

## A G E N D A

October 14, 2009 5:00 p.m.

Vice-Chairman Peck called the meeting to order.

Vice-Chairman Peck thanked the 4-H members for the beautiful baskets they gave to the Board.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, John Lawler, Arthur J. Johnson – 20. ABSENT - Preston L. Jenkins, Jr., Mary Ann Johnson, Richard Lucia – 3.

On a motion by Mr. Richardson, seconded by Mr. Rowland, the minutes of the meeting of September 9, 2009 were approved unanimously.

**PRESENTATION BY COOPERATIVE EXTENSION**

Penny Heritage said she is a 4-H group leader of the Charlton Clovers from the Town of Charlton. She thanked the Board for its support of 4-H and Cornell Cooperative Extension. We appreciate all of the support and funding the Board gives, and this is just a token of all the things you do throughout the year for us, she said.

Emma Heritage said she is 17 years old, and she is a Senior at the Burnt Hills/Ballston Lake High School. She thanked the Board for its support of 4-H. She stated this is her ninth year in 4-H. Through the program, she has experienced a variety of projects. She said they have used the Training Center and Extension Building many times to help with projects. Without them, they wouldn't have been able to achieve all that they have done in 4-H, she stated. She said from 4-H, she has benefited most from public speaking. She said she has given eight public presentations throughout the years, and last year, she went to the State level at Cornell University for public speaking. She stated she has met some of the Supervisors being the Dairy Princess of Saratoga County. She said public speaking has benefited her because without that, she couldn't have been the Dairy Princess. She stated in the future, she hopes to become a math teacher in secondary education. Thank you once again, she said.

Penny Heritage said 4-H is a family affair. She said in looking at the pictures around the Board room, her great-great grandfather was Chairman of the Board of Supervisors back in the 1920's or 30's. She stated 4-H has been a part of her family for many generations. She said learning by doing has played a big role in their daily job skills.

Vice-Chairman Peck wished Emma good luck in her future endeavors.

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

**VETERANS**

Authorizing the Chairman to enter into an agreement with Panza's Restaurant to provide food for the World War II Veterans' Night at a cost not to exceed \$19 per person. (Bob Mitchell, Veterans Director)

Mr. Wickerham stated they will be providing the food at the October 26<sup>th</sup> event.

**PUBLIC HEALTH**

Authorizing the Chairman to accept grants from NYS DOH for Children with Special Health Care Needs (CSHCN) Program to cover fiscal years 2010, 2011 and 2012. (Janet Glenn, Public Health Director)

**PUBLIC WORKS**

Authorizing the Chairman to enter into an agreement with Delsignore Blacktop Paving, Inc. of Troy to resurface CR 108(Dunning Street) Malta at a cost not to exceed \$359,307.28. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham stated that is a 100% stimulus grant.

Authorizing the Chairman to accept a NYSDOT grant under Public Works for the rehabilitation of CR43 (Geysers Road) over D&H RR Bridge in the amount of \$1.9 million and amending the budget in relation thereto. (Joe Ritchey, Public Works Commissioner)

### **PUBLIC SAFETY**

Authorizing the Chairman to award the contract for microwave communications to the Motorola Corporation for a total cost of \$11,796,299. (Paul Lent, Emergency Services Director)

Mr. Wickerham stated they were the low bidder and \$1.3 million lower than the next lowest bid.

Authorizing the Chairman to enter into agreements with Baron Utilities for site construction on Mount McGregor at a cost not to exceed \$191,000. (Paul Lent, Emergency Services Director)

Mr. Wickerham said this was significantly under budget.

Authorizing the Chairman to enter into agreements with Crawford Electric to relocate the fuel cell units at Providence and Halfmoon at a total cost not to exceed \$13,500. (Paul Lent, Emergency Services Director)

Mr. Wickerham said these will stay on site but will be moved to the new buildings created there.

Authorizing the Chairman to accept the 2008 Homeland Security Grant in the amount of \$246,000. (Ed Tremblay, Fire Coordinator)

### **SOCIAL PROGRAMS**

Authorizing the Chairman to enter into an agreement with the City of Mechanicville to provide \$17,000 in funding for the purchase of a generator to be installed at the Mechanicville Senior Center. (Sandi Cross, Office for the Aging Director)

Authorizing the Chairman to accept \$784,800 in state and federal funding in the Department of Social Services for the "Back to School" program and amending the budget in relation thereto. (Bob Christopher, Social Services Commissioner)

Mr. Wickerham stated this was stimulus funding and was the money Governor Paterson applied to all school children at \$200/person.

### **ECONOMIC DEVELOPMENT**

Authorizing the Chairman to enter into an agreement with BOCES to allow the use of County Owned property in Northumberland and Wilton for the training of students in forestry, water conservation, wildlife and nature studies. (George Hodgson, Environmental Management Director)

Mr. Wickerham stated we will be given insurance and hold harmless so that there is no liability to the County for this particular service.

Authorizing the Chairman to accept a NYS Stormwater Management Grant in the amount of \$400,000. This grant will be matched by in-kind services at no additional cost to the County or municipalities. (Jason Kemper, Planning Director)

Mr. Wickerham said this was done last month, but the State is requiring particular wording.

Declaring Saratoga County as lead agency under SEQR for the Bullard/Edie Road Property and making a determination of no negative impact. (Jason Kemper, Planning Director)

Mr. Wickerham stated we are determining there is no negative impact on the construction of the trails.

Authorizing the Chairman to enter into agreements with the Saratoga Hilton for the January 2010 Planning Conference at a cost not to exceed \$30,000. (Jason Kemper, Planning Director)

Mr. Wickerham said this will be totally covered by registration fees.

Authorizing the Chairman to enter into an agreement with HMA Contracting Corp. who was the low bidder for the construction of the Zim Smith Trail in the Town of Ballston at a cost not to exceed \$659,107.61. (Jason Kemper, Planning Director)

### **LEGISLATIVE AND RESEARCH**

Opposing NYS's new plate reissuance project which would raise costs on motor vehicle operators up to \$45 without providing any additional services. (Kathy Marchione, County Clerk)

Urging New York State and all New York State counties and cities to adopt a policy that favors the purchase of personal computers that are powered by AMD chips. (Dave Wickerham, County Administrator)

Mr. Wickerham said AMD chips will be the only PC chips that are actually built in New York State.

### **EQUALIZATION AND ASSESSMENT**

Authorizing conveyance of tax acquired parcels to the successful bidders from the September property auction. (Sam Pitcherelle, County Treasurer)

Mr. Wickerham stated there are about seven parcels.

Authorizing a refund of 2009 taxes and correcting 2007 & 2008 taxes on a parcel in the Town of Northumberland that was assessed incorrectly. (Carol Holley, Real Property Tax Director)

Mr. Wickerham said we will be refunding about \$4,500.

### **LAND PRESERVATION**

Awarding Open Space Grants to the Towns of Saratoga (\$350,000), Town of Northumberland (\$300,000), City of Saratoga Springs (\$30,000) and to the Town of Clifton Park (\$70,000) for a total of \$750,000. (Jason Kemper, Planning Director)

### **CHAIRMAN'S ITEM**

Appointing Debra Rohr to the Community Services Board in a developmental disability slot for a term to expire on December 31, 2010.

### **SUPERVISOR'S ITEM**

Honoring the memory of Scott Brown former Supervisor from the Town of Ballston. (Supervisor Patti Southworth)

### **LAW AND FINANCE**

Authorizing the Chairman to enter into an agreement with Mullen Movers for transporting voting machines for the November 3<sup>rd</sup>, 2009 General Election at a cost of \$90 per machine. (Diane Wade & Bill Fruci, Election Commissioners)

Authorizing Inter-agency transfers necessary to close out the 2009 County Budget. (David Wickerham, County Administrator)

Mr. Grattidge stated a couple of weeks ago, the Board received an invitation to Cooperative Extension's 2009 annual meeting on Thursday, October 22<sup>nd</sup> at the Training Center which includes a dinner. He said it is a celebration of their accomplishments.

Mr. Grattidge said as you see the 4-H baskets in front of you, a lot of the products are grown right here in the County, and it shows you the bounty we have in the County. He pointed out in the County's Annual Audit, the Executive Summary states "The County's economy's pillars are agriculture and tourism. Centered on the world

famous Saratoga Racetrack, the County tourism's offerings are various and impervious to recession. Agriculture constitutes the base, not only of Saratoga's economy, but its character and its culture." He stated we are all excited about the chip fab plants and all of the things going on, but the true base of this County has been our agriculture and tourism, and now we will have our manufacturing. It is a great testament to this County, and I am proud of all of our accomplishments, he said.

On a motion by Ms. Wormuth, seconded by Mr. Richardson, the meeting was adjourned.

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION  
TUESDAY, OCTOBER 20, 2009  
AT 4:00 P.M., D.S.T.

Board called to order by Chairman Johnson.

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, John Lawler, Arthur J. Johnson – 23. ABSENT – 0.

The invocation was given by Tom Wood, Chaplain.

PUBLIC INPUT

Paula Tambaso, of Upstate Respite Services, said she is one of the owners of this business in the County and has been for five years. She said they work with emotionally and behaviorally challenged youth. She has not been able to work with the youth of this County, as she is at a standstill in the contracting process. She said she has been trying to work with the County's Office of Mental Health, but she was told there is an outside agency in Schenectady that they renew a contract with every year. She said she would like to get involved in that bidding process. She said they employ 15 – 20 part-time people throughout the Capital District. They only offer one service, and that is strictly respite. This service is vitally important because of the children's mental handicap and disabilities, they are faced with an in-patient setting if they can't be helped at home or end up in a juvenile court system. She stated an in-patient stay at Four Winds is about \$700/day, and their respite service could be provided for \$700/month. She said she would love to be able to serve the families here. She said she does not know where to turn after her last discussions with the County's Office of Mental Health.

Chairman Johnson told Ms. Tambaso that he would have the appropriate person get in touch with her.

SAFETY SUGGESTION CONTEST AWARDS

Mr. Wood, Chairman of the Labor/Management Safety Committee, said he is pleased to lead the annual Safety Awards Program. He introduced the other members of the Committee to assist in the awards presentation – Supervisor Dick Rowland; Bob Hartman, Safety Officer; Bill Benosky, Saratoga County DPW; Ron Revers, CSEA Local Union President; Bob Barile, Maplewood Manor employee; Marcy McNamara, Deputy Director of Personnel; and Tom Adriance, Malta Highway Superintendent. He stated the Committee has met regularly and worked diligently on our assigned tasks this year, and he thanked each of them for their involvement and participation.

Mr. Wood said no employer function is more important than maintaining and promoting a safe work environment. In addition, a process that encourages and listens to the input of the employees allows those closest to the situation and often most immediately impacted by the situation with a voice that will produce the best solution to a concern, he said. He stated the Safety Suggestion Contest has been in existence for at least 20 years. As a result, approximately 60 suggestions have been implemented throughout the years. The Committee has always taken the philosophy that all winning suggestions should be implemented, so many safety issues have been resolved directly from this contest and Committee. This year, we had 22 suggestions submitted from 19 different people, he stated. He thanked the employees for their participation, and he said he looks forward to next year and a continuation of the Safety Program.

Safety Suggestion Contest awards were given to the following employees:

1<sup>st</sup> Place - \$100, Colleen Weaver, Department of Social Services/Ballston Spa Food Stamps. Colleen's suggestion was to purchase specialized rolling ladders to replace stepladders when retrieving files on top shelves from the file storage areas in Building #4.

2<sup>nd</sup> Place - \$50, Faith Charbonneau, Public Health. Faith's suggestion was to have baby changing stations in the Family Court restrooms.

(Tie for 3<sup>rd</sup> Place)

3<sup>rd</sup> Place - \$25, Lucien Martino, Department of Social Services/Saratoga Food Stamps. Lucien’s suggestion was that the ceiling in Food Stamps is leaking and falling down and should be repaired.

3<sup>rd</sup> Place – Judy Dahoda, Personnel. Judy’s suggestion was to replace the paper towel dispensers in the restrooms, as they allow the towels to come out in clumps often falling to the floor making an unsanitary environment and creating a situation where someone could slip and fall on the towels.

Ms. Raymond pointed out that it seems like these suggestions are maintenance issues rather than safety issues, and we should make sure our Buildings/Maintenance people should look over the suggestions and come up with appropriate procedures so that those kinds of things do not have to wait for a safety suggestion.

On a motion by Mr. Hargrave, seconded by Ms. Wormuth, the minutes of the meetings of September 9 and September 15, 2009 were approved unanimously.

The Clerk presented the following:

Correspondence from James DiPasquale, Executive Director of the Saratoga County Sewer District #1 stating that the U.S. E.P.A., Region 2, recently issued a finding of No Significant Impact/Environmental Assessment for the Saratoga County Sewer District No. 1 Wastewater Treatment Plant Expansion Project.

Received and filed.

Copy of a resolution adopted by the Allegany County Board of Legislators “Opposing Various Proposed Anti-Gun Owner Legislation in New York State.”

Referred to Supervisor Rowland and the Co. Administrator.

Copies of resolutions adopted by the Town of Cheektowaga “Requesting NYS To Eliminate Asbestos Fee For Demolitions Performed Through Town” and “Opposition To Increases In Credit Card Rates.”

Referred to Supervisor Rowland and the Co. Administrator.

Copy of a resolution adopted by the Delaware County Board of Supervisors “Encouraging Immediate Relief For Dairy Farmers And Supporting Changes At The Federal Level Establishing The Price Of Fluid Milk At The Farm Gate.”

Referred to Supervisor Rowland and the Co. Administrator.

Correspondence from Stephen J. Acquario, Executive Director of NYSAC, thanking Chairman Johnson and the Board for the extraordinary dedication and work, on behalf of the Saratoga County Host Committee, at the NYSAC 2009 Fall Seminar.

Received and filed.

Dear Board of Supervisors:

Thank you for inviting us to the Army Field Band concert at SPAC. This is the first year we have attended, and we enjoyed it very much. Thank you for honoring our veterans.

Sincerely,

Mr. and Mrs. Rue Kemmerling  
1613 Amsterdam Road  
Ballston Spa, NY 12020

Dear Chairman Johnson and Saratoga County Board of Supervisors:

My family and I would like to thank you for the fruit basket you sent recently when I was ill. It was very thoughtful, and I appreciate it very much. Thanks again, and see you soon.

Sincerely,

Tony Scavone  
(Employment & Training)

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REPORTS:

Independent Auditor's Financial Report for Saratoga County for the year ending December 31, 2008.

Received and filed.

Knolls Atomic Power Laboratory's Environmental Monitoring Report for 2008.

Received and filed.

Mike Russo, of FlobalFoundries, said you all have been on board for a number of years, and through your efforts and vision, you laid the groundwork for a project that is second to none in the nation. On behalf of GlobalFoundries, I want to extend a thank you for your hard work that was done over the last several years, he said. He stated on October 24<sup>th</sup>, there will be a community open house at 10:00 a.m., and he invited the Supervisors and their families to stop in for a tour. He mentioned their relationship with the Towns of Malta and Stillwater is very good. He stated they have only had one official complaint. We are on time and on budget, he added.

On a motion by Mr. Grattidge, seconded by Ms. Southworth, Resolution Nos. 177 through 203 were adopted by a unanimous vote.

RESOLUTION 177 - 09

Introduced by Supervisor Southworth

HONORING THE MEMORY OF SCOTT W. BROWN, JR.

WHEREAS, SCOTT W. BROWN, JR. died on September 29, 2009; and

WHEREAS, SCOTT was a lifelong resident of the Town of Ballston, having graduated from the Ballston Spa High School, after which he attended the Eastman School of Business and the General Electric business training course; and

WHEREAS, SCOTT served in the Army Air Force during World War II in England and France, participating in the Normandy invasion and the liberation of France for which he received a certificate signed by the president of France and the New York Senate Libertarian award; and

WHEREAS, SCOTT worked for the General Electric Company for 43 years as manager of utilities accounting, retiring in 1982; and

WHEREAS, SCOTT served his community as a member and master and secretary of the Franklin Lodge No. 90 F&AM for more than 50 years; and

WHEREAS, SCOTT served as a Saratoga County Sewer District Commissioner for more than 20 years; and

WHEREAS, SCOTT served the Town of Ballston for 25 years as Republican committeeman, councilman and justice of the peace; and

WHEREAS, SCOTT was Supervisor of the Town of Ballston and was a member of this Saratoga County Board of Supervisors from 1966 – 1975, serving as its chairman of the Board in 1974; and

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

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to the family of SCOTT W. BROWN, JR.

RESOLUTION 178 - 09

Introduced by Supervisor A. Johnson

APPOINTING A MEMBER TO THE COMMUNITY SERVICES BOARD

WHEREAS, Mental Hygiene Law §41.11 requires the appointment of a community services board to advise a local mental hygiene director on the policies and performances of the local programs; and

WHEREAS, there is one opening on the County's Community Services Board; and

WHEREAS, the Director of the Community Services Board and our Community Services Board have recommended an appointment to an expired term; now, therefore, be it

RESOLVED, that the following individual be appointed as a member of the Community Services Board for the County of Saratoga for the following term:

<u>NAME/ADDRESS</u>	<u>REPRESENTING</u>	<u>EXPIRES</u>
Debra Rohr 155 East Avenue Saratoga Springs, NY 12866	Developmental Disabilities	12/31/10

RESOLUTION 179 - 09

Introduced by Supervisors Barrett, Hunter, M. Johnson, Lucia, Thompson, Wright and Yepsen

AUTHORIZING AN AGREEMENT WITH PANZA'S RESTAURANT AND CATERING TO PROVIDE CATERING SERVICES FOR THE WORLD WAR II VETERANS' NIGHT

WHEREAS, the Saratoga County Board of Supervisors is sponsoring a World War II Veterans' Night to be held at the Saratoga Springs City Center on October 25, 2009; and

WHEREAS, a contract is necessary for catering services to be provided; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute an agreement with Panza's Restaurant and Catering to provide catering services at a cost not to exceed \$19 per person, the form and substance subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funds are included in the County budget.

RESOLUTION 180 - 09

Introduced by Supervisors Lucia, Barrett, Connelly, Richardson, Southworth, Wood and Wormuth

AUTHORIZING MULTI-YEAR DOH CHILDREN WITH SPECIAL HEALTH CARE NEEDS GRANT AGREEMENTS AND CONTRACTS

WHEREAS, the Federally-funded Children with Special Health Care Needs (CSHCN) Program is conducted by our Public Health Nursing Service; and

WHEREAS, the State Department of Health is offering a funding grant for this program covering the three year cycle of 10-1-09 through 9-30-12, with funding appropriated annually; and

WHEREAS, the State now requests County approval for this grant for the next three years; and

WHEREAS, this program is a useful and desirable service for our residents; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute all necessary contracts and documents with the Department of Health to accept a Children With Special Health Care Needs grant and provide services and all necessary subcontracts for the continuation of the CSHCN Program from October 1, 2009 through September 30, 2012, subject, however, to annual State appropriations and the approval of the form and content of said documents by the County Attorney.



BUDGET IMPACT STATEMENT: None. The annual expense of \$26,405 is already included in the budget.

RESOLUTION 181 - 09

Introduced by Supervisors Grattidge, Barrett, Connelly, M. Johnson, Peck, Richardson and Sausville

AUTHORIZING AN AGREEMENT WITH DELSIGNORE BLACKTOP PAVING, INC. OF TROY TO RESURFACE CR 108 (DUNNING STREET) MALTA

WHEREAS, Saratoga County has received federal funding for resurfacing Dunning Street in the Town of Malta; and

WHEREAS, bids were solicited for this work; and

WHEREAS, the Public Works Committee has recommended that a contract for resurfacing CR108 (Dunning Street) in the Town of Malta be awarded to DelSignore Blacktop Paving, Inc., the lowest bidder; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with DelSignore Blacktop Paving, Inc., of Troy, New York for the resurfacing of CR108 (Dunning Street) in the Town of Malta, at a cost not to exceed \$359,307.28, the form and content of said contract being subject to the approvals of the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal Stimulus Grant already accepted under resolution 101-09.

RESOLUTION 182 - 09

Introduced by Supervisors Grattidge, Barrett, Connelly, M. Johnson, Peck, Richardson and Sausville

AUTHORIZING THE CHAIR TO ACCEPT A NYSDOT GRANT UNDER PUBLIC WORKS FOR THE REHABILITATION OF CR43 (GEYSER ROAD) OVER D&H RR BRIDGE

WHEREAS, the CR43 (Geyser Road) over D&H RR Bridge Rehabilitation Economic Recovery Project (hereinafter the "the Project") in the County of Saratoga, (hereinafter "the Municipality/Sponsor") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% non-federal fund.

NOW, THEREFORE, the Saratoga County Board of Supervisors duly convened does hereby:

RESOLVE, that the Saratoga County Board of Supervisors hereby approves the above Project; and it is hereby further

RESOLVED, that the Saratoga County Board of Supervisors agrees to advance the Project through the County of Saratoga's resources and agrees that the Saratoga County Board of Supervisors hereby authorizes Saratoga County to pay in the first instance the full federal costs and full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from the General Fund the funds necessary to complete the Project including all phase(s) or portions thereof; and it is hereby further

RESOLVED, that the Saratoga County Board of Supervisors makes 100% commitment of the non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter "NYSDOT") pursuant to the State/Local Agreement and it is hereby further

RESOLVED, that the sum of \$1,900,000.00 (One million, nine hundred thousand dollars and no cents) is hereby appropriated from the Saratoga County General Fund and made available to cover the cost of participation in the above phase(s) of the Project; and hereby appropriates from the General Fund the funds necessary to complete the Project including all phase(s) or portions thereof; and it is further

RESOLVED, that upon completion of construction of the Project, or a fully usable portion thereof, Saratoga County agrees to maintain the Project, or fully usable portion thereof, at its sole costs and expense; and it is hereby further

RESOLVED, that in the event the full federal and non-federal share of the Project exceeds the amount appropriated above, the Saratoga County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately; and it is hereby further

RESOLVED, that the Chair of the Board of Supervisors of the County of Saratoga is hereby authorized to execute all necessary Agreements or certifications on behalf of Saratoga County, (subject to the County Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the municipality's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

#### RESOLUTION 183 - 09

Introduced by Supervisors Grattidge, Barrett, Connelly, M. Johnson, Peck, Richardson and Sausville

#### AMENDING THE 2009 BUDGET AND CAPITAL PLAN TO ACCEPT FEDERAL FUNDS FOR THE REHABILITATION OF CR43 (GEYSER ROAD) BRIDGE

WHEREAS, Saratoga County has been awarded federal funds for the rehabilitation of the County Road 43 (Geysers Road) bridge over the D&H Railroad tracks; and

WHEREAS, amendments to the 2009 Budget and Capital Plan are needed to accept the funds; now, therefore, be it

RESOLVED, that the 2009 Saratoga County Budget is amended as follows:

#### PUBLIC WORKS

##### Appropriations:

Increase Acct. #2-50-510-7502 contracted services	\$1,745,000
Increase Acct. #2-50-510-8130 Architects/Engineers	\$ 155,000

##### Revenues:

Increase Acct. #2-50-4590 Federal Aid	\$1,900,000
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and be it further

RESOLVED, that the Capital Plan is amended as follows:

#### CAPITAL PLAN - REHABILITATION OF CR43 (GEYSER ROAD BRIDGE OVER D&H RAILROAD):

Increase Road and Bridge Construction by \$1,900,000

BUDGET IMPACT STATEMENT: This work will be paid for through Federal Aid.

#### RESOLUTION 184 - 09

Introduced by Supervisors Wormuth, Barrett, Connelly, Grattidge, Jenkins, Rowland and Wright

#### AUTHORIZING THE CHAIR TO AWARD THE CONTRACT FOR MICROWAVE COMMUNICATIONS TO THE MOTOROLA CORPORATION

WHEREAS, the Emergency Radio System Project includes the purchase of radios and radio equipment and the installation of radio equipment of various sites; and

WHEREAS, bids were solicited for radios and radio equipment and installation of radio equipment for the Emergency Radio System; and

WHEREAS, our consultants, the Director of Emergency Services and the Public Safety Committee recommend that the bid of Motorola Corporation, the lowest bidder, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Motorola Corporation of Montvale, New Jersey in the amount of \$11,796,299.00 for the purchase of radios and radio equipment and

installation of radio equipment at various sites, the form and substance of such contract subject to the approval of the County Attorney and the Contract Administrator; and be it further

RESOLVED, that Supervisor Mindy Wormuth, Supervisor Alan Grattidge and Supervisor Richard Rowland are designated as Change Order Committee with the authority to approve change orders up to a total of 10% of the contract.

BUDGET IMPACT STATEMENT: No funds will be expended until the system is accepted in late 2010.

RESOLUTION 185 - 09

Introduced by Supervisors Wormuth, Barrett, Connelly, Grattidge, Jenkins, Rowland and Wright

AUTHORIZING AN AGREEMENT WITH BARON UTILITIES, CORP. FOR SITE CONSTRUCTION ON MOUNT MCGREGOR

WHEREAS, the Emergency Radio System Project includes site construction at Mount McGregor; and

WHEREAS, bids were solicited for site construction on Mount McGregor by Emergency Services; and

WHEREAS, the Public Safety Committee and the Director of Emergency Services recommend that the proposal of Baron Utilities, Corp. the lowest bidder, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Baron Utilities, Corp. of Albany, New York for site construction on Mount McGregor for a total contract sum not to exceed \$191,000, the form and substance of such agreement subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funds are included in the 2009 budget.

RESOLUTION 186 - 09

Introduced by Supervisors Wormuth, Barrett, Connelly, Grattidge, Jenkins, Rowland and Wright

AUTHORIZING AN AGREEMENT WITH CRAWFORD ELECTRIC SERVICE, INC. TO RELOCATE FUEL CELL UNITS AT PROVIDENCE AND HALFMOON

WHEREAS, the installation of radio equipment of the emergency radio system at sites in the Towns of Halfmoon and Providence necessitates the relocation of fuel cell units; and

WHEREAS, quotations of prices were solicited from qualified vendors to do this work; and

WHEREAS, the Public Safety Committee has recommended that the quotation of Crawford Electric Service, Inc. be accepted to relocate fuel cell units at Providence and Halfmoon; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Crawford Electric Service, Inc. of Ballston Spa, New York for the relocation of the fuel cell units at sites in the Towns of Providence and Halfmoon at a cost not to exceed \$13,500, the form and substance of the contract subject to the approval of the County Attorney and Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 187 - 09

Introduced by Supervisors Wormuth, Barrett, Connelly, Grattidge, Jenkins, Rowland and Wright

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY TO ACCEPT A 2008 HOMELAND SECURITY GRANT

WHEREAS, 2008 funds are available from New York State Office of Homeland Security for a Homeland Security Grant; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all agreements and documents necessary to apply for and accept a New York State Homeland Security Grant in the amount of \$246,000.

BUDGET IMPACT STATEMENT: Funding was anticipated in 2008 budget.

RESOLUTION 188 - 09

Introduced by Supervisors Sausville, Jenkins, Lucia, Raymond, Southworth, Veitch and Wormuth

AUTHORIZING AN AGREEMENT WITH THE CITY OF MECHANICVILLE TO PROVIDE \$17,000 IN FUNDING FOR THE PURCHASE OF A GENERATOR TO BE INSTALLED AT THE MECHANICVILLE SENIOR CENTER

WHEREAS, the County Office for the Aging administers funds to the County's elderly citizens programs; and

WHEREAS, the City of Mechanicville will purchase a generator for the Mechanicville Senior Center and requests county reimbursement; now, therefore be it

RESOLVED, that the Chair of the Board of Supervisors execute an agreement with the City of Mechanicville to provide \$17,000 in funding for the purchase of a generator for the Mechanicville Senior Center, the form and substance thereof being subject to the approvals of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 189 - 09

Introduced by Supervisors Sausville, Jenkins, Lucia, Raymond, Southworth, Veitch and Wormuth

AMENDING THE 2009 BUDGET TO ACCEPT \$784,800 IN STATE AND FEDERAL AID FOR THE "BACK TO SCHOOL" PROGRAM

WHEREAS, State and Federal Aid in the amount of \$784,800 is available for the Department of Social Services "Back to School" Program; now, therefore, be it

RESOLVED, that the 2009 County Budget is amended as follows:

DEPARTMENT OF SOCIAL SERVICES:

Appropriation:

Increase Acct. #1-60-615-7601 BICS Payments	\$784,800
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Revenue:

Increase Acct. #1-60-3609 State TANF	\$156,960
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Increase Acct. #1-60-4609 Federal TANF	\$627,840
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BUDGET IMPACT STATEMENT: None. 100% State and Federal Aid.

RESOLUTION 190 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

AUTHORIZING AN AGREEMENT FOR USE BY BOCES OF CERTAIN COUNTY LANDS IN NORTHUMBERLAND AND WILTON FOR TRAINING OF STUDENTS

WHEREAS, the Board of Cooperative Educational Services of Saratoga-Warren Counties is engaged in the training of students through the school year from September through May in forestry, water conservation, wildlife, and nature studies; and

WHEREAS, the County of Saratoga is the owner of certain lands in the Town of Northumberland, Saratoga County, consisting of approximately 234 acres of land, and commonly known as the Kalabus and Perry lots; and

WHEREAS, the Board of Cooperative Educational Services of Washington, Saratoga, Warren, Hamilton and Essex Counties has requested that the County of Saratoga permit the use by said Board of said lands for said purposes; and

WHEREAS, the use of said acreage by said Board will be under the supervision and approval of the Saratoga County Forestry Department; and

WHEREAS, the use of said acreage proposed by said Board will be of benefit to said land in that there will result from said proposed program the thinning and pruning of trees, leaving a crop when thinned; small ponds for fish and water control will be established, and nature trails will be built throughout the area; now, therefore, be it

RESOLVED, that the County of Saratoga enter into a written agreement with the Board of Cooperative Educational Services of Washington, Saratoga, Warren, Hamilton and Essex Counties, permitting the use of the said acreage commonly known as the Kalabus and Perry lots for the purpose of using said farm in the training of students through the school year from September through May in the following projects: Forestry, Water Conservation, Wildlife and Nature Studies; and be it further

RESOLVED, that said contract shall provide that any and all timber removed in such operations from this County property will be used for school use only proceeds from any sale of timber will be deposited in the BOCES Environmental Conservation and Forestry Program's Future Farmers of America (FFA) Account; and be it further

RESOLVED, that the said use of said acreage may be terminated by either party giving to the other party notice in writing of said termination not less than thirty (30) days prior to the date of said termination, addressed to said other party at its address set forth in the agreement; and be it further

RESOLVED, that the Chair of this Board of Supervisors be and he hereby is authorized and directed to execute on behalf of the County of Saratoga an agreement as hereinabove provided, the form and substance of the contract subject to the approval of the County Attorney and Contract Administrator.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 191 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

**AUTHORIZING ACCEPTANCE OF A GRANT FOR IMPLEMENTATION OF THE STORMWATER MANAGEMENT PROGRAM PURSUANT TO THE BOND ACTS ENACTED IN 1965, 1972 AND 1996 AND THE ENVIRONMENTAL PROTECTION FUND, AS WELL AS FEDERAL GRANT AWARDS AVAILABLE FOR SUCH PROJECTS**

WHEREAS, the Saratoga County Board of Supervisors, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith; now, therefore, be it

RESOLVED, by the Saratoga County Board of Supervisors:

1. That Arthur J. Johnson, Chair of the Saratoga County Board of Supervisors or his successor in office, is the representative authorized to act in behalf of the Saratoga County Board of Supervisors in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions, and he is also hereby authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance; and be it further

RESOLVED, that Saratoga County will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; and be it further

RESOLVED, that one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation; and be it further

RESOLVED, that this Resolution take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 192 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

#### DETERMINING NO SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT BY THE ESTABLISHMENT OF HIKING TRAILS ON COUNTY LANDS, AND AUTHORIZING SUCH TRAILS

WHEREAS, by Resolution 42 of 2009, this Board authorized the use by the Town of Wilton of three parcels of county forested land, tax parcels 128.-1-61, 128.-1-63, and 128.-1-76, in conjunction with the Wilton Wildlife Preserve; and

WHEREAS, it has been proposed to establish hiking trails on these parcels for the enjoyment of the public; and

WHEREAS, such action requires an environmental review under the State Environmental Quality Review Act; and

WHEREAS, a Short Form Environmental Assessment Form has been prepared, identifying and evaluating any environmental impacts that the proposed trails may have, and the Board of Supervisors has had an opportunity to review said form; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby designates itself as lead agency for the environmental review under the State Environmental Quality of Review Act of the proposed establishment of hiking trails on county owned tax parcels 128.-1-61, 128.-1-63, and 128.-1-76 as part of the Wilton Wildlife Preserve; and be it further

RESOLVED, upon review of the Short Form Environmental Assessment Form, this Board hereby determines and declares that the establishment of said trails will not have any significant adverse impact on the environment; and be it further

RESOLVED, that the Chair of the Board is authorized to execute the Short Form Environmental Assessment Form, indicating this Board's determination and declaration of no significant adverse environmental impact, and to cause same to be filed in accordance with law; and be it further

RESOLVED, that the establishment of hiking trails on tax parcels 128.-1-61, 128.-1-63, and 128.-1-76 is hereby authorized, and the Saratoga County Department of Public Works is authorized to assist the Town of Wilton in the construction of said trails.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 193 - 09

Introduced by Supervisors Daly, Jenkins, Richardson, Sausville, Veitch and Wright

#### AUTHORIZING AN AGREEMENT WITH THE SARATOGA HILTON FOR THE ANNUAL PLANNING CONFERENCE

WHEREAS, our Planning Department sponsors an annual planning conference for the exchange of information and ideas among people involved in the municipal planning process; and

WHEREAS, next year's conference will be held at The Saratoga Hilton Hotel in Saratoga Springs, New York; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with The Saratoga Hilton of 534 Broadway, Saratoga Springs, NY for the annual planning conference for an amount not to exceed \$30,000, the form and substance of said contract are subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. The cost of this conference is covered through sponsorship and registration fees.

RESOLUTION 194 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

AUTHORIZING A LICENSE AGREEMENT WITH THE D & H RAILWAY COMPANY FOR THE ZIM SMITH TRAIL

WHEREAS, the northernmost 1948 feet of the Zim Smith Trail will be constructed and located on lands belonging to the Delaware and Hudson Railway Company in the Town of Ballston; and

WHEREAS, the Delaware and Hudson Railway Company has agreed to execute a license agreement with Saratoga County, permitting the use of its property for the Zim Smith Trail bike path; and

WHEREAS, execution of the agreement is needed for the completion of construction and use of the bike trail; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute the License Agreement with the Delaware and Hudson Railway Company, doing business as Canadian Pacific Railway, of Clifton Park, New York, at an initial annual cost of \$5,000 per year, for a 5 year term, renewable, the form and substance of said Agreement subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: This annual payment will be made from the Planning Department budget.

RESOLUTION 195 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

AUTHORIZING AN AGREEMENT WITH HMA CONTRACTING CORP. FOR THE CONSTRUCTION OF THE ZIM SMITH TRAIL IN THE TOWN OF BALLSTON

WHEREAS, the Planning Department has solicited and entertained bids for the construction of the Zim Smith Trail in the Town of Ballston; and

WHEREAS, the Planning Department and the Economic Development Committee have recommended that a contract for such services be awarded to HMA Contracting Corp., the lowest bidder; and

WHEREAS, this resolution is contingent on the New York State Department of Transportation issuing a Notice to Award back to the County; now, therefore, be it

RESOLVED, that, upon the issuance of a Notice to Award by the New York State Department of Transportation, the Chair of the Board is authorized to execute a contract with HMA Contracting Corp., of 535 Brickyard Road, Schaghticoke, New York for construction services for the construction of the Zim Smith Trail in the Town of Ballston, at a cost not to exceed \$659,107.61, the form and content of said contract being subject to the approvals of the Contract Administrator and the County Attorney; and be it further

RESOLVED, that Supervisor Anita Daly, Supervisor Arthur Wright, and Planning Director Jason Kemper are designated as Change Order Committee for the project, with authority to approve change orders of up to 10% of the contract value.

BUDGET IMPACT STATEMENT: The County share of this contract is \$260,370.79 and is available within the budget.

RESOLUTION 196 - 09

Introduced by Supervisors Daly, Jenkins, Lawler, Richardson, Sausville, Veitch and Wright

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2009 TO REVISE THE BOUNDARIES OF THE SARATOGA COUNTY EMPIRE ZONE

WHEREAS, Resolution 165-09 introduced and presented proposed Introductory No. 1, Print No. 1 of 2009 to this Board of Supervisors and scheduled a public hearing thereon for October 14, 2009 at 4:45 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

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

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

WHEREAS, by Resolution 165-09, the Saratoga County Board of Supervisors declared itself lead agency to conduct environmental impact review of the revision under the State Environmental Quality Review Act; and

WHEREAS, this Board has reviewed the Short Form Environmental Assessment Form prepared in connection with the revision, and finds that there is no adverse environmental impact; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby determines that the revision of the boundaries of the Saratoga County Empire Zone as proposed in Local Law identified as Introductory No. 1, Print No. 1 of 2009 does not have a significant negative impact on the environment; and be it further

RESOLVED, that the Clair of the Board is authorized to execute the Short Form Environmental Assessment Form and cause it to be filed in accordance with law; and be it further

RESOLVED, that this Board of Supervisors, on this 20<sup>th</sup> day of October, 2009 hereby adopts a Local Law identified as Introductory No. 1, Print No. 1 of 2009 as set forth in annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

LOCAL LAW NO. 2 - 2009

A LOCAL LAW TO REVISE THE BOUNDARIES OF THE SARATOGA COUNTY EMPIRE ZONE

BE IT ENACTED BY THE SARATOGA COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF SARATOGA, NEW YORK, AS FOLLOWS:

WHEREAS, by Local Law No. 3-2000, the Saratoga County Board of Supervisors authorized an application for the designation of an Empire Zone pursuant to Section 961 of the General Municipal Law, and such Zone was approved by the New York State Commissioner of Economic Development and formally designated by the Empire Zones Designation Board on December 18, 2001; and

WHEREAS, the New York State Legislature and the Governor have enacted into law changes to the Empire Zones Program, whereby each existing Empire Zone must configure its existing zone acreage into up to six "distinct and contiguous" areas; and

WHEREAS, by Local Law No. 1 of 2006, the Saratoga County Board of Supervisors authorized the re-designation of five separate and contiguous areas and the Saratoga County Empire Zone was so re-designated; and

WHEREAS, the Saratoga County Board of Supervisors seeks to authorize an application to revise the Saratoga County Empire Zone to include 1011.077 acres located in the Towns of Moreau, Wilton, Malta, Halfmoon and the Village of Corinth; and

WHEREAS, such revision would greatly benefit Saratoga County in that new businesses would be encouraged to locate in the revised zone area, existing businesses would be encouraged to expand and both new and expanded businesses would generate new jobs for Saratoga County residents;

NOW THEREFORE, BE IT ENACTED BY THE SARATOGA COUNTY BOARD OF SUPERVISORS, as follows:

Section 1. The Saratoga Economic Development Corporation is hereby authorized and empowered to submit an application for revision of certain areas within the Saratoga County Empire Zone; provided, however, that such authorization and empowerment shall be conditioned upon the concurrence, through properly adopted resolutions with respect to such application of the governing bodies of any and all towns and villages in which such zone is located.

Section 2. The boundaries of said areas to be included in said Empire Zone as so revised shall be as set forth in Schedule A, which is attached hereto and made a part hereof.

Section 3. The proposed revisions to the boundaries of the Saratoga County Empire Zone are within Area 4 of the said Empire Zone, and are generally as shown on the map attached hereto as Exhibit 1. The existing Area 4 is outlined on said map, and the proposed revised Area 4 is shown as the shaded area.

Section 4. The Empire Zone Designation Board is hereby requested to revise the boundaries of the Empire Zone in accordance with this Local Law.



Section 5. This Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

## SCHEDULE A

### **AREA 1- Town of Moreau Empire Zone – 203.46± acres**

**ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE**, lying and being in the Town of Moreau, County of Saratoga, State of New York, lying Southeast of Bluebird Road and Ferry Boulevard and West of the Hudson River, and being more particularly bounded and described as follows:

**BEGINNING** at a point at the intersection of the division line between the lands now or formerly of Moreau Park, Inc. as described in Book 1449 of Deeds at Page 453 on the North and the lands now or formerly of Niagara Mohawk Power Corporation on the South with the Southeasterly boundary of Bluebird Road and runs thence from said point of beginning along the Southeasterly boundary of Bluebird Road the following four (4) courses: 1) North 50 deg. 20 min. 03 sec. East 632.96 feet to a point; 2) thence North 46 deg. 35 min. 00 sec. East 344.96 feet to a point; 3) thence North 48 deg. 27 min. 32 sec. East 315.69 feet to a point; and 4) thence North 49 deg. 12 min. 41 sec. East 645.17 feet to a point; thence North 46 deg. 24 min. 24 sec. East in part along the Southeasterly boundary of Bluebird Road and along the Southeasterly boundary of Ferry Boulevard 745.93 feet to a point; thence continuing along the Southeasterly and Easterly boundary of Ferry Boulevard the following four (4) courses: 1) North 47 deg. 50 min. 49 sec. East 783.40 feet to a point; 2) thence North 47 deg. 50 min. 49 sec. East 101.60 feet to a point; 3) thence North 30 deg. 14 min. 49 sec. East 86.90 feet to a point; and 4) thence North 00 deg. 12 min. 49 sec. East 573.73 feet to its intersection with the division line between the lands now or formerly of EPIC Holdings, LLC as described in Book 1652 of Deeds at Page 551 on the South and the lands now or formerly of the County of Saratoga Industrial Development Agency as described in Book 1406 of Deeds at Page 401 on the North; thence South 81 deg. 25 min. 01 sec. East along the above last mentioned division line 323.00 feet to its intersection with the division line between the lands now or formerly of EPIC Holdings, LLC on the Southeast and the lands now or formerly of the County of Saratoga Industrial Development Agency on the Northwest; thence North 27 deg. 01 min. 59 sec. East along the above last mentioned division line 150.00 feet to its intersection with the division line between the lands now or formerly of EPIC Holdings, LLC on the Southwest and the lands now or formerly of Niagara Mohawk Power Corporation on the Northeast; thence South 49 deg. 51 min. 02 sec. East along the above last mentioned division line 232.90 feet to its intersection with the common division line between the lands now or formerly of EPIC Holdings, LLC and lands now or formerly of Niagara Mohawk Power Corporation on the West and the lands now or formerly of the County of Saratoga Industrial Development Agency as described in Book 1379 of Deeds at Page 534 on the East; thence along the above last mentioned common division line the following three (3) courses: 1) South 00 deg. 53 min. 55 sec. East 550.13 feet to a point; 2) thence South 00 deg. 16 min. 02 sec. East 474.23 feet to a point; and 3) thence South 33 deg. 59 min. 30 sec. West 262.31 feet to its intersection with the Northwesterly boundary of Hudson Falls Road (County Road 27); thence along the said Northwesterly boundary of Hudson Falls Road (County Road 27) the following five (5) courses: 1) South 54 deg. 31 min. 54 sec. West 206.07 feet to a point; 2) thence South 40 deg. 09 min. 08 sec. West 108.43 feet to a point; 3) thence South 53 deg. 36 min. 07 sec. West 456.83 feet to a point; 4) thence South 53 deg. 56 min. 39 sec. West 286.18 feet to a point; and 5) thence South 72 deg. 23 min. 39 sec. West 213.26 feet to a point; thence South 61 deg. 08 min. 57 sec. West crossing Hudson Falls Road (County Road 27), a distance of 151.42 feet to a point on the Southwesterly boundary of said road; thence through the lands now or formerly of Moreau Park, Inc. as described in Book 1449 of Deeds at Page 453 and lands now or formerly of the County of Saratoga Industrial Development Agency as described in Book 1379 of Deeds at Page 534 generally along the Southeast boundary of the former Delaware and Hudson Railroad right-of-way the following five (5) courses: 1) South 26 deg. 49 min. 52 sec. West 459.84 feet to a point of curvature; 2) in a Southwesterly direction along a curve to the left having a radius of 666.25 feet, a chord bearing of South 24 deg. 39 min. 37 sec. West and a chord distance of 50.47 feet, an arc length of 50.49 feet to a point of tangency; 3) thence South 22 deg. 29 min. 22 sec. West 1,115.00 feet to a point of curvature; 4) in a Southerly direction along a curve to the left having a radius of 2,496.03 feet, a chord bearing of South 15 deg. 23 min. 22 sec. West and a chord distance of 617.03 feet, an arc length of 618.61 feet to a point of tangency; and 5) thence South 08 deg. 17 min. 22 sec. West 254.85 feet to its intersection with the division line between the lands now or formerly of Moreau Park, Inc. as described in Book 1449 of Deeds at Page 453 on the North and the lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 539 on the South; thence South 87 deg. 28 min. 44 sec. West along the above last mentioned division line 30.17 feet to its intersection with the division line between the Town of Moreau as described in Book 1393 of Deeds at Page 536 and Book 1393 of Deeds at Page 542 on the West and the lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 539 on the East; thence

along the above last mentioned division line the following four (4) courses: 1) South 08 deg. 10 min. 38 sec. West 377.50 feet to a point; 2) thence South 28 deg. 25 min. 17 sec. West 207.25 feet to a point; 3) thence North 55 deg. 25 min. 00 sec. West 14.65 feet to a point; and 4) in a generally Southwest direction along a curve to the right having a radius of 565.00 feet, a chord bearing of South 43 deg. 43 min. 39 sec. West and a chord distance of 180.36 feet, an arc length of 181.14 feet to a point; thence South 03 deg. 06 min. 08 sec. East through the lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 539, lands now or formerly of Niagara Mohawk Power Corporation, lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 536, lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 539 and lands now or formerly of Spurlock Adhesives, Inc. as described in Book 1535 of Deeds at Page 573, a distance of 1,545.32 feet to a point; thence continuing through the lands now or formerly of Spurlock Adhesives, Inc. as described in Book 1535 of Deeds at Page 573 and Book 1468 of Deeds at Page 772 the following four (4) courses: 1) South 04 deg. 33 min. 54 sec. West 325.85 feet to a point; 2) thence South 02 deg. 09 min. 16 sec. West 379.94 feet to a point; 3) thence South 23 deg. 51 min. 24 sec. West 222.57 feet to a point; and 4) thence South 10 deg. 58 min. 32 sec. West 140.50 feet to a point; thence South 44 deg. 30 min. 13 sec. West in part through the lands now or formerly of Spurlock Adhesives, Inc. and lands now or formerly of the Town of Moreau 396.99 feet to a point; thence continuing through the lands now or formerly of the Town of Moreau the following three (3) courses: 1) South 04 deg. 51 min. 37 sec. East 51.75 feet to a point; 2) thence South 17 deg. 24 min. 56 sec. West 231.06 feet to a point; and 3) thence South 12 deg. 38 min. 20 sec. West 170.89 feet to a point; thence North 86 deg. 21 min. 22 sec. West through the lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 539, a distance of 113.49 feet to a point; thence North 86 deg. 22 min. 07 sec. West through the lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 539, lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 542 and along the division line in part between the lands now or formerly of Frank E. Arnold and June Arnold as described in Book 984 of Deeds at Page 717 on the North and the lands now or formerly of the Town of Moreau on the South 140.02 feet to a point; thence continuing along the division line between the lands now or formerly of Frank E. Arnold and June Arnold on the North and Northeast and the lands of the Town of Moreau on the South and Southwest the following five (5) courses: 1) North 72 deg. 22 min. 20 sec. West 49.72 feet to a point; 2) thence North 24 deg. 39 min. 27 sec. West 318.47 feet to a point; 3) thence North 62 deg. 21 min. 10 sec. West 132.15 feet to a point; 4) thence North 36 deg. 25 min. 53 sec. West 65.56 feet to a point; and 5) thence North 10 deg. 03 min. 12 sec. West 202.12 feet to a point; thence North 00 deg. 07 min. 30 sec. West through the lands now or formerly of Frank E. Arnold and June Arnold and lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 593, a distance of 563.53 feet to a point; thence through the lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 539 the following two (2) courses: 1) North 90 deg. 00 min. 00 sec. West 125.01 feet to a point; and 2) thence North 00 deg. 51 min. 53 sec. East 1,647.35 feet to a point; thence North 00 deg. 52 min. 02 sec. East continuing through the lands now or formerly of the Town of Moreau and lands now or formerly of Niagara Mohawk Power Corporation 434.17 feet to a point; thence continuing through the lands of the Town of Moreau the following three (3) courses: 1) North 00 deg. 51 min. 53 sec. East 330.74 feet to a point; 2) thence North 49 deg. 58 min. 09 sec. East 111.11 feet to a point; and 3) thence North 00 deg. 16 min. 42 sec. East in part crossing Farnan Road North 177.79 feet to a point on the Northeasterly boundary of Farnan Road North; thence North 89 deg. 41 min. 54 sec. East through the lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 536, a distance of 152.50 feet to a point; thence North 38 deg. 54 min. 10 sec. East in part through the lands now or formerly of the Town of Moreau and along the division line between the lands now or formerly of the Town of Moreau on the Southeast and the lands now or formerly of the County of Saratoga Industrial Development Agency on the Northwest 383.42 feet to its intersection with the division line between the lands now or formerly of the Town of Moreau on the East and the lands now or formerly of the County of Saratoga Industrial Development Agency on the West; thence North 04 deg. 08 min. 40 sec. East along the above last mentioned division line 105.96 feet to its intersection with the division line between the lands now or formerly of the Town of Moreau as described in Book 1393 of Deeds at Page 536 on the Northeast and the lands now or formerly of the County of Saratoga Industrial Development Agency on the Southwest; thence North 42 deg. 41 min. 20 sec. West along the above last mentioned division line 119.07 feet to its intersection with the division line between the lands now or formerly of the Town of Moreau on the South and the lands now or formerly of Niagara Mohawk Power Corporation on the North; thence North 69 deg. 29 min. 02 sec. East along the above last mentioned division line 79.83 feet to its intersection with the division line between the lands now or formerly of the Town of Moreau on the Southeast and the lands now or formerly of Niagara Mohawk Power Corporation on the Northwest; thence North 41 deg. 18 min. 18 sec. East in part along the above last mentioned division line and through the lands now or formerly of the Town of Moreau 153.29 feet to a point, said being at the intersection of the division line between the lands now or formerly of the Town of Moreau as described in

Book 1393 of Deeds at Page 536 on the South and the lands now or formerly of Moreau Park, Inc. as described in Book 1449 of Deeds at Page 453 on the North with the division line between the lands now or formerly of Moreau Park, Inc. on the East and the lands now or formerly of the Town of Moreau on the West; thence North 15 deg. 05 min. 41 sec. East through the lands now or formerly of Moreau Park, Inc. as described in Book 1449 of Deeds at Page 453 and lands now or formerly of the County of Saratoga Industrial Development Agency as described in Book 1379 of Deeds at Page 534, a distance of 819.37 feet to a point, said point being at the intersection of the division line between the lands now or formerly of Moreau Park, Inc. on the Northwest and the lands now or formerly of the County of Saratoga Industrial Development Agency on the Southeast with the division line between the lands now or formerly of Moreau Park, Inc. on the Northeast and the lands now or formerly of Niagara Mohawk Power Corporation on the Southwest; thence North 63 deg. 00 min. 48 sec. West along the above last mentioned division line 114.64 feet to its intersection with the above first mentioned division line between the lands now or formerly of Moreau Park, Inc. on the North and the lands now or formerly of Niagara Mohawk Power Corporation on the South; thence North 82 deg. 01 min. 47 sec. West along the said above first mentioned division line 315.30 feet to the point or place of beginning, containing 203.46 acres of land, more or less.

**AREA 2- Village of Corinth Empire Zone – 47.237± acres**

**ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE** in the Village of Corinth, County of Saratoga, State of New York, lying generally South of the Hudson River and North of Palmer Avenue, and being more particularly bounded and described as follows:

**BEGINNING** at a point at the intersection of the division line between the lands now or formerly of International Paper Company, shown as Lot Number 24 Block 4 on a map entitled “Map of Division of Land of the P.F.W.P. Co.,” as prepared by R. P. Bloss, CE, dated July 1889, on the West, and the lands now or formerly of B & L Properties, LLC as described in Book 1581 of Deeds at Page 159 (being Lot Number 25 Block 4 as shown on said map), on the East, with the Northerly boundary of Palmer Avenue and runs thence from said point of beginning:

South 81 deg. 40 min. 20 sec. West, along the Northerly boundary of Palmer Avenue, 682.00 feet to its intersection with the division line between the lands now or formerly of the Glens Falls Hospital as described in Book 1550 of Deeds at Page 486, on the East, and the lands now or formerly of Raymond T. Bourdeau and Anne M. Bourdeau, on the West;

**Thence** North 08 deg. 19 min. 40 sec. West, along the above last mentioned division line, 130.00 feet to a point on the Southerly boundary of a 15-foot-wide right-of-way or alley, said point being the Northeast corner of Lot Number 17 Block 6 of the hereinabove referenced map entitled “Map of Division of Land of the P.F.W.P. Co.”;

**Thence** North 08 deg. 19 min. 40 sec. West, crossing said 15-foot-wide right-of-way or alley, 15.00 feet to a point on the Southerly boundary of lands now or formerly of the International Paper Company as described in Book 250 of Deeds at Page 424;

**Thence** South 81 deg. 40 min. 20 sec. West, along the Southerly boundary of lands now or formerly of the International Paper Company, 894.00 feet to a point on the Easterly boundary of Third Street;

**Thence** along the Easterly boundary of Third Street and continuing through the lands now or formerly of the International Paper Company the following three (3) courses:

- 1.) North 08 deg. 19 min. 40 sec. West, 160.00 feet to a point; thence
- 2.) North 60 deg. 45 min. 24 sec. East, 1,157.58 feet to a point; and
- 3.) North 54 deg. 33 min. 58 sec. East, 420.00 feet to a point on the division line between the lands now or formerly of International Paper Company as described in Book 250 of Deeds at Page 424, generally on the Southeast and South, and the lands now or formerly of Curtis/Palmer Hydroelectric Company as described in Book 1584 of Deeds at Page 540, generally on the Northwest and North, said division line as shown on a map entitled “Map of a Portion of the Main Parcel to be Conveyed by International Paper Company to Curtis/Palmer Hydroelectric Company,” prepared by Coulter & McCormack, Sheets No. 8 & 9 of 9, dated December 4, 1985, last revised January 2001;

**Thence** along the above last mentioned division line the following twenty-one (21) courses:

- 1.) North 48 deg. 47 min. 00 sec. East, 76.50 feet to a point;
- 2.) North 34 deg. 02 min. 00 sec. West, 15.14 feet to a point;
- 3.) North 55 deg. 58 min. 00 sec. East, 10.00 feet to a point;
- 4.) North 34 deg. 02 min. 00 sec. West, 22.50 feet to a point;
- 5.) North 87 deg. 34 min. 00 sec. West, 26.50 feet to a point;
- 6.) North 02 deg. 26 min. 00 sec. East, 31.19 feet to a point;
- 7.) North 88 deg. 28 min. 00 sec. East, 29.62 feet to a point;
- 8.) North 69 deg. 08 min. 34 sec. East, 115.00 feet to a point;

- 9.) North 22 deg. 05 min. 00 sec. East, 167.91 feet to a point;
- 10.) North 18 deg. 08 min. 34 sec. East, 200.51 feet to a point;
- 11.) North 49 deg. 37 min. 20 sec. East, 115.47 feet to a point;
- 12.) North 63 deg. 15 min. 50 sec. East, 28.32 feet to a point;
- 13.) South 85 deg. 31 min. 50 sec. East, 148.65 feet to a point;
- 14.) North 81 deg. 21 min. 50 sec. East, 56.41 feet to a point;
- 15.) South 80 deg. 36 min. 30 sec. East, 245.72 feet to a point;
- 16.) South 55 deg. 55 min. 00 sec. East, 122.71 feet to a point;
- 17.) South 74 deg. 25 min. 00 sec. East, 54.21 feet to a point;
- 18.) South 83 deg. 17 min. 40 sec. East, 75.70 feet to a point;
- 19.) South 87 deg. 22 min. 20 sec. East, 85.95 feet to a point;
- 20.) South 71 deg. 05 min. 40 sec. East, 156.98 feet to a point; and
- 21.) South 78 deg. 21 min. 20 sec. East, 80.53 feet to a point;

**Thence** through the lands now or formerly of International Paper Company the following seven (7) courses:

- 1.) South 66 deg. 09 min. 00 sec. East, 311.30 feet to a point;
- 2.) South 23 deg. 51 min. 00 sec. West, 300.00 feet to a point;
- 3.) South 66 deg. 09 min. 00 sec. East, 58.34 feet to a point;
- 4.) South 23 deg. 51 min. 00 sec. West, 440.00 feet to a point;
- 5.) North 71 deg. 10 min. 48 sec. West, 652.28 feet to a point;
- 6.) South 63 deg. 00 min. 00 sec. West, 225.00 feet to a point; and
- 7.) South 81 deg. 41 min. 20 sec. West, 231.00 feet to a point, said point being the Northeast corner of the proposed 0.504 acre parcel, as shown on a map entitled "Subdivision of a Portion of Lands of International Paper Company, Village of Corinth, Saratoga County, New York," prepared by David F. Barass, Land Surveyor, Map Number 02-880, dated August 30, 2002;

**Thence** South 08 deg. 36 min. 57 sec. East, along the Easterly boundary of said 0.504 acre parcel, 154.96 feet to its intersection with the Northerly boundary of Pine Street;

**Thence** South 81 deg. 23 min. 03 sec. West, along the Northerly boundary of Pine Street, 100.00 feet to a point;

**Thence** South 08 deg. 19 min. 40 sec. East, through and across Pine Street, 66.00 feet to a point, said point being at the intersection of the Southerly boundary of Pine Street, with the Westerly boundary of Heath Street, as shown on the hereinabove mentioned map entitled "Map of Division of Land of the P.F.W.P. Co.," prepared by R. P. Bloss, CE, dated July 1889;

**Thence** South 08 deg. 19 min. 40 sec. East, along the Westerly boundary of Heath Street, 130.00 feet to its intersection with the Northerly boundary of a 15.00 foot-wide right-of-way, as shown on the said above mentioned map entitled "Map of Division of Land of the P.F.W.P. Co.;"

**Thence** South 81 deg. 40 min. 20 sec. West, along the Northerly boundary of said 15.00 foot-wide right-of-way, 100.00 feet to a point, said point being the Southeast corner of Lot 16 Block 4, as shown on said map;

**Thence** South 08 deg. 19 min. 40 sec. East, crossing said 15.00 foot-wide right-of-way, 15.00 feet to a point, said point being at the intersection of the Southerly boundary of said right-of-way or alley, as shown on the above mentioned map entitled "Map of Division of Land of the P.F.W.P. Co.," with the hereinabove first mentioned division line between the lands now or formerly of International Paper Company, on the West, and the lands now or formerly of B & L Properties, LLC as described in Book 1581 of Deeds at Page 159, on the East;

**Thence** South 08 deg. 19 min. 44 sec. East, along the said above first mentioned division line, 129.51 feet to the point or place of beginning and containing 47.237 acres of land, more or less.

### **AREA 3- Town of Wilton Empire Zone – 235.68± acres**

**ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE**, lying and being in the Town of Wilton, County of Saratoga, State of New York, lying generally Northeast and Southwest of Ballard Road (County Route No. 33), and being more particularly bounded and described as follows:

**BEGINNING** at a point at the intersection of the division line between the lands now or formerly of Frank J. Parillo as described in Book 1470 of Deeds at Page 670 and Book 1217 of Deeds at Page 123 on the West and the lands now or formerly of Frank J. Parillo as described in Book 1053 of Deeds at Page 466 on the East with the Northwesterly boundary of Gordon Lane and runs thence from said point of beginning along the Northwesterly boundary of Gordon Lane the following four (4) courses: 1) South 57 deg. 01 min. 10 sec. West 199.18 feet to a point; 2) thence South 55 deg. 44 min. 53 sec. West 318.79 feet to a point; 3) thence South 57 deg. 31 min. 12 sec. West 95.71 feet to a point; and 4) thence South 61 deg. 29 min. 42 sec. West 245.75 feet to its intersection with the Northerly boundary of Ballard Road (County Route No. 33); thence along the Northerly and Northeasterly boundary of Ballard Road (County Route No. 33) the following six (6) courses: 1) North 84

deg. 30 min. 35 sec. West 274.49 feet to a point; 2) thence North 87 deg. 35 min. 30 sec. West 76.10 feet to a point; 3) thence South 87 deg. 18 min. 53 sec. West 117.60 feet to a point; 4) thence North 72 deg. 51 min. 43 sec. West 423.89 feet to a point; 5) thence North 55 deg. 56 min. 21 sec. West 1,297.39 feet to a point; and 6) thence North 74 deg. 38 min. 06 sec. West 229.15 feet to a point, said point being the Southeasterly corner of lands now or formerly of Martin E. Hanehan as described in Book 1615 of Deeds at Page 262; thence South 48 deg. 54 min. 40 sec. West crossing Ballard Road (County Route No. 33) 258.19 feet to a point on the Southwesterly boundary of said highway; thence North 59 deg. 15 min. 23 sec. West along the Southwesterly boundary of Ballard Road (County Route No. 33), a distance of 133.10 feet to a point; thence through the lands now or formerly of WDC of Upstate New York, LLC as described in Book 1647 of Deeds at Page 662 (formerly lands of the People of the State of New York) the following three (3) courses: 1) South 29 deg. 44 min. 41 sec. West 680.00 feet to a point; 2) thence South 78 deg. 21 min. 20 sec. West 383.40 feet to a point; and 3) thence South 22 deg. 55 min. 16 sec. West 606.63 feet to a point; thence North 67 deg. 04 min. 44 sec. West continuing through the lands now or formerly of WDC of Upstate New York, LLC in part and through the lands now or formerly of County of Saratoga Industrial Development Agency as described in Book 1448 of Deeds at Page 666 (ACE Hardware Corporation) 2,695.60 feet to a point; thence continuing through the lands now or formerly of County of Saratoga Industrial Development Agency the following three (3) courses: 1) North 60 deg. 44 min. 14 sec. West 1,294.00 feet to a point; 2) thence North 29 deg. 15 min. 46 sec. East 1,081.50 feet to a point; and 3) thence South 60 deg. 44 min. 14 sec. East 2,093.12 feet to a point on the division line between the lands now or formerly of WDC of Upstate New York, LLC as described in Book 1647 of Deeds at Page 662 on the East and the lands now or formerly of County of Saratoga Industrial Development Agency as described in Book 1448 of Deeds at Page 666 on the West; thence South 21 deg. 18 min. 47 sec. West along the above last mentioned division line 377.90 feet to a point; thence through the lands now or formerly of WDC of Upstate New York, LLC the following four (4) courses: 1) South 21 deg. 37 min. 48 sec. East 258.24 feet to a point; 2) thence North 63 deg. 13 min. 00 sec. East 406.08 feet to a point; 3) thence North 08 deg. 37 min. 26 sec. East 249.02 feet to a point; and 4) thence North 36 deg. 50 min. 51 sec. East 524.37 feet to a point on the Southwesterly boundary of Ballard Road (County Route No. 33); thence North 07 deg. 42 min. 08 sec. West crossing Ballard Road (County Route No. 33), a distance of 190.45 feet to a point, said point being at the intersection of the Northeasterly boundary of Ballard Road (County Route No. 33) with the common division line between the lands now or formerly of Martin E. Hanehan as described in Book 1615 of Deeds at Page 262 on the East and the lands now or formerly of Wilton Fire District as described in Book 1636 of Deeds at Page 383 and lands now or formerly of Moreau Central School as described in Book 803 of Deeds at Page 248 on the West; thence North 07 deg. 12 min. 36 sec. West along the above last mentioned common division line 743.79 feet to its intersection with the division line between the lands now or formerly of Martin E. Hanehan on the Southeast and the lands now or formerly of James T. Rivette as described in Book 1446 of Deeds at Page 559 on the Northwest; thence North 56 deg. 29 min. 51 sec. East along the above last mentioned division line 392.61 feet to a point; thence North 82 deg. 11 min. 37 sec. East through the lands now or formerly of Martin E. Hanehan 1,385.97 feet to a point on the common division line between the lands now or formerly of Martin E. Hanehan on the West and the lands now or formerly of Edward H. Trice, Jr. as described in Book 1114 of Deeds at Page 123 and lands now or formerly of Alton B. Purinton and Helen C. Purinton as described in Book 1385 of Deeds at Page 8 on the East; thence along the above last mentioned common division line the following three (3) courses: 1) South 07 deg. 30 min. 49 sec. East 191.11 feet to a point; 2) thence South 07 deg. 00 min. 49 sec. East 341.17 feet to a point; and 3) thence South 08 deg. 17 min. 54 sec. East 1,130.51 feet to a point; thence through the lands now or formerly of Alton B. Purinton and Helen C. Purinton the following three (3) courses: 1) South 74 deg. 38 min. 06 sec. East 413.74 feet to a point; 2) thence North 01 deg. 12 min. 58 sec. West 424.50 feet to a point; and 3) thence North 03 deg. 09 min. 49 sec. West 838.35 feet to a point on the division line between the lands now or formerly of Alton B. Purinton and Helen C. Purinton on the South and the lands now or formerly of Edward H. Trice, Jr. on the North; thence North 86 deg. 50 min. 12 sec. East along the above last mentioned division line 105.35 feet to its intersection with the division line between the lands now or formerly of Edward H. Trice, Jr. as described in Book 1114 of Deeds at Page 123 on the West and the lands now or formerly of Coldwell Banker Prime as described in Book 1509 of Deeds at Page 330 on the East; thence along the above last mentioned division line the following four (4) courses: 1) North 08 deg. 07 min. 04 sec. West 327.79 feet to a point; 2) thence North 10 deg. 00 min. 00 sec. East 691.81 feet to a point; 3) thence North 06 deg. 04 min. 52 sec. East 498.25 feet to a point; and 4) thence North 45 deg. 00 min. 00 sec. East 162.73 feet to its intersection with the Southwesterly boundary of North Road; thence along the Southwesterly and Westerly boundary of North Road the following fourteen (14) courses: 1) on a generally Southeast direction along a curve to the right having a radius of 425.00 feet, a chord bearing of South 23 deg. 40 min. 01 sec. East and a chord distance of 230.54 feet, an arc length of 233.46 feet to a point of tangency; 2) thence South 07 deg. 55 min. 49 sec. East 183.57 feet to a point; 3) thence South 82 deg. 04 min. 11 sec. West 20.00 feet to a point; 4)

thence South 07 deg. 55 min. 49 sec. East 130.61 feet to a point; 5) thence North 82 deg. 04 min. 11 sec. East 20.00 feet to a point; 6) thence South 07 deg. 55 min. 49 sec. East 342.70 feet to a point of curvature; 7) in a Southerly direction along a curve to the left having a radius of 245.00 feet, a chord bearing of South 14 deg. 59 min. 11 sec. East and a chord distance of 60.19 feet, an arc length of 60.35 feet to a point; 8) thence South 01 deg. 03 min. 34 sec. West 403.33 feet to a point; 9) thence South 53 deg. 47 min. 59 sec. West 52.22 feet to a point; 10) in a Southerly direction along a curve to the left having a radius of 795.00 feet, a chord bearing of South 20 deg. 27 min. 39 sec. East and a chord distance of 1,530.38 feet, an arc length of 2,060.78 feet to a point of tangency; 11) thence North 85 deg. 16 min. 44 sec. East 35.32 feet to a point of curvature; 12) in an Easterly direction along a curve to the right having a radius of 300.00 feet, a chord bearing of South 83 deg. 05 min. 08 sec. East and a chord distance of 121.01 feet, an arc length of 121.85 feet to a point; 13) thence South 45 deg. 00 min. 00 sec. East 235.71 feet to a point; and 14) thence South 11 deg. 48 min. 13 sec. East 66.86 feet to its intersection with the Westerly projection of the division line between the lands formerly of John Barber on the South and the lands formerly of Swift Transportation as described in Book 1586 of Deeds at Page 338 on the North; thence North 82 deg. 04 min. 12 sec. East along said projection, crossing North Road and along said division line between the lands formerly of John Barber on the South and the lands formerly of Swift Transportation on the North 478.03 feet to its intersection with the division line between the lands formerly of John Barber on the West and the lands formerly of Swift Transportation as described in Book 1586 of Deeds at Page 338 on the East; thence South 08 deg. 49 min. 13 sec. East along the above last mentioned division line 315.38 feet to its intersection with the division line between the lands now or formerly of Frank J. Parillo as described in Book 1470 of Deeds at Page 670 on the South and the lands formerly of Swift Transportation as described in Book 1586 of Deeds at Page 338 on the North; thence North 82 deg. 03 min. 56 sec. East along the above last mentioned division line 662.02 feet to its intersection with the above first mentioned division line between the lands now or formerly of Frank J. Parillo as described in Book 1470 of Deeds at Page 670 and Book 1217 of Deeds at Page 123 on the West and the lands now or formerly of Frank. J. Parillo as described in Book 1053 of Deeds at Page 466 on the East; thence along the said above first mentioned division line the following two (2) courses: 1) South 07 deg. 38 min. 30 sec. East 177.63 feet to a point; and 2) thence South 07 deg. 52 min. 51 sec. East 108.79 feet to the point or place of beginning and containing 235.68 acres of land, more or less.

**AREA 4- Town of Malta Empire Zone –358.08± acres**

**ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE**, lying and being in the Town of Malta, County of Saratoga, State of New York, lying generally Southeast of the intersection of Dunning Street and Plains Road, and being more particularly bounded and described as follows:

**COMMENCING** at a point at the intersection of the Southerly boundary of Dunning Street with the division line between the lands of The People of the State of New York as described in Book 836 of Deeds at Page 114 on the Northeast and the lands now or formerly of Fox Wander East Neighborhood Association, Inc. as described in Book 1248 of Deeds at Page 300 on the Southwest and runs thence from said point of commencement along the above mentioned division line South 48 deg. 32 min. 23 sec. East 952.76 feet to its intersection with the division line between the lands of the People of the State of New York on the Southeast and the lands now or formerly of Fox Wander East Neighborhood Association, Inc. on the Northwest; thence South 71 deg. 53 min. 41 sec. East through the lands of the People of the State of New York as described in Book 836 of Deeds at Page 114, a distance of 43.48 feet to the point of beginning of the hereinafter described 358.08± acre parcel and runs thence from said point of beginning continuing through the lands of the People of the State of New York the following five (5) courses: 1) South 52 deg. 44 min. 30 sec. East 290.19 feet to a point of curvature; 2) in an Easterly direction along a curve to the left having a radius of 100.00 feet, a chord bearing of North 82 deg. 19 min. 53 sec. East and a chord distance of 141.24 feet, an arc length of 156.82 feet to a point of tangency; 3) thence North 37 deg. 24 min. 16 sec. East 168.36 feet to a point; 4) thence North 83 deg. 09 min. 55 sec. East 330.60 feet to a point; and 5) thence North 42 deg. 40 min. 54 sec. East 1,336.43 feet to a point; thence continuing through the lands of the People of the State of New York generally along the Southwesterly boundary of a proposed ring road the following eight (8) courses: 1) in a Southeasterly direction along a curve to the right having a radius of 670.00 feet, a chord bearing of South 61 deg. 23 min. 57 sec. East and a chord distance of 562.91 feet, an arc length of 580.93 feet to a point of tangency; 2) thence South 36 deg. 33 min. 35 sec. East 347.42 feet to a point of curvature; 3) in a Southeasterly direction along a curve to the left having a radius of 1,030.00 feet, a chord bearing of South 48 deg. 07 min. 47 sec. East and a chord distance of 413.17 feet, an arc length of 415.99 feet to a point of tangency; 4) thence South 59 deg. 42 min. 00 sec. East 530.30 feet to a point of curvature; 5) in a Southeasterly direction along a curve to the right having a radius of 545.00 feet, a chord bearing of South 28 deg. 15 min. 41 sec. East and a chord distance of 568.53 feet, an arc

length of 598.09 feet to a point of tangency; 6) thence South 03 deg. 10 min. 39 sec. West 114.76 feet to a point of curvature; 7) in a Southeasterly direction along a curve to the left having a radius of 605.00 feet, a chord bearing of South 23 deg. 35 min. 52 sec. East and a chord distance of 545.09 feet, an arc length of 565.45 feet to a point of tangency; and 8) thence South 50 deg. 22 min. 22 sec. East 119.98 feet to a point on the division line between the lands now or formerly of the People of the State of New York on the Northwest and the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation as described in Instrument No. 2007022112 on the Southeast; thence South 39 deg. 37 min. 37 sec. West along the above last mentioned division line 1,413.33 feet to a point; thence through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation in part along the Southwesterly, Southerly, and Southeasterly boundary of Pod 9 the following seven (7) courses: 1) South 39 deg. 42 min. 32 sec. East in part along the Southwesterly boundary of Pod 9, a distance of 726.35 feet to a point of curvature; 2) in an Easterly direction along a curve to the left having a radius of 100.00 feet, a chord bearing of South 72 deg. 19 min. 53 sec. East and a chord distance of 107.82 feet, arc length of 113.87 feet to a point of reverse curvature; 3) in an Easterly direction along a curve to the right having a radius of 1,842.95 feet, a chord bearing of North 88 deg. 25 min. 53 sec. East and a chord distance of 853.30 feet, an arc length 861.11 feet to a point of reverse curvature; 4) in an Easterly direction along a curve to the left having a radius of 200.00 feet, a chord bearing of North 70 deg. 15 min. 09 sec. East and a chord distance of 209.38 feet, an arc length of 220.36 feet to a point of tangency; and 5) thence North 38 deg. 41 min. 16 sec. East in part along the Southeasterly boundary of Pod 9, a distance of 795.72 feet to a point; 6) thence South 50 deg. 30 min. 08 sec. East 676.96 feet to a point of curvature; and 7) in a Southeasterly direction along a curve to the right having a radius of 1,665.00 feet, a chord bearing of South 48 deg. 31 min. 41 sec. East and a chord distance of 114.72 feet, an arc length of 114.74 feet to a point on the municipal division line between the Town of Malta on the West and the Town of Stillwater on the East; thence South 11 deg. 14 min. 28 sec. West continuing through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation along said municipal division line 3,873.21 feet to a point; thence continuing through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation and along the Southwesterly and Southerly boundary of Pod 4 the following two (2) courses: 1) North 64 deg. 13 min. 23 sec. West 900.25 feet to a point; and 2) thence North 82 deg. 26 min. 26 sec. West 82.05 feet to a point on the Westerly boundary of Pod 4; thence continuing through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation along said Pod 4 the following six (6) courses: 1) North 01 deg. 49 min. 42 sec. West 156.00 feet to a point; 2) thence North 15 deg. 02 min. 23 sec. East 100.00 feet to a point; 3) thence North 50 deg. 20 min. 21 sec. West 128.00 feet to a point; 4) thence North 62 deg. 19 min. 43 sec. West 178.00 feet to a point; 5) thence North 82 deg. 33 min. 13 sec. West 130.00 feet to a point; and 6) thence North 50 deg. 43 min 02 sec. West 115.00 feet to a point; thence continuing through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation the following four (4) courses: 1) South 69 deg. 27 min. 19 sec. West crossing the proposed Main Drive 260.00 feet to a point; 2) thence South 65 deg. 26 min. 22 sec. West 260.00 feet to a point; 3) thence North 89 deg. 39 min. 54 sec. West 600.00 feet to a point; and 4) thence North 20 deg. 34 min. 12 sec. West 530.00 feet to a point on the Southerly boundary of the proposed Main Drive; thence continuing through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation along the Southerly boundary of the proposed Main Drive the following three (3) courses: 1) in an Easterly direction along a curve to the right having a radius of 1,483.00 feet, a chord bearing of North 85 deg. 34 min. 11 sec. East and a chord distance of 839.02 feet, an arc length of 850.63 feet to a point; 2) thence South 12 deg. 00 min. 06 sec. West 10.00 feet to a point; and 3) thence South 68 deg. 30 min. 50 sec. East 337.00 feet to a point; thence South 66 deg. 24 min. 54 sec. East continuing through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation 133.47 feet to a point on the Southeasterly boundary of the proposed East Connector Road; thence continuing through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation as described in Book 1725 of Deeds at Page 95 and along the Southeasterly, Easterly, and Northeasterly boundary of said proposed East Connector Road the following eleven (11) courses: 1) North 30 deg. 40 min. 06 sec. East 232.14 feet to a point; 2) in a Northerly direction along a curve to the right having a radius of 940.00 feet, a chord bearing of North 05 deg. 40 min. 46 sec. East and a chord distance of 322.66 feet, an arc length of 324.27 feet to a point; 3) thence North 74 deg. 26 min. 17 sec. West 18.92 feet to a point; 4) in a Northerly direction along a curve to the left having a radius of 2,192.00 feet, a chord bearing of North 01 deg. 27 min. 50 sec. East and a chord distance of 843.46 feet, an arc length of 848.75 feet to a point; 5) thence North 80 deg. 22 min. 16 sec. East 10.00 feet to a point; 6) in a Northerly direction along a curve to the left having a radius of 2,202.00 feet, a chord bearing of North 17 deg. 10 min. 50 sec. West and a chord distance of 578.77 feet, an arc length of 580.45 feet to a point; 7) thence South 65 deg. 16 min. 05 sec. West 14.00 feet to a point; 8) in a Northwesterly direction along a curve to the left having a radius of 2,188.00 feet, a chord bearing of North 36 deg. 32 min. 47 sec. West and a chord distance of 895.95 feet, an arc length of 902.33 feet to a point of

tangency; 9) thence North 48 deg. 21 min. 39 sec. West 68.44 feet to a point; 10) thence North 35 deg. 11 min. 08 sec. West 140.00 feet to a point; and 11) in a Westerly direction along a curve to the left having a radius of 100.00 feet, a chord bearing of North 39 deg. 30 min. 45 sec. West and chord distance of 146.59 feet, an arc length of 164.53 feet to a point, said point being on the division line between the lands of the People of the State of New York on the Northwest and the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation as described in Instrument No. 2007022112 on the Southeast; thence along the above last mentioned division line the following six (6) courses: 1) in a Southwesterly direction along a curve to the left having a radius of 100.00 feet, a chord bearing of South 45 deg. 57 min. 00 sec. West and a chord distance of 147.23 feet, an arc length of 165.47 feet to a point; 2) thence South 36 deg. 46 min. 49 sec. West 170.63 feet to a point; 3) thence South 29 deg. 12 min. 39 sec. East 19.02 feet to a point; 4) thence South 39 deg. 37 min. 37 sec. West 57.01 feet to a point; 5) thence South 73 deg. 37 min. 23 sec. West 208.63 feet to a point; and 6) thence South 47 deg. 01 min. 43 sec. West 454.92 feet to a point, said point being on the division line between the lands of the People of the State of New York as described in Book 836 of Deeds at Page 114 on the Northeast and the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation as described in Book 1725 of Deeds at Page 95 on the Southwest; thence through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation as described in Book 1725 of Deeds at Page 95 and along the Northwesterly and Northerly boundary of proposed Stone Break Road Extension the following fifteen (15) courses: 1) South 21 deg. 18 min. 24 sec. West 86.40 feet to a point; 2) thence South 30 deg. 23 min. 44 sec. West 292.56 feet to a point; 3) thence South 53 deg. 48 min. 09 sec. West 143.00 feet to a point; 4) thence South 44 deg. 39 min. 22 sec. West 138.00 feet to a point; 5) thence South 50 deg. 14 min. 12 sec. West 270.00 feet to a point; 6) thence South 69 deg. 09 min. 10 sec. West 100.00 feet to a point; 7) thence South 41 deg. 45 min. 31 sec. West 125.00 feet to a point; 8) thence South 54 deg. 38 min. 11 sec. West 120.00 feet to point; 9) thence South 62 deg. 01 min. 33 sec. West 420.00 feet to a point; 10) thence South 78 deg. 32 min. 04 sec. West 506.00 feet to a point; 11) thence North 84 deg. 44 min. 52 sec. West 280.00 feet to a point; 12) thence North 71 deg. 25 min. 25 sec. West 132.00 feet to a point; 13) thence North 85 deg. 26 min. 11 sec. West 150.00 feet to a point; 14) thence North 55 deg. 28 min. 52 sec. West 180.00 feet to a point; and 15) thence North 42 deg. 27 min. 42 sec. West 79.00 feet to a point; thence continuing through the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation and Pod 14 the following eight (8) courses: 1) North 47 deg. 02 min. 28 sec. East 172.00 feet to a point; 2) thence North 35 deg. 47 min. 19 sec. East 370.00 feet to a point; 3) thence North 38 deg. 35 min. 11 sec. East 200.00 feet to a point; 4) thence North 34 deg. 44 min. 53 sec. East 340.00 feet to a point; 5) thence North 23 deg. 56 min. 58 sec. East 430.00 feet to a point; 6) thence North 64 deg. 23 min. 25 sec. East 430.00 feet to a point; 7) thence North 41 deg. 50 min. 17 sec. East 328.00 feet to a point; and 8) thence North 60 deg. 03 min. 26 sec. East 275.97 feet to a point on the division line between the lands of the People of the State of New York as described in Book 836 of Deeds at Page 114 on the Northeast and the lands now or formerly of Luther Forest Technology Campus Economic Development Corporation as described in Book 1725 of Deeds at Page 95 on the Southwest; thence South 43 deg. 07 min. 46 sec. East along the above last mentioned division line 191.03 feet to a point; thence North 45 deg. 28 min. 25 sec. East through the lands of the People of the State of New York 1,127.22 feet to a point on the Northeasterly boundary of Hermes Road; thence North 33 deg. 02 min. 40 sec. West along the Northeasterly boundary of Hermes Road 140.41 feet to a point; thence continuing through the lands of the People of the State of New York the following twenty-eight (28) courses: 1) North 45 deg. 16 min. 15 sec. East 125.51 feet to a point of curvature; 2) in a Northeasterly direction along a curve to the left having a radius of 1,525.75 feet, a chord bearing of North 41 deg. 29 min. 47 sec. East and a chord distance of 200.88 feet, an arc length of 201.03 feet to a point of compound curvature; 3) in a Northerly direction along a curve to the left having a radius of 540.56 feet, a chord bearing of North 20 deg. 04 min. 00 sec. East and a chord distance of 327.89 feet, an arc length of 333.13 feet to a point; 4) thence North 47 deg. 19 min. 06 sec. West 480.32 feet to a point; 5) in a Southerly direction along a curve to the right having a radius of 530.79 feet, a chord bearing of South 07 deg. 31 min. 02 sec. West and a chord distance of 31.98 feet, an arc length of 31.99 feet to a point of tangency; 6) thence South 05 deg. 47 min. 27 sec. West 117.45 feet to a point of curvature; 7) in a Southerly direction along a curve to the right having a radius of 1,290.82 feet, a chord bearing of South 10 deg. 15 min. 37 sec. West and a chord distance of 201.17 feet, an arc length of 201.37 feet to a point; 8) thence South 90 deg. 00 min. 00 sec. West 395.90 feet to a point; 9) thence North 44 deg. 21 min. 25 sec. East 2.30 feet to a point of curvature; 10) in a Northerly direction along a curve to the left having a radius of 180.00 feet, a chord bearing of North 16 deg. 31 min. 32 sec. East and a chord distance of 168.07 feet, an arc length of 174.87 feet to a point of tangency; 11) thence North 11 deg. 18 min. 22 sec. West 153.81 feet to a point of curvature; 12) in Northerly direction along a curve to the right having a radius of 170.00 feet, a chord bearing of North 05 deg. 39 min. 11 sec. West and a chord distance of 33.49 feet, an arc length of 33.55 feet to a point of tangency; 13) thence North 00 deg. 00 min. 00 sec. West 92.36 feet to a point; 14) thence North 90 deg. 00 min. 00 sec. West 60.00 feet to a



point; 15) thence North 00 deg. 00 min. 00 sec. West 443.58 feet to a point of curvature; 16) in a Northwesterly direction along a curve to the left having a radius of 70.00 feet, a chord bearing of North 58 deg. 19 min. 19 sec. West and a chord distance of 119.14 feet, an arc length of 142.51 feet to a point of tangency; 17) thence South 63 deg. 21 min. 21 sec. West 74.02 feet to a point of curvature; 18) in a Westerly direction along a curve to the right having a radius of 230.00 feet, a chord bearing of South 73 deg. 29 min. 11 sec. West and a chord distance of 80.91 feet, an arc length of 81.33 feet to a point of cusp; 19) thence in a Southeasterly direction along a curve to the right having a radius of 75.00 feet, a chord bearing of South 25 deg. 49 min. 44 sec. East and a chord distance of 141.44 feet, an arc length of 184.71 feet to a point of tangency; 20) thence South 44 deg. 43 min. 32 sec. West 219.50 feet to a point of curvature; 21) thence in a Westerly direction along a curve to the right having a radius of 200.00 feet, a chord bearing of North 84 deg. 25 min. 57 sec. West and a chord distance of 310.16 feet, an arc length of 354.94 feet to a point of compound curvature; 22) thence in a Northerly direction along a curve to the right having a radius of 820.00 feet, a chord bearing of North 21 deg. 15 min. 40 sec. West and a chord distance of 350.20, an arc length of 352.91 feet to a point; 23) thence South 83 deg. 09 min. 55 sec. West 159.05 feet to a point; 24) thence South 37 deg. 24 min. 16 sec. West crossing Hermes Road 677.32 feet to a point; 25) thence North 45 deg. 57 min. 09 sec. West 223.07 feet to a point; 26) thence North 37 deg. 15 min. 30 sec. East 100.57 feet to a point; 27) thence North 52 deg. 44 min. 30 sec. West 251.79 feet to a point; and 28) thence North 34 deg. 31 min. 38 sec. East 325.10 feet to the point or place of beginning and containing 358.08 acres of land, more or less.

**AREA 5- Town of Halfmoon Empire Zone – 166.55 ± acres**

**ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE**, lying and being in the Town of Halfmoon, County of Saratoga, State of New York, lying Northerly and Southerly of NYS Route 146 (S.H. No. 1345), and being more particularly bounded and described as follows:

**BEGINNING** at a point at the intersection of the Southeasterly boundary of NYS Route 146 (S.H. No. 1345) with the division line between the lands now or formerly of Troy Sand and Gravel Co., Inc. as described in Book 1735 of Deeds at Page 115, Instrument No. 200601923 on the West and the lands now or formerly of James M. Patenaude, William W. Patenaude, Richard A. Patenaude, Charles R. Patenaude, George A. Patenaude and Norma J. Vickery (d.b.a. Best Eagle) as described in Book 1255 of Deeds at Page 227 on the East and runs thence from said point of beginning along the above mentioned division line the following two (2) courses: 1) South 13 deg. 39 min. 13 sec. West 584.50 feet to a point; and 2) thence South 16 deg. 39 min. 13 sec. West 1,022.00 feet to its intersection with the division line between the lands now or formerly of Troy Sand and Gravel Co., Inc. on the South and the lands now or formerly of James M. Patenaude, William W. Patenaude, Richard A. Patenaude, Charles R. Patenaude, George A. Patenaude and Norma J. Vickery (d.b.a. Best Eagle) on the North; thence South 78 deg. 41 min. 37 sec. East along the above last mentioned division line 180.00 feet to a point on the Westerly boundary of the former Champlain Canal; thence in a Southerly direction along the Westerly boundary of the former Champlain Canal the following seven (7) courses: 1) South 16 deg. 50 min. 47 sec. East 40.00 feet to a point; 2) thence South 00 deg. 27 min. 47 sec. East 63.87 feet to a point; 3) thence South 32 deg. 44 min. 13 sec. West 88.30 feet to a point; 4) thence South 22 deg. 50 min. 13 sec. West 35.49 feet to a point; 5) thence South 34 deg. 19 min. 43 sec. West 263.38 feet to a point; 6) thence South 28 deg. 35 min. 43 sec. West 135.38 feet to a point; and 7) thence South 18 deg. 12 min. 43 sec. West 147.16 feet to a point; thence through the lands now or formerly of Troy Sand and Gravel Co., Inc. the following three (3) courses: 1) North 80 deg. 44 min. 17 sec. West 209.53 feet to a point; 2) thence South 09 deg. 15 min. 43 sec. West 200.00 feet to a point; and 3) thence South 80 deg. 44 min. 17 sec. East 200.00 feet to a point on the above mentioned Westerly boundary of the former Champlain Canal; thence along the said Westerly boundary of the former Champlain Canal the following two (2) courses: 1) South 05 deg. 25 min. 43 sec. West 273.61 feet to a point; and 2) thence South 48 deg. 45 min. 43 sec. West 44.00 feet to its intersection with the division line between the lands now or formerly of Troy Sand and Gravel Co., Inc. as described in Book 1735 of Deeds at Page 115 on the North and the lands now or formerly of Whitehead Brothers Co. as described in Book 1574 of Deeds at Page 714, Instrument No. 200104413 on the South; thence along the above last mentioned division line the following five (5) courses: 1) South 83 deg. 21 min. 03 sec. West 195.05 feet to a point; 2) thence South 13 deg. 52 min. 23 sec. West 25.00 feet to a point; 3) thence North 76 deg. 07 min. 37 sec. West 392.66 feet to a point; 4) thence North 00 deg. 22 min. 37 sec. West 183.48 feet to a point; and 5) thence North 65 deg. 52 min. 37 sec. West 1,413.72 feet to its intersection with the division line between the lands now or formerly of Troy Sand and Gravel Co., Inc. as described in Book 1735 of Deeds at Page 115, Instrument No. 200601923 on the Southeast and the lands now or formerly of Ernest D. D'Alberto and Adele M. D'Alberto as described in Book 1084 of Deeds at Page 297 on the Northwest; thence North 23 deg. 22 min. 23 sec. East along the above last mentioned division line 2,322.66 feet to its intersection with the Southwesterly boundary of NYS Route 146 (S.H. No.

1345); thence along the above last mentioned Southwesterly highway boundary the following two (2) courses: 1) South 64 deg. 08 min. 17 sec. East 180.26 feet to a point; and 2) thence South 56 deg. 54 min. 17 sec. East 37.53 feet to its intersection with the Southerly projection of a common division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino as described in Book 1267 of Deeds at Page 784 on the East and the lands now or formerly of William Lane and Jean Lane as described in Book 438 of Deeds at Page 339, lands now or formerly of Walter P. Boleski and Richard W. Boleski as described in Book 1406 of Deeds at Page 136 Instrument No. 9503798 and lands now or formerly of David S. Leggett, Douglas N. Leggett, Diane E. Saunders, Carol S. Walko, Sandra J. Fisher and Sylvia G. Leggett as described in Book 1626 of Deeds at Page 759, Instrument No. 200301858 on the West; thence North 13 deg. 26 min. 10 sec. East along said common division line projection crossing NYS Route 146 (S.H. No. 1345) and along the above mentioned common division line 2,700.79 feet to its intersection with the division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino on the South and the lands now or formerly of David S. Leggett, Douglas N. Leggett, Diane E. Saunders, Carol S. Walko, Sandra J. Fisher and Sylvia G. Leggett on the North; thence North 78 deg. 43 min. 30 sec. East along the above last mentioned division line 79.30 feet to its intersection with the division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino on the East and the lands now or formerly of David S. Leggett, Douglas N. Leggett, Diane E. Saunders, Carol S. Walko, Sandra J. Fisher and Sylvia G. Leggett on the West; thence North 14 deg. 32 min. 30 sec. East along the above last mentioned division line 318.06 feet to its intersection with the common division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino on the South and the lands now or formerly of Harry W. Clements and Catherine B. Clements as described in Book 1035 of Deeds at Page 1155, lands now or formerly of Thomas E. Johnson and Janice B. Johnson, Trustees of the Johnson Family Trust as described in Book 1643 of Deeds at Page 5, Instrument No. 200305707 and lands now or formerly of Albert Amann and Florence Amann as described in Book 698 of Deeds at Page 110 on the North; thence along the above last mentioned common division line the following two (2) courses: 1) South 76 deg. 43 min. 10 sec. East 737.05 feet to a point; and 2) thence South 68 deg. 41 min. 00 sec. East 420.52 feet to its intersection with the common division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino on the West and the lands now or formerly of Albert Amann and Florence Amann as described in Book 698 of Deeds at Page 110 and lands now or formerly of John J. McBride, Jr. and Jean S. McBride as described in Book 1021 of Deeds at Page 58 on the East; thence South 02 deg. 53 min. 00 sec. West along the above last mentioned common division line 673.05 feet to its intersection with the division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino on the North and the lands now or formerly of Ralph E. Hanna and Rosanne S. Hanna as described in Book 1534 of Deeds at Page 715, Instrument No. 0002196 on the South; thence North 87 deg. 02 min. 40 sec. West along the above last mentioned division line 444.70 feet to its intersection with the division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino on the West and the lands now or formerly of Ralph E. Hanna and Rosanne S. Hanna on the East; thence along the above last mentioned division line the following three (3) courses: 1) South 02 deg. 57 min. 20 sec. West 464.50 feet to a point; 2) thence South 01 deg. 41 min. 40 sec. East 385.84 feet to a point; and 3) thence South 01 deg. 25 min. 20 sec. West 154.22 feet to its intersection with the division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino on the Northwest and the lands now or formerly of Irvin P. Krank and Joyce Newell as described in Book 1283 of Deeds at Page 716 on the Southeast; thence South 53 deg. 50 min. 30 sec. West along the above last mentioned division line 1,085.83 feet to its intersection with the division line between the lands now or formerly of Richard D. Pino and Loe Anne Kimball Pino on the West and the lands now or formerly of Irvin P. Krank and Joyce Newell on the East; thence along the above last mentioned division line the following two (2) courses: 1) South 20 deg. 31 min. 20 sec. West 190.05 feet to a point; and 2) thence South 21 deg. 09 min. 10 sec. West 196.70 feet to its intersection with the Northerly boundary of NYS Route 146 (S.H. No. 1345); thence South 19 deg. 33 min. 08 sec. West crossing said NYS Route 146 (S.H. No. 1345), a distance of 193.31 feet to a point on the Southerly boundary of said highway; thence along the Southerly and Southeasterly boundary of said NYS Route 146 (S.H. No. 1345) the following four (4) courses: 1) South 77 deg. 35 min. 17 sec. East 269.57 feet to a point; 2) thence South 87 deg. 45 min. 27 sec. East 144.30 feet to a point; 3) thence South 87 deg. 13 min. 27 sec. East 310.80 feet to a point; and 4) thence North 61 deg. 03 min. 43 sec. East 436.65 feet to the point or place of beginning and containing 166.55 acres of land, more or less.

**Land Bank**

Reserving 268.993± acres to be allocated for future designation in Saratoga County.

Introduced by Supervisors Rowland, Daly, Raymond, Southworth, Veitch, Wright and Yepsen

#### EXPRESSING OPPOSITION TO THE 2010 LICENSE PLATE REISSUANCE PROJECT

WHEREAS, Governor Patterson, through the New York State Budget, has initiated a new license plate reissuance project to commence on April 1, 2010; and

WHEREAS, New York State is in the 8<sup>th</sup> year of the current plate reissuance project; and

WHEREAS, the prior license plate reissuance project commenced in 1986 and lasted 15 years; and

WHEREAS, the New York State Association of County Clerks is opposing this new reissuance project due to its cost to the driving public; \$25 for a new plate, and an additional \$20 if one desires to keep their present number; and

WHEREAS, with recent increases in Motor Vehicle fees, the New York State Association of County Clerks fears that many of our motoring constituents will find the new license plate reissuance project a burden in these present economic times; and

WHEREAS, the membership of this Association has had concerns expressed to it about the inability to pay for any more DMV fees; now, therefore, be it

RESOLVED, that the New York State Association of County Clerks opposes the new license plate reissuance project scheduled to take effect on April 1, 2010; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors support the position of the New York State Association of County Clerks and urges the Governor and Members of the New York State Legislature to rescind their inclusion of the new license plate reissuance project in the Budget.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 198 - 09

Introduced by Supervisors Rowland, Daly, Raymond, Southworth, Veitch, Wright and Yepsen

#### URGING NEW YORK STATE AND ALL NEW YORK STATE COUNTIES AND CITIES TO ADOPT A POLICY THAT FAVORS THE PURCHASE OF PERSONAL COMPUTERS THAT ARE POWERED BY AMD CHIPS

WHEREAS, the construction and operation of a \$4 billion computer chip fabrication facility in the Town of Malta, County of Saratoga, by Global Foundries, Inc. is expected to offer employment to over 1400 individuals and to have a large positive economic impact on the surrounding counties in upstate New York in the form of businesses supplying goods and services in connection with the facility; and

WHEREAS, the computer chip company, AMD, is a partner in Global Foundries, and the seller of computer chips used in many models and brands of computers which are widely available on the market; and

WHEREAS, the Saratoga County Board of Supervisors feels that it is important for governmental entities to support those businesses that are located within or near the geographical area of the governmental entity and which contribute to the local economy through employment and consumption of local goods and services; and

WHEREAS, Saratoga County has a policy of purchasing, when it can do so within the laws concerning public purchasing, computers containing chips manufactured and/or sold by AMD, as a means of lending support to the new computer chip fabrication plant in upstate New York; and

WHEREAS, the Saratoga County Board of Supervisors wishes to alert governmental entities to the potential of encouraging and supporting the location of this significant economic driving force in upstate New York through the purchase of its product; now, therefore, be it

RESOLVED, that the Board of Supervisors urges the State of New York and all of its counties and cities to adopt a policy that favors the purchase of personal computers that are powered by AMD chips; and be it further

RESOLVED, that the Clerk of the Board forward a copy of this Resolution to Governor David Paterson, and to each of the counties and cities of the State of New York.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 199 - 09

Introduced by Supervisors Peck, Barrett, A. Johnson and Sausville

#### AWARDING FARMLAND/OPEN SPACE GRANTS

WHEREAS, the Saratoga County Farmland/Open Space Preservation Program was established in 2003, to give matching grants to purchase development or other rights or outright ownership of productive agricultural and open space land; and

WHEREAS, the Farmland/Open Space Preservation Committee has entertained numerous applications for assistance funding for various purchases throughout Saratoga County; and

WHEREAS, the said Committee has reviewed the applications for funding and has recommended funding grants for the following projects; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the payment, under the Farmland/Open Space Preservation Program, of the following amounts to the following entities for the purpose and upon the conditions stated:

To the Town of Clifton Park, the sum of \$70,000 upon the condition that the Town of Clifton Park contributes no less than \$190,370 for the purchase of 78+/- acres along New York State Route 146A in the Town of Clifton Park;

1. To the Town of Northumberland, the sum of \$300,000 upon the condition the landowner contributes no less than \$50,000 for an estimated total of \$350,000 to purchase the development rights of 70 +/- acres of farmland along Purinton Road in the Town of Northumberland;

2. To the Town of Saratoga, the sum of \$350,000 upon the condition that New York State Department of Agriculture and Markets contributes no less than \$2,052,255 for the purchase of development rights of 405+/- acres of farmland along County Route 70 & 71 in the Town of Saratoga;

3. To the City of Saratoga Springs, the sum of \$30,000 upon the condition that the City contributes no less than \$30,000 for an estimated total of \$60,000 to purchase 5+/- acres of land along the Kayaderosseras Creek located in the City of Saratoga Springs;

RESOLVED, that the Farmland/Open Space Preservation Committee may place further conditions and requirements on said grants as it may deem necessary and advisable to fulfill the intent and purpose of the Farmland/Open Space Preservation Program; and be it further

RESOLVED, that the Chair is authorized to execute any and all agreements and other documents necessary to ensure the fulfillment of said conditions and transfer said funds, subject to the approval of the County Attorney as to form and content.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 200 - 09

Introduced by Supervisors Peck, Daly, Grattidge, Hargrave, Sausville, Thompson and Wood

#### AUTHORIZING AN AGREEMENT WITH MULLEN BROTHERS, 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; and

WHEREAS, Mullen Brothers, Inc. of Ballston Spa, New York 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 Mullen Brothers, Inc. of Ballston Spa, New York, for the transportation of voting machines at a cost of \$90.00 per machine, 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 201 - 09

Introduced by Supervisors Peck, Daly, Grattidge, Hargrave, Sausville, Thompson and Wood

AUTHORIZING INTER-AGENCY TRANSFERS NECESSARY TO CLOSE OUT 2009 BUDGET

WHEREAS, inter-agency transfers are necessary to accommodate various adjustments to balance and close out the 2009 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 20, 2009, the County Administrator is authorized to make any inter-agency transfers necessary to close out the 2009 Budget and he shall submit a written report thereof to the Law and Finance Committee in 2010.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 202 - 09

Introduced by Supervisors M. Johnson, Connelly, Grattidge, Hunter, Raymond, Thompson and Yepsen

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

WHEREAS, pursuant to Resolution 166-96, this Board, by its Equalization and Assessment Committee, did offer on September 22, 2009, 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 22, 2009 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 or their designee upon their payments of the indicated amount and certain administrative fees to the County Treasurer:

<u>HIGH BIDDER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>FORMER OWNER</u>	<u>AMOUNT.</u>
Omaid Yousofzai Zakia Khater 156 Lapp Road Clifton Park, NY 12065	Clifton Park	250.-2-32	William J. Pierce	\$200.00
David Edwards Tammy Wager 45 Johnson Road Northville, NY 12134	Edinburg	94.-1-50.5	Michael Edwards	\$25.00
Edward N. Webster Judy A. Webster 1108 Butler Street Schenectady, NY 12303	Providence	119.14-1-48	Edwin Hendricks	\$6,500.00

Kathleen Vanselow                      Wilton                      102.-1-4.1      Northwoods in Wilton      \$2,500.00  
 2 White Birch Lane  
 Gansevoort, NY 12831

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

RESOLUTION 203 - 09

Introduced by Supervisors M. Johnson, Connelly, Grattidge, Hunter, Raymond, Thompson and Yepsen

CORRECTING 2007, 2008 AND 2009 TAX BILLS

WHEREAS, Real Property Tax Law §554 provides the procedures for the correction of errors on tax rolls; and Section 556 provides for the refund of overpayments made in error; and

WHEREAS, the owners of tax parcel 142.7-2-3 in the Town of Northumberland have timely submitted proof of error in the 2007, 2008 and 2009 tax bills; and

WHEREAS, our Director of Real Property Tax Services recommends that the errors be corrected; now, therefore, be it

RESOLVED, that the application of the following land owner for the correction to the 2007, 2008 and 2009 tax rolls is approved, and the tax rolls are so corrected:

<u>TOWNS</u>	<u>YEAR</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Northumberland	2009	142.7-2-3	\$1,737.90
	2008		\$1,985.45
	2007		\$2,270.45

and be it further

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

<u>TOWN OF NORTHUMBERLAND</u>	<u>Tax Parcel</u>	<u>Year</u>	<u>Amount</u>
Estate of Bruce S. Conklin	142.7-2-3	2009	\$3,911.58

BUDGET IMPACT STATEMENT: No budget impact.

Mrs. Plummer requested the Supervisors to let her know if they plan on attending the Cooperative Extension Dinner on Thursday, October 22<sup>nd</sup>.

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

Barbara J. Plummer, Clerk