

AGENDA

August 13, 2008 5:00 p.m.

Vice-Chairman Johnson called the meeting to order.

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

On a motion by Mr. Lucia, seconded by Mr. Richardson, the minutes of the meeting of July 9, 2008 were approved unanimously.

SARATOGA COUNTY WEBSITE PRESENTATION

Vice-Chairman Johnson said when Supervisor Barrett was Chairman of the Board last year, one of his initiatives was to develop a new County website. We are happy today that it will be unveiled, he said.

Mr. Barrett said he is happy and proud of the work done by the County to see this through. He said Jason Kemper, Planning Director, is the Chairman of the Technical Outreach Committee; Supervisor Jean Raymond was a great help as well as Supervisor Hargrave, Bob Kingsbury and Jennifer Ciulla. He thanked them for their hard work in this thorough process. He stated we want this to be a great resource for the entire County, and he said he believes everybody will be very impressed.

Jason Kemper said the Technical Outreach Committee went out for an RFI, and seven different vendors came in and explained what was needed for the website. We developed an RFP, and in between the RFI and RFP, we went to each County department to see what they would like on the website, he said. Of the original 12 responders on the RFI, we received nine back on the RFP, and we narrowed that down to three vendors, he stated. In February, the Board authorized ICOM to develop the website, he said. He stated the new website will be launched on Tuesday morning, August 19th. Our domain name was a nightmare in the past, and now we are at www.saratogacountyny.gov, he added. He displayed the new web page and photos that he said will change intermittently. He explained the various aspects of this new site. He said it will be up to every department to change what is specific to their department, and the changes will have to be approved by the Data Processing Department.

Mr. Barrett said it is important for every department to submit information to Mr. Kemper and Mr. Kingsbury at this point - - at the minimum, the basic information of what the department does and who the department head is, etc. Mr. Kemper said some of the forms on line are fillable, and some are not. We will look into developing forms for those departments that didn't have forms, he said.

Mr. Peck mentioned that sometimes, he does not access his County e-mail, and Mr. Kemper said Supervisors' e-mail addresses can easily be changed to the e-mail they prefer.

Mr. Lawler asked if there was a policy about organizations that want links from our site. He asked if we had security protocols. If we don't, we may want to consider this, because there are people who will want to link off of this site. Mr. Kingsbury said in the past, we ran it through the County Attorney on a case-by-case basis. Mr. Lawler said no. We should create a policy so we are not dolling out links, he stated. The County Attorney should not be put in that position, he added. Vice-Chairman Johnson stated the Technical Outreach Committee will work on that.

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

EQUALIZATION AND ASSESSMENT

Accepting a tender offer in the Town of Hadley for \$6196.80. (Sam Pitcherale, Treasurer)

Mr. Wickerham said this is a regular pre-auction tender offer.

Authorizing a tax refund of \$2,529 on parcel #250.-1-25 in the Town of Malta. (Carol Holly, Real Property Tax Director)

Mr. Wickerham said this is the old Grand Prix. They were overcharged for their sewer connections, he said.

ECONOMIC DEVELOPMENT

Authorizing the Chair to accept the annual State Snowmobile Grant in an amount not to exceed \$89,000. (Jason Kemper, Planning Director)

Mr. Wickerham said this will be what is finally approved by the State, and it is strictly a pass through.

Supporting the application of Pan Am and Norfolk Southern Railroads before the Federal Surface Transportation Board to complete the intermodal project. (Jason Kemper, Planning Director)

Mr. Wickerham stated this is for Mechanicville.

Authorizing the Chair to enter into revenue contract with the A. Johnson Company to accept \$67,682.95 for timber harvested on county property in the Town of Providence. (George Hodgson, Environmental Services Director)

Mr. Wickerham stated this was the high of four bids.

Designating the Saratoga County Chamber of Commerce as the county TPA (Tourism Promotion Agency) and authorizing them to apply for \$263,850 in I Love NY tourism grants for 2008-2009. (Dave Wickerham, County Administrator)

Mr. Wickerham said we will probably receive \$70,000 to \$75,000.

PUBLIC SAFETY

Authorizing the Chairman to accept an Emergency Management Performance Grant in the amount of \$75,207. (Paul Lent, Emergency Services Director)

LAW AND FINANCE

Authorizing the Chairman to enter into agreements with C.O. Falter Construction \$1,534,601 for general construction and Brunswick Electric \$382,862 to perform capital upgrades to the Crescent Estates pump station in Clifton Park and the Grooms Road pump station in Halfmoon and amending the 2008 budget. (Jim DiPasquale, Executive Director)

Ratifying an emergency condition at the Saratoga County Sewer District's Milton pump station and authorizing agreements and expenses required to perform necessary repairs. (Jim DiPasquale, Executive Director)

Mr. Wickerham said this is due to a lightning strike, and extensive damage was done. We are looking at \$250,000 worth of repairs, he said.

Ratifying an emergency condition at the Saratoga County Sewer District's main treatment facility requiring repairs of a sludge discharge pump at a cost of \$26,467.39 and authorizing agreements with Schwing Bioset to perform necessary repairs. (Jim DiPasquale, Executive Director)

Authorizing the Chairman to enter into an agreement with Clark Moving and Storage to transport voting machines for the 2008 primary and general elections at a cost of \$10,450 per election. (Diane Wade Election Commissioner, Bill Fruci Election Commissioner)

Mr. Wickerham said this is the low of three responses.

Accepting a \$69,389 Local Government Records Management Improvement grant and amending the 2008 county compensation schedule and budget. (Kathy Marchione, County Clerk)

Mr. Wickerham stated nine employees work on a part-time basis in that area. It is dependent on the grant being received, he said.

Setting September 10, 2008, 4:45pm for a public hearing on the fee structure for filings in the County Clerk's office. (Kathy Marchione, County Clerk)

Mr. Wickerham said this is in compliance with State regulations.

Requesting Home Rule Legislation to permit the transfer of County forestland to the Town of Moreau in exchange for comparable land from Moreau. (Mark Rider, County Attorney)

Mr. Wickerham stated we did this before, and the Assembly has made changes in it.

Approving the issuance of \$45,000,000 in bonds by the Saratoga County Water Authority for the Saratoga County Water Project. (Mark Rider, County Attorney)

Mr. Wickerham said this approves the Authority's decision to bond by the County.

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, AUGUST 19, 2008
AT 4:00 P.M., D.S.T.

Board called to order by Chairman Hargrave.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, Arthur J. Johnson – 22. ABSENT - John Lawler – 1.

The invocation was given by Tom Wood, Chaplain.

On a motion by Mr. Lucia, seconded by Mr. Grattidge, the minutes of the meeting of July 15, 2008 were approved unanimously.

The Clerk presented the following:

Acknowledgement of receipt of Local Law 3-08 received from the NYS Department of State.

Received and filed.

Copy of a Notice of Public Hearing to consider the adoption of Local Law 6 of 2008 of the Town of Moreau which would amend Chapter 113-A of the Moreau Town Code – a moratorium on the operation of mines, quarries, gravel pits and mineral extraction operations in the Town of Moreau.

Received and filed.

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Barbara:

Please relay my sincerest thank you and appreciation to all of the Saratoga County Board of Supervisors for the recent resolution welcoming me back from Iraq. Ensure that they do not forget the many other members of our military who continue to be in harm’s way fighting for our freedoms that we enjoy. Thank you for the clock at Christmas time.

Jeff Trottier

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Thank you so much for your thoughtfulness.

Hi All. Saratoga County is the best place to work in the world. Thanks for thinking of me with the basket, cards and calls.

(Supervisor) Dick Lucia

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Thank you. Your kindness is greatly appreciated.

Thank you for the fruit basket. Each day gets a little easier. Thanks for thinking of me.

Pam Hargrave

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A special note of thanks. A simple act of kindness has a beauty all its own. Thank you so much for your thoughtfulness.

The fruit basket was a wonderful gift and very much appreciated.

(Supervisor) Mary Ann Johnson



Mr. Richardson said about 20 months ago, we were fortunate to have the Supervisors grant the City of Mechanicville \$100,000 to begin to write grants to revitalize downtown Mechanicville. He mentioned the other grants they have received over the last year and a half. We thank all of you for giving us a head start for helping us prime the pump, he said. To this date, we received \$2,488,000 in grants because of you giving us the opportunity, he stated. He mentioned Senator Bruno's office helped them also. He said they are not done, as they have several grants that are pending. He said they still have a few thousand left from the original \$200,000 that they started with. We appreciate this opportunity, and thank you, he said.

Mr. Peck announced there will be a Land Preservation Committee meeting on Monday September 8th at 3:00 p.m.

Mr. Barrett said Supervisors should have received a set of posters and tickets for your town halls for the US Army Field Band and Soldiers' Chorus concert to be held at SPAC on September 20th at 7:00 p.m. He mentioned this was very well attended last year, and we are looking for the same this year. He thanked Barbara Plummer and Jennifer Ciulla for the work they have done on this as well as the full Veterans' Committee.

Ms. Daly said she wanted to bring to the Supervisors' attention an article she read a couple of months ago in "The Health & Happiness Herald" :

"We're a group of guys who don't get much attention, except when a mailbox is plowed over in a snowstorm or when the potholes appear in the spring...and we wanted to find a way, amongst ourselves, to put our good intentions to work to benefit our community. We feel good knowing that the monies we give to the Double H Ranch go toward sending our kids to camp in the summer and skiing in the winter", Joe Whalen, Highway Superintendent Town of Ballston. It began twelve years ago when two gentlemen, Kirk Woodcock, Highway Superintendent for the Town of Wilton and the late Cliff Thompson, then Highway Superintendent for the Town of Ballston, got to talking about ways to raise money for local kids in the County they serve. A school scholarship was one obvious option they kicked around, but how do you pick and choose a school. Kirk, a cancer survivor, came up with the idea to do something for kids in their county that are not so lucky. That year, 1995, the Saratoga County Town Highway Superintendents Association sponsored their first Saratoga County camper to spend a week in the woods. The next year, the proceeds from their annual fundraising efforts sent two children to camp...the numbers have crept up year to year...and this year, they have given \$13,000 in support of the Double H summer campers and winter sports enthusiasts. She stated she believes this is a phenomenal effort on their part. When I read that, I thought I should acknowledge them, and I applaud their efforts, she said.

Mr. Sausville reported the Legislative & Research Committee will be meeting September 10th at 3:00 p.m. If any Supervisor has legislative items they would like to have addressed, just let him know. We invite you all to give the committee your input so we can set the stage for next year, he added.

On a motion by Mr. Barrett, seconded by Mr. Lucia, Resolutions 165 through 179 were adopted by a unanimous vote, with the exception of Resolutions 166 and 177.

RESOLUTION 165 - 08

Introduced by Supervisors Daly, Connelly, A. Johnson, Peck, Richardson, Veitch and Wormuth

AUTHORIZING CHAIR TO ENTER INTO THE NECESSARY AGREEMENTS TO ACCEPT A SNOWMOBILE GRANT

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

WHEREAS, The Association has requested that Saratoga County apply for a SFY 2008/09 grant and to serve as a conduit between the State and the Association for the distribution of grant funds; and

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

RESOLVED, That the Chair of the Board execute all appropriate documents for application for, acceptance and receipt of a State Snowmobile Trail Development Fund Grant not to exceed \$89,000 and for its administration by the Saratoga County Association of Snowmobile Clubs; and be it further

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

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

BUDGET IMPACT STATEMENT: Funds and revenues are already included in the 2008 budget.

Res. 166:

Ms. Wormuth said the 80 acres this resolution refers to in Mechanicville actually lie in the City of Mechanicville, Town of Halfmoon and Town of Stillwater. She moved to request this resolution be amended to reflect that change. Mr. Richardson seconded. The amendment was adopted by a unanimous vote.

On a motion by Mr. Barrett, seconded by Mr. Veitch, Res. 166, as amended, was adopted by a unanimous vote.

RESOLUTION 166 - 08

Introduced by Supervisors Daly, Connelly, A. Johnson, Peck, Richardson, Veitch and Wormuth

URGING APPROVAL OF THE PAN AM AND NORFOLK SOUTHERN INTERMODAL RAILWAY PROJECT BY THE U.S. SURFACE TRANSPORTATION BOARD

WHEREAS, A partnership of Pan Am and Norfolk Southern Railways to be known as Pan Am Southern has proposed the creation of the Patriot Corridor Joint Venture; and

WHEREAS, The Patriot Corridor Joint Venture would site a new intermodal rail yard on 80 acres in the City of Mechanicville, the Town of Halfmoon and the Town of Stillwater; and

WHEREAS, The rail yard will facilitate the delivery of automobiles and container shipments of goods by rail throughout New York and New England; and

WHEREAS, The rail yard will create new jobs within Saratoga County, and foster the growth of warehouse and other related facilities which will enhance the economic well being of the County; and

WHEREAS, The improvement of rail facilities for the shipment of freight provides significant environmental and safety benefits to the general public; and

WHEREAS, The project is currently under review by the Surface Transportation Board of the U.S. Department of Transportation for its approval which is needed for the project to go forward; and

WHEREAS, The Saratoga County Board of Supervisors enthusiastically supports the project and welcomes its location within the County; now, therefore, be it

RESOLVED, That the Saratoga County Board of Supervisors expresses its support for the creation and siting of an intermodal rail yard in the City of Mechanicville, the Town of Halfmoon and the Town of Stillwater by the Patriot Corridor Joint Venture made up of Pan Am and Norfolk Southern railways; and be it further

RESOLVED, That Saratoga County Board strongly urges the approval of the project by the Surface Transportation Board of the U.S. Department of Transportation; and be it further

RESOLVED, That the Clerk of the Board forward a certified copy of this Resolution to the Surface Transportation Board of the U.S. Department of Transportation.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 167 - 08

Introduced by Supervisors Daly, Connelly, A. Johnson, Peck, Richardson, Veitch and Wormuth

AUTHORIZING LOGGING REVENUE AGREEMENT WITH A. JOHNSON COMPANY LLC FOR TIMBER HARVESTED IN THE TOWN OF PROVIDENCE

WHEREAS, The County owns 107 acres of forest lands located within the Town of Providence, which has been inventoried and marked for selective cutting; and

WHEREAS, Bids were solicited and A. Johnson Company LLC is the highest responsible bidder for that harvest; and

WHEREAS, Acceptance requires Board of Supervisors approval; now, therefore, be it

RESOLVED, That the Chairman of the Board execute an agreement with A. Johnson Company LLC of Bristol, Vermont for its selective harvesting of timber on a 107 acre parcel of County forest lands in the Town of Providence for the amount of \$67,682.95, its form and content being subject to the approvals of the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 168 - 08

Introduced by Supervisors Daly, Connelly, A. Johnson, Peck, Richardson, Veitch and Wormuth

DESIGNATING THE SARATOGA COUNTY CHAMBER OF COMMERCE AS THE COUNTY TPA (TOURISM PROMOTION AGENCY) AND AUTHORIZING THE SARATOGA COUNTY CHAMBER OF COMMERCE TO APPLY FOR "I LOVE NEW YORK" GRANTS FOR 2008-2009

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

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

WHEREAS, The maximum possible grant approximates \$263,850; and

WHEREAS, The 2008 Budget for tourism promotion includes a sufficient amount for the required local commitment for that maximum grant request with a total possible program expenditure of \$263,850; and

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

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

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

RESOLVED, That the Chairman of this Board of Supervisors is authorized and directed to execute and file necessary applications, acceptance and subrecipient documents required by the New York State Department of Economic Development for the maximum award of tourism matching funds for 2008-2009 with a possible total program expenditure of \$263,850.

BUDGET IMPACT STATEMENT: The actual funding level is not expected to exceed \$72,446.

RESOLUTION 169 - 08

Introduced by Supervisors Thompson, Grattidge, Jenkins, Lawler, Veitch, Wormuth and Yepsen

AUTHORIZING ACCEPTANCE OF AN EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE NEW YORK STATE EMERGENCY MANAGEMENT OFFICE

WHEREAS, An Emergency Management Performance Grant is available from New York State Emergency Management Office under its Homeland Security Program; and

WHEREAS, These funds can be used to offset administrative expenses related to the operation of the Office of Emergency Services; now, therefore, be it

RESOLVED, That the Chair of the Board is authorized to execute any and all documents necessary to apply for and accept a Emergency Management Performance Grant in the amount of \$75,207 from the New York State Emergency Management Office, the form and substance subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. These revenues are included in the 2008 budget.

RESOLUTION 170 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

AUTHORIZING THE CHAIR TO ENTER INTO CONTRACTS WITH C.O. FALTER CONSTRUCTION CORPORATION AND BRUNSWICK ELECTRIC, INC. TO PROVIDE CAPITAL UPGRADES TO THE SARATOGA COUNTY SEWER DISTRICT CRESCENT ESTATES PUMP STATION IN CLIFTON PARK AND THE GROOMS ROAD PUMP STATION IN HALFMOON AT A COST OF \$1,917,463 AND AMENDING THE 2008 COUNTY BUDGET

WHEREAS, The Crescent Estates and Grooms Road pump stations of the Saratoga County Sewer District are aging and in need of upgrades; and

WHEREAS, The Sewer District Commissioners have solicited bids for the general construction and capital upgrades of those pump stations; and

WHEREAS, The Executive Director and the Commissioners recommend accepting the bids of C.O. Falter Construction Corporation and Brunswick Electric, Inc., the low bidders; now, therefore, be it

RESOLVED, That the Chair of the Board is authorized to execute contracts with C.O. Falter Construction Corporation of Syracuse, New York as the general contractor at a cost not to exceed \$1,534,601 and Brunswick Electric, Inc. of Troy, New York for electrical work for the capital upgrades at a cost not to exceed \$382,862, for the upgrades of the Crescent Estates and Grooms Road pump stations of the Saratoga County Sewer District #1 total cost of this project not to exceed \$1,917,463, the form and substance of said contract subject to the approval of the County Attorney and the Contract Administrator; and be it further

RESOLVED, That the 2008 County Budget is amended as follows:

SEWER DISTRICT #1's

Appropriations:

Increase Acct. #7-81-812-7092 Infrastructure \$1,917,463

Revenues:

Increase Acct. #7-0599.M Appropriated Fund Balance \$1,917,463

BUDGET IMPACT STATEMENT: The Sewer District's fund balance will be reduced by \$1,917,463.

RESOLUTION 171 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

RATIFYING EMERGENCY REPAIRS TO THE MILTON PUMP STATION

WHEREAS, On July 27, 2008, the Saratoga County Sewer District's Milton Pump Station, located in the Town of Malta, was struck by lightning, resulting in a fire causing extensive damage to the building's roof, emergency generator, and electrical and control system; and

WHEREAS, The damage created an emergency situation in which the pump station and its components had to be immediately repaired and/or replaced in order to ensure the health and safety of the residents of Saratoga County; and

WHEREAS, Under these emergency conditions, the County contracted with Kinsley Power Systems of Albany, New York (repair generator), Tougher Industries, LLC of Albany, New York (repair gravity ventilator), Gross Electric, Inc. of Queensbury, New York (electrical repairs), Titan Roofing, Inc. of Chicopee, Massachusetts (roof repair), AllPro Cleaning Services of Glens Falls, New York (cleanup), Quick Response Commercial Division of Clifton Park, New York (secure building), and other vendors to make necessary repairs and render services needed to make the pump station operational; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby acknowledge, confirm and ratify the determination of the Executive Director of the Saratoga County Sewer District #1 that an emergency situation existed as a result of severe lightning and fire damage to the Milton Pump Station, thereby obviating the necessity of soliciting formal bids for goods and services needed to make the pump station operational; and be it further

RESOLVED, That payment is authorized for so much of the cost of repair and replacement of the Milton Pump Station as is not covered by the County's property insurance.

BUDGET IMPACT STATEMENT: The Saratoga County Sewer District #1 anticipates reimbursement from the insurance carrier for expenses exceeding the \$10,000 deductible.

RESOLUTION 172 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

RATIFYING EMERGENCY REPAIRS TO THE SLUDGE DISCHARGE PUMP AT THE SARATOGA COUNTY SEWER DISTRICT #1 SEWAGE TREATMENT PLANT

WHEREAS, On or about June 23, 2008 the Saratoga County Sewer District #1 entered into a contract with Schwing Bioset, Inc. to perform certain repairs to a sludge discharge pump at the sewage treatment plant; and

WHEREAS, Upon undertaking the anticipated repairs, it was discovered that further, unanticipated repairs were needed which were not encompassed in the terms of the contract with Schwing Bioset, Inc.; and

WHEREAS, The sludge discharge pump is a critical component to the proper operation of the sewage treatment plant, which cannot remain inoperable during the time required to secure a contract for these repairs through the competitive bidding process; and

WHEREAS, The immediate need for unanticipated repairs created an emergency situation in which the sludge discharge pump had to be repaired to insure the health and safety of Saratoga County residents; now, therefore, be it

RESOLVED, That this Board of Supervisors does hereby acknowledge, confirm and ratify the decision of the Executive Director of Saratoga County Sewer District #1 that an emergency situation existed as a result of the discovery of the need for unanticipated repairs to the sludge discharge pump at the sewage treatment plant during the course of a contracted repair of the pump, thereby obviating the need of soliciting bids for the additional unanticipated repair work; and be it further

RESOLVED, That payment is authorized to Schwing Bioset, Inc., of Somerset, Wisconsin in the amount of \$26,467.39 to perform additional repairs not anticipated in their contract with Saratoga County.

BUDGET IMPACT STATEMENT: Funds are available in the 2008 budget to cover this emergency repair.

RESOLUTION 173 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

AUTHORIZING AN AGREEMENT WITH CLARK MOVING AND STORAGE, INC. TO TRANSPORT VOTING MACHINES

WHEREAS, The Help American Vote Act (HAVA) caused modifications in the procedures and responsibilities for conducting elections in the State of New York, including imposing the responsibility for ownership and maintenance of voting machines; and

WHEREAS, New voting machines required by the Act to be purchased by Saratoga County requires unique storage and transportation procedures which are not provided by county facilities or personnel; and

WHEREAS, Our Election Commissioners solicited bids for the transportation of voting machines from the storage facility to polling places and back, for the 2008 primary and general elections; and

WHEREAS, Clark Moving and Storage, Inc. of Schenectady was the low bidder, and the Election Commissioners recommend its bid be accepted; now, therefore, be it

RESOLVED, That the Chair of the Board be authorized to execute an agreement with Clark Moving and Storage, Inc. of Schenectady, New York, for the transportation of voting machines for the 2008 primary and general elections at a cost of \$10,450 per election, the form and substance of such agreement subject to the approval of the County Attorney and Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 174 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

AUTHORIZING ACCEPTANCE OF LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND GRANT AND AMENDMENT TO 2008 COMPENSATION SCHEDULE AND BUDGET

WHEREAS, Resolutions 156-91, 113-93, 172-97, 114-98, 168-98, 141-99, 24-00, 138-00, 143-01, 129-02, 157-03, 135-04, 157-05, 158-05, 169-06, 170-06, 173-07 and 174-07 authorized acceptance of state grants to improve records management for implementations by the County Clerk; and

WHEREAS, A new grant is available and its acceptance requires our approval; and

WHEREAS, The acceptance of this grant is contingent upon receiving official notification of release of funds; now, therefore, be it

RESOLVED, That the Chairman of the Board execute all documents necessary for the acceptance of Local Government Records Management Improvement Fund Grant for the year 2008-2009 in the amount of \$69,389; and be it further

RESOLVED, That the 2008 Saratoga County Compensation Schedule is amended as follows:

UNDER COUNTY CLERK

CREATE (9) positions Clerk part-time effective (8/31/08-8/31/09) and, be it further

RESOLVED, that the 2008 Budget is amended as follows:

APPROPRIATIONS:

Increase Acct. #1-19-000-6696.P, Clerks, Part-time	\$13,500
Increase Acct. #1-19-000-6930, Social Security	\$ 1,033

REVENUES:

Increase Acct. #1-19-3089, State Aid for Records Management	\$14,533
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and be it further

RESOLVED, That the above amendments to the 2008 Saratoga County Compensation Plan and Budget are contingent upon the award of the grant and the receipt of the grant funds.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 175 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

INTRODUCING PROPOSED LOCAL LAW ENHANCING PERSONAL PRIVACY AND INCREASING FEES IN THE COUNTY CLERK'S OFFICE

WHEREAS, The New York State Legislature has recently amended section 8021 of the Civil Practice Law and Rules to allow counties to increase fees for recording, entering, indexing and endorsing instruments in the County Clerks' Offices; and

WHEREAS, A Local Law is needed to increase these fees in accordance with the new statute; now, therefore, be it

RESOLVED, That a proposed Local Law, identified as Introductory No. 3, Print No. 1, of 2008, entitled "A LOCAL LAW PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK AUTHORIZING AN INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR THE RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT", is hereby introduced before this Board of Supervisors; and be it further

RESOLVED, That this Board shall hold a public hearing on September 10, 2008 at 4:45 P.M. at the Board's meeting room at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local law; and, be it further

RESOLVED, That the Clerk of the Board give notice of such public hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: The additional revenue will be placed in the County Clerk's budget.

RESOLUTION 176 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

REQUESTING HOME RULE LEGISLATION TO ALLOW REMOVAL OF LAND FROM REFORESTATION FOR USE AS A SITE FOR A COURT FACILITY AND A FUTURE TOWN HALL, AND REPLACEMENT OF OTHER COUNTY LANDS

WHEREAS, By Resolution 88-08 this Board of Supervisors requested Home Rule Legislation to approve the removal of 9.013 acres of reforestation lands in the Town of Moreau for use as a site for a Court facility and a future Town Hall; and

WHEREAS, Senate Bill No. S8259A and Assembly Bill No. A11164A would approve the said removal of reforested lands in the Town of Moreau upon the condition that said lands are replaced by a like sized parcel of land being dedicated for reforestation; and

WHEREAS, Said Bills contain a description of the parcel to be taken out of reforestation and of the parcel proposed by Saratoga County to be dedicated for reforestation; now, therefore, be it

RESOLVED, That the Saratoga County Board of Supervisors requests the enactment of Senate Bill No. S8259A and Assembly Bill No. A11164A entitled "An Act Authorizing the County of Saratoga to Discontinue For Reforestation Purposes The Use Of Certain Lands And To Convey Such Lands"; and, be it further

RESOLVED, That a necessity exists for the enactment of such legislation due to the fact that Section 219 of the county Law requires the approval of the New York State Legislature for the discontinuation of reforestation purposes for county reforestation lands.

BUDGET IMPACT STATEMENT: No budget impact.

Ms. Yepsen asked if it was true that on August 25th we will learn what the bond rating is for this project, and yet we are going to be asked to vote on this today? Spencer Hellwig, Management Analyst, said as the host County, we are required by the IRS to sign off on this. He said the Board is not changing dollar amounts or action that was already approved. Ms. Yepsen asked what our bonding rate was. Mark Rider, County Attorney, said we do not have it as yet. Ms. Yepsen said she cannot support this today, as the taxpayers are the guaranteeing body in the County, and we should have a full disclosure to them on what the bonding rate is before we vote on this. It's like going out and getting a mortgage without knowing what your interest rate is going to be, she added. Mr. Rider said it is not the County's bond, it is the Water Authority's. Since the County is guaranteeing bonds, the County's rate is AA2, the rate will be favorable.

Ms. Southworth said she concurs with Supervisor Yepsen. My residents requested that I not vote in favor of this project, she stated. Mr. Rider said the purpose of this resolution is for these bonds to be tax exempt. There is a provision in the IRS code that the governing body of the area of which the project takes place has to approve, he said. We do this frequently with the IDA. They are not County bonds, they are IDA bonds, he stated.

On a motion by Ms. Daly, seconded by Mr. Johnson, Res. 177 was adopted by the following vote: AYES - Mr. Barrett 16,555; Mr. Connelly 7,522; Ms. Daly 16,555; Mr. Grattidge 3,954; Mr. Hargrave 3,589; Mr. Hunter 1,841; Mr. Jenkins 13,549; Mr. Johnson 12,541; Mrs. Johnson 920; Mr. Lawler 8,515; Mr. Lucia 6,259; Mr. Peck 4,603; Ms. Raymond 1,384; Mr. Richardson 5,019; Mr. Rowland 7,362; Mr. Sausville 13,005; Mr. Thompson 17,103; Mr. Veitch 13,093; Mr. Wood 5,114; Ms. Wormuth 18,359; Mr. Wright 1,971. NOES - Ms. Southworth 8,729; Ms. Yepsen 13,093.

RESOLUTION 177 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

APPROVING THE ISSUANCE OF BONDS BY THE SARATOGA COUNTY WATER AUTHORITY

WHEREAS, The Saratoga County Water Authority (the "Authority") proposes to issue its Service Agreement Revenue Bonds, Series 2008, in an aggregate face amount not to exceed \$45,000,000.00 (the "2008 Bonds"); and

WHEREAS, The proceeds of the 2008 Bonds will be used by the Authority to finance all or a portion of the costs of acquisition, design, construction and equipping of a public bulk water supply system to serve Saratoga County (the "County"), including a raw water intake structure, a raw water pump station, a water treatment plant, approximately 28 miles of 30" to 36" diameter underground water transmission main for transportation of finished water, and a 5 million gallon water storage tank (the "Project"); and

WHEREAS, The Project will initially be owned and operated by the Authority; and

WHEREAS, The raw water intake will be located in the Hudson River in the Town of Moreau, New York, approximately 6,000 feet upstream from the Sherman Island Hydroelectric Dam; the intake pipe will cross the land of Erie Boulevard Hydropower LP adjacent to the River; the Raw Water Pump Station will be located approximately 100 feet from the shoreline of the upper Hudson River on land owned by the State of New York in the vicinity of Moreau State Park and approximately 1.5 miles from the intersection of Butler and Potter Roads; the water treatment plant will be located on an approximately 22 acre parcel of land at the corner of Butler and Potter Roads in the Town of Moreau; an approximately 1.6-mile long raw water transmission main will be located beneath the lands of the State of New York along an existing road, through lands of the Town of Moreau along an existing road, along Potter Road and in lands of the County of Saratoga adjacent to Potter Road, and crossing Butler Road to the water treatment plant site; the underground finished water transmission main will be located mostly beneath existing roads or utility rights of way through the towns and/or city of Moreau, Greenfield, Wilton, Saratoga Springs, Milton, Ballston, and Malta, starting at the water treatment plant near the intersection of Potter Road and Butler Road in the Town of Moreau, continuing on Potter Road, Spier Falls Road, Old Mountain Road, Old Saratoga Road, South Road and crossing Rt. 9, on private lands, including the lands of Niagara Mohawk into Wilton, continuing on Niagara Mohawk lands, crossing Blanchard Road, continuing in Northern Pines Road, Ballard Road to Rt. 9, back on the lands of Niagara Mohawk near Ernst Road, crossing Dandelion Drive, Cerulean Blvd., Timberland Drive, and Worth Road, crossing private land to Mountain Ledge Road, crossing private lands to Northern Pines Road and Davidson Drive, along Davidson Drive, continuing on

private lands crossing Smith Bridge Road and Rt. 9 to Daniels Road and into the Town of Greenfield, following adjacent to Daniels Road in the lands of Delaware and Hudson Railway Company, Inc. ("D&H") to Bloomfield Road, along Bloomfield Road to Denton Road and into the City of Saratoga Springs, following D&H lands and crossing Church Street, Washington Street, Grand Street, and Glenham Road to West Avenue, south along West Avenue, crossing private land and crossing Rt. 50 and into Saratoga Spa State Park, through Saratoga Spa State Park and across private land to North Line Road, continuing on private land into the Town of Malta, crossing Malta Avenue, continuing on private land into the Town of Milton and crossing East High Street into the Town of Ballston, along Oak Street, crossing private land including lands of D&H, then onto County of Saratoga lands adjacent to the County sewer, crossing Underpass Road, Rt. 67, East Line Road to the Northway, continuing on the new Round Lake Bypass over Ballston Creek and continuing into the Luther Forest Technology Campus on new roads into the Towns of Malta and Stillwater, to the location of the 5,000,000 gallon tank, all as is depicted in the Consulting Engineer's Report for the 2008 Bonds; and the water storage tank will be located in the Luther Forest Technology Campus on lands of the Luther Forest Technology Campus Economic Development Corporation, near the corner of Cold Springs Road and Elmore Robinson Road in the Town of Stillwater; and

WHEREAS, Following reasonable public notice by publication in The Saratogian, Gazette and Ballston Journal, all at least fourteen days prior to July 21, 2008, the Authority held a public hearing on July 21, 2008, during which comments and discussions concerning the issuance of the 2008 Bonds by the Authority to finance the Project were requested and heard; and

WHEREAS, The Board of Supervisors is the elected legislative body of the County, and the County has jurisdiction over the locations of the various components of the Project; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended, requires the issuance of the 2008 Bonds to be approved by the Board of Supervisors prior to their issuance and the Authority has requested the Board of Supervisors to grant that approval; now, therefore, be it

RESOLVED, That for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, the Board of Supervisors hereby approves the issuance of the 2008 Bonds by the Authority in an aggregate face amount not exceeding \$45,000,000.00 to finance the cost of the 2008 Project.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 178 - 08

Introduced by Supervisors M. Johnson, Hunter, Connelly, Raymond, Rowland, Southworth and Thompson

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

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

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

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

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Kim A. Raccioppi	2005 & 2007	Hadley	46.16-1-2	\$6,196.80

Alice M. Robinson
42-24 195th Street
Flushing, NY 11358

BUDGET IMPACT STATEMENT: This payment includes all appropriate penalties and interest.

RESOLUTION 179 - 08

Introduced by Supervisors M. Johnson, Hunter, Connelly, Raymond, Rowland, Southworth and Thompson

AUTHORIZING REFUND OF 2008 TAXES IN THE TOWN OF MALTA BECAUSE OF AN OVERSTATEMENT OF SEWER UNITS

WHEREAS, The paid 2008 tax bills for a certain tax parcels included erroneous sewer taxes and a refund has been requested; now, therefore, be it

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

<u>TOWN OF MALTA</u>	<u>Tax Parcel</u>	<u>Year</u>	<u>Amount</u>
Lavenden, Inc.	250.-1-25	2008	\$2,529.00

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Thompson commended Mr. DiPasquale and the Sewer Department for doing a nice job at the pumping station in Milton. He said the station got hit by lightening, but the station never went down.

Mrs. Plummer requested everyone to get their golf outing reservations in as soon as possible.

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

Barbara J. Plummer, Clerk