an amount not to exceed \$60,000.00, the form and substance of said agreement subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. These funds are included in the 2007 Adopted Budget.

Introduced by Supervisors A. Johnson, Daly, Gutheil, Janik, Peck, Richardson and Sausville

RECOMMENDING THE STATE CONDUCT RESPONSIBLE & COST-EFFECTIVE FISH MONITORING FOR THE DISEASE VHS IN PRIVATE NYS FISH HATCHERIES

WHEREAS, a fish disease known as Viral Hemorrhagic Septicemia (VHS) has been identified in New York State and poses a significant threat to both the wild and cultured fisheries resources of the State; and

WHEREAS, the Department of Environmental Conservation is proposing emergency changes to Part 10 of Title 6 of the Codes, Rules and Regulations of the State of New York (NYCRR) to require all hatchery fish in NYS to be tested for VHS and eight (8) other fish diseases; and

WHEREAS, the cost of the proposed fish testing regimen, which would be required of all private fish hatcheries under the aforementioned emergency rule change, is extremely expensive and could amount to several thousands of dollars annually for each privately owned fish hatchery; and

WHEREAS, it is believed that the cost of this new fish testing requirement will force many private fish hatcheries out of business, causing a reduction in the supply of fish stocked in streams throughout Saratoga County and the State of New York; and

WHEREAS, public sport fishing is responsible for generating many millions of dollars annually to Saratoga County's local economy and a reduction of the stocking of private hatchery fish will damage sport fishing; and

WHEREAS, the State of New York will be testing its own hatchery fish under the proposed emergency rule and is currently paying for private hatchery fish testing for Whirling Disease, one of the nine required fish tests under the proposed rulemaking; now, therefore, be it

RESOLVED, the Saratoga County Board of Supervisors requests New York State, in its proposed emergency rulemaking for fish testing, give consideration to the serious negative financial impact this action will have on New York State's private fish hatcheries and to New York State's sport fishing industry; and be it further

RESOLVED, that New York State, to assure the long-term protection and viability of the State's sport fishing industry, assume all costs for the testing of fish raised at privately owned fish hatcheries within New York State which will be required pursuant to the proposed changes to Part 10 of Title 6 of the Codes, Rules and Regulations of the State of New York (NYCRR) to control the fish disease VHS; and be it further

RESOLVED, this resolution be transmitted to Governor Eliot Spitzer, all Saratoga County NYS legislative representatives, the Chairs of the NYS Senate and Assembly Environmental Conservation Committees, and to the Commissioner of the New York State Department of Environmental Conservation.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 23 - 07

Introduced by Supervisors A. Johnson, Daly, Gutheil, Janik, Peck, Richardson and Sausville

ADOPTING A LOCAL LAW APPROVING THE ALLOCATION OF EMPIRE ZONE LANDS FOR THE PROPOSED EXPANSION OF MOMENTIVE PERFORMANCE MATERIALS, USA INC. MANUFACTURING

WHEREAS, Resolution 257-06 introduced and presented proposed Introductory No. 5, Print No. 1 of 2006 to this Board of Supervisors and scheduled a public hearing thereon for January 10, 2007 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, 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 22nd day of January, 2007 hereby adopts a Local Law identified as Introductory No. 5, Print No. 1 of 2006 as set forth in annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

COUNTY OF SARATOGA COUNTY
LOCAL LAW 1 - 2007

A LOCAL LAW approving the allocation of zone lands for the proposed expansion of Momentive Performance Materials, USA Inc. 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, Momentive Performance Materials, USA Inc. manufactures Sealants, HCE, RTV, Coatings, Speciality Fluids, Resins, and Intermediates for aerospace, medical, pharmaceutical, and electronics, cosmetic and industrial uses; and

WHEREAS, Momentive Performance Materials, USA Inc. plans to create over 50 new positions within the next three years; 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 Momentive Performance Materials, USA Inc. 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:

Town of Waterford Momentive Performance Materials, USA Inc. Empire Zone

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Waterford, County of Saratoga, State of New York, lying generally at the intersection of the east and west of Hudson River Road, and being more particularly described as follows:

Being an irregular shaped parcel identified on the 2006 tax maps of the Town of Waterford as and containing the following Tax Map Parcels: 286.00-1-56, 286.00-1-39.12 and 286.00-1-15.1.

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 24 - 07

Introduced by Supervisors Hargrave, Gutheil, A. Johnson, M. Johnson, Peck, Thompson and Wood

ACCEPTING HAVA FUNDS GRANTS TO ASSIST COMPLIANCE WITH THE HELP AMERICANS VOTE ACT (HAVA)

WHEREAS, due to the passage of the Help Americans Vote Act (HAVA), funds are available through New York State to assist counties in coming into compliance with that Act; and

WHEREAS, three grants are available from New York State Board of Elections in the amounts of \$65,650 for Voting Access for Individuals with Disabilities – Polling Place Access Improvements, \$31,539 for Voting Access for Individuals with Disabilities – Polling Place Access, and \$131,301 for Voter Education/Pollworker Training respectively, and

WHEREAS, only the Voter Education/Pollworker Training Grant requires a 5% local fund match; and

WHEREAS, acceptance of these funds requires Board approval; now, therefore, be it

RESOLVED, that this Board of Supervisors accepts the following New York State Board of Elections County HAVA Funds Grants:

Voting Access for Individuals with Disabilities – Polling Place Access Improvements	\$ 65,650
Voting Access for Individuals with Disabilities – Polling Place Access	\$ 31,539
Voter Education/Pollworker Training	\$131,301,

and be it futher

RESOLVED, that the Chair of the Board is authorized to execute any and all contracts and documents necessary to accept these grants, subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The 5% local match is available in the 2007 adopted budget.

RESOLUTION 25 - 07

Introduced by Supervisors Hargrave, Gutheil, A. Johnson, M. Johnson, Peck, Thompson and Wood

AMENDING THE 2007 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO COMPUTERIZATION AND DIGITIZATION OF LAND RECORDS IN THE COUNTY CLERK’S OFFICE

WHEREAS, unexpended 2006 funds in the amount of \$162,500 are needed for the computerization and digitization of land records and need to be reappropriated to the 2007 budget; now, therefore, be it

RESOLVED, that the 2007 Saratoga County Budget is amended as follows:

COUNTY CLERK’S OFFICE:

Appropriations:

Increase Acct.: #1-19-000-8190 Professional Services \$162,500

Revenues:

Increase Acct.: #1-0599.M Fund Balance \$162,500

BUDGET IMPACT STATEMENT: Will reduce unappropriated fund balance by \$162,500.

Discussion on Res. 26:

Mr. Gutheil said every year for a number of years he has been approached by Supervisors for discussion on how we do this and when we do it, and it normally comes up during budget time. He said he has looked at the salaries for these certain individuals. He said the two part timers on this list are the Coroners with the lowest salary, and the salaries for the full timers run from \$66,457 to \$131,619. He said the straight across the board cost of living increase creates a bigger spread year after year. He said he was of the understanding that in certain years, we would do a flat amount. He said since the public hearing on this, Personnel has provided him with additional information. This particular local law affected 11 or 12 people, and some of them had a Step plus a COLA. We need to work on this in advance and have more discussion at budget time. We have to determine if this is a true cost of living or if we are using what the last union contract’s COLA number was, he said. He stated the union contract ones were negotiated items, and there were no negotiations for this particular group of the work force and others. He said he wanted to make a point that there is a fairer way of

doing it, or we need to do an increase by a flat amount more frequently so that the spread does not become greater amongst these people. In some cases, someone gets a \$1,200 raise, and another gets a \$4,000 raise, he said. Later this year, before we pass another resolution in December, we should have Law & Finance review this or we set up a standing Personnel Committee, he added. He said he is not against a cost of living increase, we just should know what we are going to base it on. Is it a cost of living put out by the Feds or that according to the union contract, he asked. He said it costs each employee the same for a gallon of gas, a loaf of bread, the electric bill. He said the cost of living on a flat amount for each one more frequently would be fairer to everybody.

Ms. Raymond said it is important, particularly to some of the newer Supervisors, to understand better how our payroll and compensation works. She said she does not think a lot of people are aware there are Steps plus raises. She said it would be quite helpful if we could get a list of each person with last year's salaries and the proposed new salaries in advance of when we are asked to vote on it. Some people don't understand that the budget you get in 2007 actually has everybody's 2006 salary on the line with their title because they have not yet been given an increase. I hope when it gets closer to budget time, we move forward with that kind of proposal, she said.

Mr. Lawler said we have done it like this, and to try to change it today is probably not a wise thing to do. He said the issue he has with this is it is being called a COLA, and it has nothing to do with a COLA. The rate of the increase simply mirrors the negotiated increase in the union contract, he said. A salary adjustment is appropriate for the small term employees who are at the high end of their salary structure, because if we don't adjust those salaries as inflation goes up, the value of their paycheck goes down. He said it should be fixed to whatever cost of living index we want to use. He said he would like to get the language straight for next year. Presenting this as a cost of living allowance is not exactly accurate, he said. If the union said they were going to forego a raise for a year, I think it would still be appropriate to give some of the employees who are at the high end of their Step some kind of a cost of living allowance, he stated.

Chairman Barrett said we will certainly look at that for next year.

RESOLUTION 26 - 07

Introduced by Supervisors Hargrave, Gutheil, A. Johnson, M. Johnson, Peck, Thompson and Wood

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 4-06, PRINT NO. 1, RELATIVE TO AMENDING THE COMPENSATION SCHEDULE BY INCREASING THE COMPENSATION BY A COST-OF-LIVING INCREASE FOR CERTAIN COUNTY OFFICIALS, AND SETTING A DATE FOR A PUBLIC HEARING

WHEREAS, Resolution 248-06 introduced and presented a proposed Local Law identified as Introductory No. 4-06, Print No. 1 to this Board of Supervisors and scheduled a public hearing thereon for January 10, 2007 at 4:45 P.M. in the Meeting Room of the Saratoga County Board of Supervisors at 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 22nd day of January, 2007 hereby adopts a Local Law identified as Introductory No. 4-06, Print No. 1 as set forth in annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact

COUNTY OF SARATOGA
LOCAL LAW - 2007

A LOCAL LAW PROVIDING FOR SALARY
INCREASES FOR CERTAIN COUNTY OFFICIALS

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

SECTION 1. The 2007 compensation for the following County officials shall be increased to the following levels, effective January 1, 2007:

Carol Holley, Director of Real Property Tax Services	\$ 84,454
Robert Christopher, Commissioner of Social Services	\$114,060
Mark Rider, County Attorney	\$125,852
John Murray, County Auditor	\$ 80,387
John Ciulla, Public Defender	\$131,619

ELECTED OFFICIALS:

James Murphy, District Attorney	\$124,364
James Bowen, Sheriff	\$102,891
Thomas Salvadore, Coroner	\$ 23,363
John DeMartino, Coroner	\$ 23,363

APPOINTED OFFICIALS

Diane Wade, Commissioner of Elections	\$ 66,457
William Fruci, Commissioner of Elections	\$ 66,457

SECTION 2. This Local Law is subject to a permissive referendum as provided in Municipal Home Rule Law §24.

SECTION 3. This Local Law shall become effective as provided in Municipal Home Rule Law §27.

Schedule "A"

RESOLUTION 27 - 07

Introduced by Supervisors Hunter, DeCerce, Hargrave, M. Johnson, Keyrouze, Trottier and Wood

AUTHORIZING COUNTY AUDITOR TO APPROVE TAX REFUNDS AND CORRECTIONS NOT TO EXCEED \$2,500

WHEREAS, Real Property Tax Law §554 and §556 authorize delegation to the County Auditor of legislative duties relative to the correction and refund of certain taxes; now, therefore, be it

RESOLVED, that, upon the joint recommendations of the Director of the Real Property Tax Service Agency and the County Treasurer, the County Auditor is authorized pursuant to §556 of the Real Property Tax Law to approve for payment tax bill refunds in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor is authorized pursuant to §554 of the Real Property Tax Law to approve corrections of errors on tax rolls in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor shall report to the Equalization and Assessment Committee all refunds and corrections made pursuant to the authority delegated by this Resolution.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 28 - 07

Introduced by Supervisors Hunter, DeCerce, Hargrave, M. Johnson, Keyrouze Trottier and Wood

AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, unpaid taxes resulted in the acquisition of certain lands, including parcel #253.49-1-24 in the Town of Stillwater; and

WHEREAS, Citimortgage, Inc. foreclosed its mortgage on parcel #253.49-1-24 and the property was conveyed to the Secretary of Housing and Urban Development following the bank's foreclosure; and

WHEREAS, the nominal owner of parcel #253.49-1-24, Christine M. Woodbeck, no longer has any interest in the parcel; and

WHEREAS, the Citimortgage, Inc. tendered the required amount of \$1,569.93, being the taxes, interest, penalties and charges due, and has requested the pre auction conveyance of the parcel to the Secretary of Housing and Urban Development; and

WHEREAS, the Equalization and Assessment Committee recommends approval of this request; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors convey parcel numbered 253.49-1-24 in the Town of Stillwater by quitclaim deed to the Secretary of Housing and Urban Development.

BUDGET IMPACT STATEMENT: No budget impact.

Chairman Barrett announced the following appointments:

DIRECTOR OF EMERGENCY SERVICES

Paul Lent
85 Featherbed Lane
Ballston Spa, NY 12020

FISH & WILDLIFE MANAGEMENT BOARD

Ronald Rybicki, Alternate Sportsman
3902 Lewis Road
Ballston Spa, NY 12020

SOIL & WATER CONSERVATION DISTRICT

Supervisor Tom Wood, Alternate
Town of Saratoga

Mr. Lucia said one of the things the Veterans' Committee started this year was to video tape the Honor A Deceased Veteran program to be able to give the tapes to the family and also to be shown on Time Warner Channel 17. The first program videoed will be shown on Wednesday, January 24th at 7:00 p.m., he said.

Mr. Johnson said if there are any Supervisors who plan to attend the County Planning Conference on Wednesday at the City Center and who are not registered, please let Mrs. Plummer know because name tags are being made up.

Mrs. Yepsen asked where else the Supervisors' Proceedings that were handed out today are distributed. Mrs. Plummer said to all of the libraries in the County and to the department heads.

Mrs. Yepsen invited all Supervisors to the Saratoga County Arts Council's Grant Awards Ceremony. They would like the Supervisors to go and present the awards that evening on February 8th from 4-6 p.m. at the Arts Center. Awards will be distributed to winners of arts and education grants and for the SPAC grants, she said.

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

Barbara J. Plummer, Clerk