

## AGENDA

February 9, 2011 5:00 p.m.

Vice Chairman Thompson called the meeting to order.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Frank Thompson, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Edward D. Kinowski, John Lawler, Arthur J. Johnson 23. ABSENT – Paul Sausville, Thomas Richardson, Preston L. Jenkins, Jr.

On a motion by Tom Wood, seconded by Jean Raymond the minutes of the January 18, 2011 meeting were approved unanimously.

Spencer Hellwig, County Administrator, reviewed the following items:

SOCIAL PROGRAMS

Authorizing Chairman to enter into renewal contracts for the Expanded In-Home Services for the Elderly Program (EISEP) to provide personal aide care to the elderly. (Sandi Cross, Director Office for the Aging)

Mr. Hellwig said these rates are the same as they were in 2010.

BUILDINGS AND GROUNDS

Introducing a Local Law authorizing the lease of County property located at 479 Rowland Street in the Town of Milton to Gateway House of Peace, Inc. for the purpose of operating a hospice home and scheduling a public hearing on 3/9/11 at 4:45pm. (Steve Dorsey, County Attorney)

Mr. Hellwig said this is a five year leave with Gateway House of Peace which is going to be providing Hospice Services.

PUBLIC SAFETY

Amending the 2011 Budget to re-appropriate \$288,000 in appropriations and revenues for the purchase of equipment and items approved under the State's Homeland Security funding. (James Bowen, Sheriff)

Authorizing Chairman to accept a \$25,000 Grant from the NYS Division of Criminal Justice Services for the purchase of video recording equipment for use by law enforcement and amending the budget in relation thereto. (James Murphy, District Attorney)

Authorizing the Chairman to enter into agreement with Office Data Systems, Inc. to provide digital recording equipment to record and prepare statements of defendants in criminal cases in an amount not to exceed \$115,000 and amend the budget in relation thereto. (James Murphy, District Attorney)

Mr. Hellwig said these two items have to do with the video recording system. The first is a grant of \$25,000 from NYS DCJS for the District Attorney to purchase equipment and the other is for a contract for the installation of the video recording equipment. There is also \$15,000 for equipment to redact and prepare videos for court proceedings and \$75,000 is already contained in the 2011 budget.

Proclaiming April 10 – April 16, 2011 National Crime Victims' Rights Week. (James Murphy, District Attorney)

Mr. Hellwig said there are a number of activities planned for that week which are available on the District Attorney's website.

Amending the Budget to provide for an additional \$109,888 for detention prevention services and authorizing amendments to contracts for these services. (John Adams, Probation Director)

Mr. Hellwig said this item is for money that was granted to the Department of Social Services for juvenile detention prevention services which is going to be passed through to Probation to contract with Berkshire Farms to provide some of those services in addition to a portion being used to reimburse the Probation Department for their administrative costs.

Authorizing the Chairman to enter into agreements with the NYS Division of Criminal Justice Services to accept \$46,782 in State Aid for reimbursement of expenses related to implementation of the Ignition Interlock program. (John Adams, Probation Director)

Mr. Hellwig said this State Aid is related to the implementation of the Ignition Interlock Program which is required under Leandra's Law. He said the Probation Department is incurring a cost for monitoring and supervising defendants that have been sentenced under that law and that money is going to be used to cover those expenses.

### RACING

Urging Governor Cuomo and the NYS Legislature to authorize the reinstatement of VLT revenues for Saratoga Springs and Saratoga County. (Spencer Hellwig, County Administrator)

Opposing Governor Cuomo's proposal to impose a 2.75% state surcharge on purses for all horse races run in New York. (Spencer Hellwig, County Administrator)

Supporting the Saratoga County Chamber of Commerce in its efforts to preserve horse racing in Saratoga County as a premier attraction and economic engine. (Spencer Hellwig, County Administrator)

Mr. Hellwig said the first resolution request is for restoration of the VLT money that was paid to the County of Saratoga and Saratoga Springs in 2007/2008. He said the second item is a resolution opposing the surcharge proposed by Governor Cuomo on racing purses to recover some of the costs the State claims is being paid. He said the final item is supporting the Chamber of Commerce's white paper that contains specific actions directed toward helping horse racing prosper and expand in the State.

### PERSONNEL

Introducing a Local Law to amend the Saratoga County Compensation Schedule by increasing compensation for County officials who are term officials and setting a public hearing for March 9, 2011 at 4:50pm in the Board meeting room.

Mr. Hellwig said this is a local law that will amend the compensation plan for elected and appointed officials who are in the middle of their term. He said the increase is consistent with the amounts given to the CSEA agreement and other management and confidential employees not subject to the local law.

Appointing Lisa Scaccia as Employment and Training Program Director II at Grade 16, Base Salary of \$66,631. (Jack Kalinkewicz, Director of Personnel)

Appointing Hans Lehr as Director of Community Mental Health Services at Grade 21, Step 7, \$111,952. (Jack Kalinkewicz, Director of Personnel)

Appointing Catherine Shrome as Director of Purchasing at Grade 16, Base Salary of \$66,631. (Jack Kalinkewicz, Director of Personnel)

Mr. Hellwig said these three are to appoint individuals to vacancies in various Department Head positions. Chairman Thompson acknowledged Lisa Scaccia. Ms. Scaccia thanked the Board for the opportunity and thanked the selection committee for selecting her.

### EQUALIZATION AND ASSESSMENT

Accepting tender offers on parcels in the towns of Galway (\$2,589.47), Moreau (\$7,689.23), Day (\$6,008.99) and the Village of Waterford (\$8,824.66). (S. Pitcherelle, Treasurer)

Authorizing a correction to the 2011 tax roll for a parcel in the Town of Clifton Park. (J. Bosley, Director Real Property Tax Services)

Mr. Hellwig said the County is accepting tender offers that have been paid on parcel prior to the March auction and the other is a correction to the tax roll due to an error on the special assessment for demolition costs on a parcel.

#### CHAIRMAN'S ITEM

Appointing John Adams to the Capital District Youth Center, Inc. (CDYCI) Board of Directors for a term to expire 12/31/2012.

Appointing Ronald Rybicki and Robert Hodorowski to the Fish and Wildlife Management Board Region 5 for a term to expire 12/31/2012.

#### SUPERVISOR'S ITEM

Proclaiming May 24, 2011 as Colonel Elmer E. Ellsworth Day.

#### LAW AND FINANCE

Authorizing Chairman to enter into agreement with Carver Construction, Inc. for general construction related to upgrades at the Clifton Knolls and Kashmiri pump stations in the Town of Clifton Park at a cost of \$619,100. (James DiPasquale, Executive Director Sewer District)

Authorizing Chairman to enter into agreement with Stilsing Electric, Inc. for electrical construction at the Clifton Knolls and Kashmiri pump stations at a cost of \$115,280. (James DiPasquale, Executive Director Sewer District)

Amending the 2011 Budget to re-appropriate \$1,833,400 in appropriations and revenues to complete the balance of work related to capital and other 2010 projects. (James DiPasquale, Executive Director Sewer District)

Mr. Hellwig said this reappropriation is for the two aforementioned resolutions and for a project in the Town of Halfmoon.

Amending the boundaries of Saratoga County Consolidated Agricultural District #2 to include 5 acres in the Town of Malta. (Jason Kemper, Director of Planning)

Vice Chairman Thompson acknowledged Tom Wood. Mr. Wood said he had a couple of announcements to make. He said he received an e-mail from Mark Bardack from Ed Lewi Associates inviting the Board to a one year birthday celebration between GlobalFoundaries, M+W Zander and Mazzone Management Group at The Foundry on Tuesday, February 15<sup>th</sup> at 11:45 a.m. He said if anyone is interested in attending and let Pam know in advance.

Mr. Wood also announced that about a week ago or so everyone received information about a "Step up to the Challenge" which teams of two are being encouraged to form. He said the teams will get a pedometer and it is an effort to improve your health by paying special attention to the amount you are walking. He said if any of the supervisors are interested in participating let Pam know. Mr. Wood said this is to be worn wherever you walk and there will be a prize for the winning team.

Vice Chairman Thompson acknowledged Bill Peck. Mr. Peck said he wanted to comment on the tough week with all the barn collapses that have occurred throughout the County and neighboring County. He said he wanted to share some insight to the incident at the King Ransom Farms where numerous cattle have been killed. He said it was one of the greatest human spirits he seen with efforts starting at 7 in the evening and going on until 4:45 in the morning. Mr. Peck said he has had many people approach him and tell him that's why they are thankful they live in the community because the communities pull together during times like these. This is the spirit of not only the Town of Northumberland but Saratoga County in general, he stated.

Vice Chairman Thompson acknowledged Alan Grattidge. Mr. Grattidge said we certainly send condolences to King's in this time and reminded everyone that now is the time to look at the structural make of the barns and

rooms. He said that a number of supervisors attended the NYSAC Conference the first three days of this week and he was able to pick up a copy of the Executive State Budget with County Impact Summary. He said that he unfortunately did not get a copy for all supervisors and asked that Pam make copies and put one in all supervisors' boxes. He said he took a lot out of the Conference and appreciates that NYSAC puts this on for County Officials.

On a motion by Mr. Veitch, seconded by Patti Southworth, the meeting was adjourned.

Respectfully submitted,

Pamela Hargrave, Clerk

REGULAR SESSION  
Tuesday, February 15, 2011  
At 4:00 P.M., E.S.T.

Board called to order by Chairman Wood.

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

The invocation was given by Patti Southworth, Chaplain.

PUBLIC INPUT

Brie Pisacane, Town of Northumberland, thanked the Board for allowing her to come and speak. Ms. Pisacane said she was there to represent the CPSE care providers. She said she did a lot of research and sent a questionnaire CPSE (Committee on Pre-School Special Education) who treat children ages 3 to 5 for speech, occupational and physical therapy in the home or receive services in a school such as Helping Hands. She said she distributed a hand out so that the Board can see the discrepancy between the counties and how low the county was. She said she had heard some grumblings but didn't realize how much of an impact it was. She said from the 3 year old program to the 5 year old program there is a difference of \$27 per visit for the same exact services. She pointed out that a lot of therapists do not keep the children in their caseload from early intervention to CPSE. She said a lot of therapists are eliminating even taking in any new CPSE cases even if they are from the list which means the parents have to keep calling to try to locate a service provider. The CPSE Chairperson from the school districts is spending a lot of their time trying to find therapists she said. She stated that large agencies aren't even taking children any more and children in remote areas of the county are having a really hard time – waiting up to 6 months – for a service provider. She said this is a real problem for children who haven't qualified for early intervention and it's getting more difficult to qualify as the State is changing the standards. She said that by the time they do qualify at age 4 these children have all sorts of patterns or habits that they have developed and are hard to get rid of at that point so when they get to kindergarten if they have not had the services then they are further behind. She said the standards for kindergarten are so much higher these days and the rates have not been changed in at least 15 years and she can not find and no one can find when the last rate change may have been. She said Wes Carr had verified that it had been at least 15 years. In the packet, she pointed out, that she had given the Board a cost of living comparison from 1995 to present. She said the comparison included that the price of gas had risen 40% and home costs were up 53% and there is no change in the reimbursement. Saratoga County began billing Medicaid for the children receiving the services, she said, who qualify for Medicaid and Saratoga County will bill \$44.38 per pt, \$44.71 for ot and \$50.57 for speech and those rates are much higher than she is receiving. She said that sounds like a really high rate, but if you look at what she submitted, the costs are for independent providers and not employees. Ms. Pisacane said her health insurance for her family last year was \$13,000. She said she can't see more than 6 kids per day and that's a very busy day. She said other expenses she has is professional liability insurance, licensing fees, continuing education, gas – she drives over 18,000 miles. Not included in that rate, that they do have to pay for, is the attendance of 2 meetings per year and she has to cancel the students scheduled on those days. And she said other duties include writing daily notes which use to be a quarterly or yearly requirement, conferences, and other meetings. These children are only seen when school is in session so there are many weeks that she can not even get paid she said. Early Intervention just cut their rates 10% so things are going to get worse and there is a proposal to cut the program another 10% in the Spring making it impossible to be able to take these kids she said. In the packet that was distributed to the Board, she said there is a letter from a mother who felt this impact when her child started kindergarten because the teacher was overwhelmed with 6 students in her class having IEP's with no aide's in the classroom. She said that children that aren't receiving the services are impacting the classroom because they require more attention. Ms. Pisacane said that they don't want to be part of the problem that they would like to be part of the solution and encouraged the Board to review the rates to more appropriately the cost of living increases.

Chairman Wood thanked Ms. Pisacane for the in depth research that she did and for the material that was presented. Chairman Wood said that the information will be forwarded to the Social Programs Committee, he will ask that the item be placed on their next agenda and will ask that Wes Carr be an active participant with this issue.

Chairman Wood acknowledged Mr. Lawler. Mr. Lawler wanted to be sure he heard the information right and asked Ms. Pisacane if she said that the reimbursement rates have not been increased in almost 15 years. Ms. Pisacane said that that was correct that no information had been found on when the last increase was. Mr. Lawler asked about the rates that were presented in the packet she put together that Medicaid was reimbursing the county. Ms. Pisacane said that right now they are not allowed as the State has not given the o.k. at the Youth Bureau to start billing but that retroactively they can bill from September. She said she was not sure what the percentage of children that are actually Medicaid eligible is. Mr. Lawler said that's not something that is necessarily a one to one relationship. Ms. Pisacane said that it is not because she is not sure what the percentage of children are or who are eligible. Mr. Lawler asked if the Medicaid reimbursement rate that is shown on her hand out reflects the 10% cut that is proposed for 2011. She said that would not apply to that program that it was for the early intervention and she said that because of the cut some of the providers will not be able to provide services to these kids. Mr. Lawler asked if she only dealt with children outside of Saratoga County. Ms. Pisacane said she only provides service to those children who live in Saratoga County and does take children in Early Intervention and CPSE children. She said she was one of the few providers who actually does see the children from one program to the next because she said she would feel bad having to discharge the children because of the reimbursement rates which is \$27 less per visit after the child turns 3 years old. Mr. Lawler asked if the issue was finding the providers in all counties or if it's just a problem in Saratoga County because of the \$7 difference in reimbursement here. He asked if the rates in Saratoga County were the same would we still have a problem finding providers. Are all counties experiencing these problems, he asked. Ms. Pisacane said she put this information rather quickly and wasn't able to put together that much research.

Chairman Wood acknowledged Ms. Daly. Ms. Daly stated that she didn't want to take up a lot of time but pointed out that she may not be able to make the Social Programs meeting next month. She said one item of particular importance and said she may be the alligator a little too close to the boat on this one but the members of the Social Programs Committee should ask and information that should be able to be provided at some particular level is where is the data to show the effectiveness of the services that are provided by Ms. Pisacane and other providers to know what cost savings there is being incurred once they are in the school or at what particular point in time do you de-classify the provider services. Ms. Daly said she thinks that information is extremely important. She said the other part that goes hand-in-hand with this is that some of the kids that are receiving E-I services the agency that does the diagnosis on these children and then qualify them for services also is the agency who so happens to provide services. She said that is something that needs to be discussed because it's particularly a concern when talks are started with the New York State Association of Counties and the subcommittee there on Children with Special Needs while everyone is looking to control costs and pay fairly we do need to look at how these children are being diagnosed, who is diagnosing them, the level of services that they are receiving and where is the data to support the effectiveness of these programs all are things that have to be taken into consideration for expenditures of dollars.

On a motion by Mr. Rowland, seconded by Ms. Wormuth, the minutes of the meeting of December 15, 2010, December 21, 2010, January 3, 2011 and January 19, 2011 were approved unanimously.

The Clerk presented the following:

Acknowledgement of receipt of Local Law 1-11 received from the NYS Department of State.

Received and filed.

Correspondence received from O'Connell and Aronowitz with regards to Saratoga County Maplewood Manor.

Referred to all Supervisors, the County Administrator and the County Attorney.

Resolution from Warren County urging the Governor and State Legislators to address mandate relief and property tax cap simultaneously.

Referred to Supervisor Veitch and the County AdministratorREPORTS

2010 Annual Reports from the Saratoga County Youth Bureau, Saratoga County Real Property Tax Services, Saratoga County Department of Public Works.

Received and filed.

2010 Annual Report of the Mechanicville Revitalization.

Received and filed.

## REPORT NO. 1

## 2009 YEARLY BALANCE SHEET – COUNTY CLERK’S OFFICE

1. Fee charged or received for recording & certificate thereof	\$1,992,089.25
2. Fee charged or received for official services	1,620,103.95
3. Fee received for Motor Vehicle Registrations	2,946,226.56
4. Sales Tax Motor Vehicle	28,027.07
5. Real Estate Transfer Tax	5,368.50
6. Money refunded for errors and duplication services	-248.00
7. Fee charged for RP-5217's	759,000.00
8. Fee charged for Education Fees	735,740.00
9. Public Copiers	13,224.50
<b>TOTAL</b>	<b>\$8,099,531.83</b>

RECEIPTS

Amount received as shown	8,099,531.83
DMV Sales Tax & Fees	47,530,836.54
Amount of Mtg. Tax, unapportioned as of 1/1/09	26,245.75
Amount of Mtg. Tax received in 2009	14,464,078.16
Transfer Tax	3,573,392.54
Interest received on County Clerk Account	4,195.02
Money received for County Clerk Books	147.00
<b>TOTAL</b>	<b>\$73,698,426.84</b>

DISBURSEMENTS

Amount paid to County Treasurer	5,418,171.08
Amount paid to Co. Treasurer for Educ. Acct.	36,787.00
Amount paid to NYS Education Dept.	698,953.00
Amount paid to RP-5217 Account	711,921.00
Amount paid State of New York for Court Fees	1,179,179.75
Amount of Mtg. Tax paid County Treasurer	7,545,981.60
Amount of Mtg. Tax paid Capital Dist. Trans. Authority	3,551,253.76
Amount paid to State of NY Mtg. Tax Agency	3,269,476.15
Amount of Mtg. Tax paid to other counties &	

expenses	120,403.38
Amount of Mtg. Tax unapportioned 12/31/10	625.00
Amount paid to County Clerk ½ Int. on Mtg. Acct.	2,584.02
Amount paid to State for Notaries	54,520.00
Amount paid to NYS RETT	3,567,877.04
Amount paid to Co. Treasurer for RETT	5,515.50
Amount paid to Co. Treasurer for Int. on Main Account	4,195.02
Amount paid to NYS Sales Tax for DMV	26,644,146.85
Amount paid to NYS DMV for fees	20,886,689.69
Amount paid to Cty Treas. Cty Clerk Books	137.38
Amount paid for sales tax County Clerk Books	9.62

TOTAL \$73,698,426.84

Kathleen A. Marchione  
Saratoga County Clerk

On a motion by Mr. Grattidge, seconded by Ms. Southworth, Resolutions 25 through 48 were adopted by a unanimous vote.

#### RESOLUTION 25 - 11

Introduced by Supervisor Richardson

#### PROCLAIMING MAY 24, 2011 AS COLONEL ELMER E. ELLSWORTH DAY

WHEREAS, on May 24, 1861, a month and a half following the bombardment of Fort Sumter, COLONEL ELMER EPHRAIM ELLSWORTH, born in the Town of Malta and raised in Mechanicville, soldier and patriot, gave his life for his country. Colonel Ellsworth was the first Union officer to die in the tragic conflict between the states; and

WHEREAS, COLONEL ELMER E. ELLSWORTH organized, trained and led the Fire Zouaves, the 11<sup>th</sup> New York Volunteer Infantry, consisting of members of New York City's volunteer firefighting companies; and

WHEREAS, COLONEL ELMER E. ELLSWORTH was distinguished for his idealism, nobility of character, and devotion to the Union, in training volunteers during the years while war clouds gathered; and

WHEREAS, COLONEL ELMER E. ELLSWORTH was a close friend and confidant of Abraham Lincoln, who studied law in Abraham Lincoln's law office; worked on Abraham Lincoln's 1860 campaign for president, and was a frequent visitor and guest of President Lincoln at the White House; and

WHEREAS, following Virginia's secession from the Union on May 23, 1861, President Lincoln ordered a pre-emptive strike to take the City of Alexandria across the Potomac River from Washington, D.C. It was COLONEL ELLSWORTH who led 1,000 soldiers in the seizure of Alexandria on May 24, 1861; and

WHEREAS, during the taking of Alexandria COLONEL ELLSWORTH received his fatal wound as he tore down a huge Confederate flag which had been defiantly waving in full view of his friend and President, Abraham Lincoln, in the White House. That flag is now in the New York State Military Museum; and

WHEREAS, President Lincoln ordered that COLONEL ELLSWORTH's body be brought back to the White House to lie in state in the East Room, and that flags to be flown at half mast. COLONEL ELLSWORTH's body was later taken to City Hall in New York City where thousands came to pay their respects. COLONEL ELLSWORTH is buried in Mechanicville; and

WHEREAS, COLONEL ELLSWORTH's sacrifice was not in vain. His patriotism moved countless thousands to volunteer in the Union forces. His selfless devotion to the Nation's cause shines forth even in our time as that life nobly lived and bravely given; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby proclaims Tuesday, May 24, 2011 as COLONEL ELMER E. ELLSWORTH Day in the County of Saratoga and urges the Governor of New York to proclaim that day as COLONEL ELMER E. ELLSWORTH throughout New York State; and be it further

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to Governor Andrew M. Cuomo.



BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 26 - 11

Introduced by Supervisor A. Johnson, Peck, Collyer, Daly, Hargrave, Richardson and Rowland

APPOINTING LISA SCACCIA AS EMPLOYMENT AND TRAINING PROGRAM DIRECTOR II

WHEREAS, by reason of the retirement of Anthony Scavone a vacancy has been created in the position of Employment and Training Administration Director II; now, therefore, be it

RESOLVED, that Lisa Scaccia of the Town of Malta, New York, be and she hereby is appointed to the position of Employment and Training Administration Director II at the base salary level of Salary Grade No. 16; and be it further

RESOLVED, that this Resolution shall take effect February 18, 2011.

BUDGET IMPACT STATEMENT: This appointment will result in payroll savings of \$26,000.

RESOLUTION 27 - 11

Introduced by Supervisor A. Johnson, Peck, Collyer, Daly, Hargrave, Richardson and Rowland

APPOINTING HANS H. LEHR AS DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES

WHEREAS, by reason of the retirement of Dale R. Angstadt a vacancy has been created in the position of Director of Community Mental Health Services; now, therefore, be it

RESOLVED, that Hans H. Lehr of the City of Saratoga Springs, New York, be and he hereby is appointed to the position of Director of Community Mental Health Services at Salary Grade No. 21, STEP 7; and be it further

RESOLVED, that this Resolution shall take effect February 18, 2011.

BUDGET IMPACT STATEMENT: This appointment will result in payroll savings of \$30,000.

RESOLUTION 28 - 11

Introduced by Supervisor A. Johnson, Peck, Collyer, Daly, Hargrave, Richardson and Rowland

APPOINTING CATHERINE SHROME AS DIRECTOR OF PURCHASING

WHEREAS, by reason of the retirement of Michael R. Pratt a vacancy was created in the position of Director of General Services/Contract Administrator; and

WHEREAS, Resolution 12-11 amended the 2011 Compensation Schedule to abolish the position of Director of General Services/Contract Administrator, reorganized the duties of said position, and created the position of Director of Purchasing; and

WHEREAS, the Personnel Committee has recommended a qualified applicant to fill the vacant position of Director of Purchasing; now, therefore, be it

RESOLVED, that Catherine Shrome of the Town of Milton, New York, be and she hereby is appointed to the position of Director of Purchasing at the base level of Salary Grade No. 16; and be it further

RESOLVED, that this Resolution shall take effect February 18, 2011.

BUDGET IMPACT STATEMENT: This appointment will result in payroll savings of \$47,000.

RESOLUTION 29 - 11

Introduced by Supervisors Lucia, Collyer, Grattidge, Jenkins, Richardson, Rowland and Sausville

**AUTHORIZING THE RENEWAL OF CONTRACTS FOR EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP)**

WHEREAS, Resolution 189-10 approved the 2011 Annual Implementation Plan for our Office of the Aging; and

WHEREAS, Resolution 69-10 authorized contracts with various entities for the provision of Expanded In Home Services for the Elderly Program services under the Office for the Aging’s Annual Implementation Plan and said contracts are due to expire unless renewed, and

WHEREAS, it is deemed appropriate to continue contracting with the providers for said services; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to sign contracts with the following agencies to provide expanded in home services for the elderly of the nature and at the rates set forth next to their names:

Accent Health Care Services 820 5th Avenue, PO Box 249 Troy, NY 12182	Level 2 PCA-\$19.84 per hour
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Adept Health Care Services 406 Fulton Street Troy, NY 12180	Level 1 PCA-\$17.64 per hour Level 2 PCA-\$20.86 per hour
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All Metro Health Care 50 Broadway Lynbrook, NY 11563	Level 1 PCA-\$18.76 per hour Level 2 PCA-\$20.44 per hour
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Any Time Home Care, Inc. PO Box 995 Nyack, NY 10960	Level 1 PCA-\$23.33 per hour Level 2 PCA-\$19.62 per hour
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Attentive Care 5 Computer Drive West Albany, NY 12205	Level 1 PCA-\$18.50 per hour Level 2 PCA-\$22.00 per hour
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Greater Adirondack Homes Aides P.O. Box 678 Glens Falls, NY 12801	Level 1 PCA-\$22.27 per hour Level 2 PCA-\$22.29 per hour
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Home Instead 229 Washington Street Saratoga Springs, NY 12866	Level 1 PCA-\$17.50 per hour
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Home Health Care Partners Corporation 1830 Riverfront Center Amsterdam, NY 12010	Level 1 PCA-\$17.00 per hour Level 2 PCA-\$21.42 per hour
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Interim Healthcare 1735 Central Avenue, Suite 102 Albany, NY 12205	Level 1 PCA-\$21.08 per hour Level 2 PCA-\$20.00 per hour
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Visiting Nurses Home Care Corp. 150 Broadway, Suite 310 Menands, NY 12204	Level 1 PCA-\$21.19 per hour Level 2 PCA-\$18.13 per hour
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**BUDGET IMPACT STATEMENT:** None. Funding for these services is included in the 2011 adopted budget.

RESOLUTION 30 - 11

Introduced by Supervisors Rowland, Hargrave, Jenkins, M. Johnson, Raymond, Thompson and Wright

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2011 AUTHORIZING THE LEASING OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO GATEWAY HOUSE OF PEACE, INC., AND SETTING A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, Gateway House of Peace, Inc. has requested that the County lease property on Rowland Street in the Town of Milton to Gateway House of Peace, Inc. for the quasi-public purposes of operating a hospice home and providing related services; and

WHEREAS, the condition of the property is such that substantial repair and reconditioning of the property is needed to restore it to useful condition and the leasing of the property to Gateway House of Peace, Inc. would serve the municipal purposes of maintaining the property in a structurally sound and usable condition; and

WHEREAS, the Building and Grounds Committee has indicated its support of such use and the leasing of such parcel appears to be in the County’s long term interests; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 1 Print No. 1 of 2011, entitled “A LOCAL LAW AUTHORIZING THE LEASING OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO GATEWAY HOUSE OF PEACE, INC.”, is hereby introduced before this Saratoga County Board of Supervisors, and this Board of Supervisors shall hold a Public Hearing thereon on March 9, 2011 at 4:45 P.M. at the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of this Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 31 - 11

Introduced by Supervisors Wormuth, Barrett, Grattidge, Hargrave, Jenkins, Kinowski and Veitch

AMENDING THE 2011 BUDGET UNDER THE SHERIFF’S DEPARTMENT TO REAPPROPRIATE \$288,890 IN EXPENSES AND REVENUES

WHEREAS, unexpended funds in the 2010 budget for the Sheriff’s Department in the amount of \$288,890 are needed for purchases previously authorized out of the following funds for the following purposes:

- 1) Wireless 911 Grant Funds in the amount of \$105,487 (Resolution 141-09); and
- 2) NYS Office of Homeland Security Grant Funds in the amount of \$17,910 for training; and
- 3) US Homeland Security Grant Funds in the amount of \$33,200 to obtain, train and employ an explosive detention canine (Resolution 224-10); and
- 4) NYS Office of Homeland Security Grant Funds in the amount of \$132,293 to purchase an IROBOT for anti-terrorist activities (Resolution 225-10); and

WHEREAS, said grant funds in the amount of \$288,890 need to be reappropriated to the 2011 budget; now, therefore, be it

RESOLVED, that the 2011 Saratoga County Budget is amended as follows:

SHERIFF’S DEPARTMENT:

Appropriations:

Increase Acct.: #1-30-000-6810 Overtime	\$ 11,946
Increase Acct.: #1-30-000-7041 Cars & Light Trucks	\$ 27,964
Increase Acct.: #1-30-000-7080 Other Equipment	\$237,780
Increase Acct.: #1-30-000-8150 Training	\$ 2,700
Increase Acct.: #1-30-000-8232.K9 Canine	<u>\$ 8,500</u>
	\$288,890

Revenues:

Increase Acct.: #1-30-3306 Homeland Security	\$183,403
Increase Acct.: #1-30-3988 Wireless 911	<u>\$105,487</u>
	\$288,890

BUDGET IMPACT STATEMENT: None. State funding will cover 100% of the purchases made by the Sheriff.

RESOLUTION 32 - 11

Introduced by Supervisors Wormuth, Barrett, Grattidge, Hargrave, Jenkins, Kinowski and Veitch

AUTHORIZING ACCEPTANCE OF A GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS) AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, a grant in the amount of \$25,000 is available from the New York State Division of Criminal Justice Services for the purchase of video recording equipment for use by law enforcement to record statements of defendants during interviews; and

WHEREAS, the acceptance of this grant requires our approval; and

WHEREAS, an amendment to the 2011 Budget is necessary to accept these funds; now therefore, be it

RESOLVED, that the Chair of the Board execute all documents necessary to accept a New York State Division of Criminal Justice Services grant in the amount of \$25,000 for the purchasing of video recording equipment for the District Attorney’s Office; and it is further

RESOLVED, that the 2011 budget is amended as follows:

DISTRICT ATTORNEY

Appropriations:

Increase Acct. #1-25-000-7080 Other Equipment	\$25,000
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Revenues:

Increase Acct. #1-25-3033 Equipment Grant	\$25,000
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 33 - 11

Introduced by Supervisors Wormuth, Barrett, Grattidge, Hargrave, Jenkins, Kinowski and Veitch

AUTHORIZING AN AGREEMENT WITH OFFICE DATA SYSTEMS, INC. TO PROVIDE DIGITAL RECORDING EQUIPMENT TO RECORD AND PREPARE STATEMENTS OF DEFENDANTS IN CRIMINAL CASES AND AMEND THE 2011 BUDGET IN RELATION THERETO

WHEREAS, the Saratoga County District Attorney’s Office is in need of digital recording equipment to record and prepare statements of defendants in criminal cases; and

WHEREAS, Office Data Systems, Inc. has submitted a proposal to provide digital recording equipment known as the iRecord system, as well as installation, maintenance and training for said system, at a cost of \$115,000; and

WHEREAS, the purchase of such video recording equipment will require an amendment to the 2011 budget; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to sign an agreement with Office Data Systems, Inc. of Latham, New York at a cost not to exceed \$115,000, to provide digital recording equipment known as the iRecord system, including installation, maintenance and training for said system, for the District Attorney’s Office, the form and substance of such agreement to be subject to the approval of the County Attorney; and it is further

RESOLVED, that the 2011 budget is amended as follows:

CONTINGENCY

TRANSFER:

FROM: 1-14-999-9000 Contingency

\$15,000

TO: 1-25-000-7080 Other Equip

\$15,000

BUDGET IMPACT STATEMENT: An additional \$15, 000 will need to be appropriated from contingency for a budget shortfall leaving a balance of \$235,000 in the contingency account.

#### RESOLUTION 34 - 11

Introduced by Supervisors Wormuth, Barrett, Grattidge, Hargrave, Jenkins, Kinowski and Veitch

#### PROCLAIMING APRIL 10 – APRIL 16, 2011 NATIONAL CRIME VICTIMS' RIGHTS WEEK

WHEREAS, more than 33 million American are victims of crime each year; and

WHEREAS, victims may suffer emotional, physical, psychological, and financial harm as a result of crime; and

WHEREAS, victim assistance and compensation programs across the country provide vital and supportive services for victims that help individuals, families, and communities cope with the impact of crime; and

WHEREAS, the Victims of Crime Act (VOCA), passed by Congress in 1984, affirmed a national commitment to helping victims rebuild their lives by establishing the Crime Victims Fund, a major source of funding for services and compensation to victims of crime throughout the United States; and

WHEREAS, more than 4,400 state and local victim assistance programs, including rape crisis centers, domestic violence shelters, victim assistants in law enforcement and prosecutor offices, and other direct service providers help millions of victims every year; and

WHEREAS, treating victims with dignity serves the public interest by engaging victims in the justice system, inspiring respect for public authorities and promoting confidence in law enforcement and our justice system; and

WHEREAS, National Crime Victims' Rights Week—April 10 – April 16, 2011—provides an opportunity for our country to recognize the Victims of Crime Act as a major bedrock of support for victim services and to reaffirm our nation's commitment to addressing the needs of victims of crime; and

WHEREAS, the theme of this year's National Crimes Victims' Rights Week is "Reshaping the Future, Honoring the Past"; and

RESOLVED, that the Saratoga County Board of Supervisors hereby designates the week of April 10 to April 16, 2011, as National Crime Victims' Rights Week in Saratoga County, and it is further hereby

RESOLVED, that the Saratoga County Board of Supervisors reaffirms its commitment to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year, and it is further hereby

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to the New York State Crime Victims' Task Force, Domestic Violence Services and Parents of Murdered Children.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 35 - 11

Introduced by Supervisors Wormuth, Barrett, Grattidge, Hargrave, Jenkins, Kinowski and Veitch

#### AMENDING THE 2011 BUDGET TO PROVIDE FOR JUVENILE DETENTION PREVENTION SERVICES AND AUTHORIZING AMENDMENTS TO THE CONTRACT WITH BERKSHIRE FARMS CENTER AND SERVICES FOR YOUTH, INC. FOR THESE SERVICES

WHEREAS, Resolution 222-10 authorized the acceptance of a grant from the New York State Office of Children and Family Services in the amount of \$109,888 for the Saratoga County Department of Social Services to accept and pass through to the Saratoga County Probation Department for the prevention of detention and other juvenile delinquency services; and

WHEREAS, our Probation Department contracts with Berkshire Farms Center and Services for Youth, Inc. for these services, and it is necessary to extend said contract with Berkshire Farms through June 30, 2012, and to amend the 2011 budget to reflect the pass through of said grant monies to the Probation Department; and

WHEREAS, of said grant monies in the amount of \$109,888, \$85,000 will be used to contract with Berkshire Farms for services for the prevention of detention and other out-of-home placements of juveniles, and \$24,888 will be used to offset probation officers' salaries in the Probation Department's juvenile justice unit for detention/prevention services; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment extending the contract with Berkshire Farms Center and Services for Youth, Inc. of Canaan, New York, for the provision of additional services to prevent detention or other out-of-home residential placements for juveniles through June 30, 2012, the form and substance of such amendments subject to the approval of the County Attorney; and be it further

RESOLVED, that the 2011 County budget be amended as follows:

PROBATION:

Appropriations:

Increase Acct.: #1-31-000-7734 Delinquency Prevention	\$109,888
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Revenues:

Increase Acct.: #1-31-3312 Detention Prevention	\$109,888
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 36 - 11

Introduced by Supervisors Wormuth, Barrett, Grattidge, Hargrave, Jenkins, Kinowski and Veitch

**AUTHORIZING THE CHAIR TO ENTER INTO AGREEMENTS WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT STATE AID FOR REIMBURSEMENT OF EXPENSES RELATED TO THE IMPLEMENTATION OF THE IGNITION INTERLOCK PROGRAM**

WHEREAS, funds are available from the New York State Division of Criminal Justice Services for reimbursement of expenses related to the implementation of the ignition interlock program; and

WHEREAS, a State Aid grant an amount not to exceed \$46,781.44 is available from the New York State Division of Criminal Justice Services for the purpose of assisting the Probation Department with the cost of supervising and monitoring defendants using the ignition interlock device; and

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

RESOLVED, that the Chair of the Board and/or the County Administrator execute all documents necessary to apply for and accept a New York State Division of Criminal Justice Services grant in an amount not to exceed \$46,781.44 to assist the Probation Department in supervising and monitoring its defendants using ignition interlock devices.

BUDGET IMPACT STATEMENT: This revenue will be used to offset the costs of supervising and monitoring defendants using ignition interlock devices.

RESOLUTION 37 - 11

Introduced by Supervisors Peck, Collyer, M. Johnson, Lawler, Southworth, Veitch and Yepsen

**URGING GOVERNOR CUOMO AND THE STATE LEGISLATURE TO RESTORE VLT IMPACT AID TO THE COUNTY OF SARATOGA AND THE CITY OF SARATOGA SPRINGS**

WHEREAS, New York State Tax Law Section 1617-a afforded the Saratoga County Board of Supervisors the option of authorizing video lottery gaming at the Saratoga Equine Sports Center in Saratoga Springs; and

WHEREAS, after hearing significant public input both in favor of and against authorizing such gaming, and after substantial debate, this Board authorized video lottery gaming at the Saratoga Equine Sports Center by passage of Saratoga County Local Law No. 1 of 2002; and

WHEREAS, while the institution of video gaming at the Saratoga Equine Sports Center, now known as Saratoga Casino and Raceway, has been successful in stimulating the harness racing industry by, among other things, increasing purses and betting handle, communities hosting VLT gaming facilities have incurred certain expenses related to the hosting of VLT facilities, such as increased law enforcement and fire protection duties; and

WHEREAS, the State of New York provided financial aid to communities like the County of Saratoga and City of Saratoga Springs in the form of VLT Impact Aid to Municipalities to help defray and offset expenses related to hosting VLT facilities; and

WHEREAS, said VLT impact aid was substantial and comprised a significant source of revenue for the City of Saratoga Springs; and

WHEREAS, as part of the adoption of the 2009-2010 state budget the New York State legislature amended the formula by which it distributed VLT Impact Aid to municipalities hosting VLT facilities to a formula which calculated aid based on the poverty level of host counties; and

WHEREAS, as a result of said amendment to the distribution formula for VLT Impact Aid, the County of Saratoga and the City of Saratoga Springs were the only VLT host communities in the state to lose their VLT Impact Aid; and

WHEREAS, for the 2008-2009 budget year, the last budget year in which VLT Impact Aid was distributed to the County and the City, VLT Impact Aid was distributed to the County of Saratoga in the amount of \$1,107,425, and to the City of Saratoga Springs in the amount of \$3,322,274; and

WHEREAS, the loss of such VLT Impact Aid has imposed a significant financial hardship upon the City of Saratoga Springs, and has resulted in layoffs of City employees, a reduction in municipal services to City residents, including police and fire protection and a substantial increase in property taxes; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby strongly urges the New York State Legislature and Governor Andrew Cuomo to fully restore VLT Impact Aid to the County of Saratoga and the City of Saratoga Springs in this year's state budget; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors forward a copy of this Resolution to the Governor Andrew Cuomo and all members of the New York State Senate and Assembly.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 38 - 11

Introduced by Supervisors Peck, Collyer, M. Johnson, Lawler, Southworth, Veitch and Yepsen

### OPPOSING GOVERNOR CUOMO'S PROPOSAL TO IMPOSE A 2.75% STATE SURCHARGE ON HORSE RACING PURSES IN NEW YORK STATE

WHEREAS, Governor Andrew Cuomo's budget proposals for the 2011-2012 budget year include a 2.75% surcharge on all horse racing purses; and

WHEREAS, New York Racing Association purses declined 20% last year from \$125 million in 2009 to approximately \$100 million in 2010 due to the sluggish economy and declining revenues from New York City Off Track Betting Corporation which filed for bankruptcy and subsequently closed; and

WHEREAS, the proposed 2.75% surcharge on horse racing purses coupled with said 20% decline in racing purses will likely motivate thoroughbred owners and breeders to relocate to tracks in other states that don't have a surcharge on racing purses; and

WHEREAS, the proposed 2.75% surcharge is nothing more than a tax on horse racing purses, and runs contrary to Governor Cuomo's pledge not to create any new taxes for New Yorkers; and

WHEREAS, the Saratoga County Board of Supervisors recognizes the importance of Thoroughbred Racing to the economies of Saratoga County and the City of Saratoga Springs; and

WHEREAS, this Board strongly believes that Governor Cuomo's proposed 2.75% surcharge on horse racing purses will negatively impact the New York racing industry's ability to be competitive with the horse racing purse structure of other states, thereby motivating thoroughbred owners to relocate to tracks outside New York State; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby strongly opposes Governor Andrew Cuomo's proposed 2.75% state surcharge on horse racing purses in New York State, and urges its

representatives in the Senate and Assembly to oppose any legislation adopting the Governor's proposed 2.75% surcharge as part of the 2011-2012 state budget; and it is further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors forward a copy of this Resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Senator Roy J. McDonald, Senator Hugh T. Farley, Assemblyman James N. Tedisco, Assemblyman Bob Reilly, Assemblyman Tony Jordan, Assemblyman Ronald Canestrari, Assemblyman Teresa R. Sayward, Assembly Speaker Sheldon Silver, and the President of New York Racing Association.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 39 - 11

Introduced by Supervisors Peck, Collyer, M. Johnson, Lawler, Southworth, Veitch and Yepsen

SUPPORTING THE SARATOGA COUNTY CHAMBER OF COMMERCE'S PLAN TO BOLSTER SARATOGA COUNTY'S RACING INDUSTRY, CREATE JOBS AND EXPAND TAX REVENUE IN THE COUNTY AND STATE

WHEREAS, the thoroughbred and harness horse racing industries are key elements of the economy of Saratoga County, and this Board of Supervisors is supportive of any and all efforts to maintain the strength, quality and vitality of horse racing in Saratoga County; and

WHEREAS, the Saratoga County Chamber of Commerce recently released a document entitled "A Plan to Create Jobs in Saratoga County and to expand tax revenue for New York State", which plan sets forth certain recommendations by the Chamber of Commerce to bolster and preserve the status of Saratoga County's thoroughbred and harness horse racing industries; and

WHEREAS, the Chamber of Commerce's plan to maintain and bolster the thoroughbred and harness horse racing industries' status as economic engines in Saratoga County include:

- 1) Urging Governor Cuomo to request that the U.S. Department of Interior halt its statutorily mandated 45 day evaluation of the Compact signed by former Governor Patterson authorizing an out-of-state Indian tribe to operate the nation's first off-reservation casino in the Catskills, until such time as New York State can complete its own financial evaluation of the financial impact of such casino on the racing industry and other related industries in the State.
- 2) Reorganize OTB to help create a premier racing product, a robust New York State breeding program and increased revenues to the State.
- 3) Ensure that OTB payments to NYRA are not reduced.
- 4) Eliminate the matching funds requirement on the capital fund investment for VLT operators, thereby encouraging construction at Saratoga Casino and Raceway and creating much needed jobs for Saratoga County.
- 5) Allow subsidized free play at Saratoga Casino and Raceway and at the other VLT facilities in New York State in order to better compete with out of state gaming operators.
- 6) State reappropriation of at least \$100,000 from the state's "I Love New York" budget to drive visitors to Saratoga and to other tracks in New York, or in the alternative, appropriate said funds to a matching fund program whereby NYRA, the NY Thoroughbred Owners/Breeders, Saratoga County and others would be able to contribute to create a larger pool of funds for advertising and promoting such premier racing events as the Belmont Stakes and Travers Stakes; and

now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby expresses its strong support for the Saratoga County Chamber of Commerce's "Plan to Create Jobs in Saratoga County and to expand a revenue for New York State"; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors forward a copy of this Resolution to the Saratoga County Chamber of Commerce.

BUDGET IMPACT STATEMENT: No budget impact.



## RESOLUTION 40 - 11

Introduced by Supervisor A. Johnson, Peck, Collyer, Daly, Hargrave, Richardson and Rowland

INTRODUCING A PROPOSED LOCAL LAW RELATIVE TO AMENDING THE COMPENSATION SCHEDULE BY INCREASING THE COMPENSATION BY A COST-OF-LIVING INCREASE FOR CERTAIN COUNTY OFFICIALS, AND SETTING A DATE FOR A PUBLIC HEARING

WHEREAS, Resolution 202 - 10 adopted the 2011 County Budget; and

WHEREAS, Resolution 236 - 10 approved the current collective bargaining agreements with the General Unit of Local #846 of the Civil Service Employees Association, Inc. which provides a lump sum payment of \$600 for the year 2010 and an initial cost-of-living increase of 2.0% for 2011 for the affected employee; and

WHEREAS, the Board of Supervisors wishes to provide a similar increase to its County officials who are term appointees; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 6 of 2010 Print No. 2 of 2010, entitled "A LOCAL LAW OF THE COUNTY OF SARATOGA AMENDING THE COMPENSATION SCHEDULE BY INCREASING THE COMPENSATION (BY A COST-OF-LIVING INCREASE) FOR CERTAIN COUNTY OFFICIALS", is hereby introduced before the Saratoga County Board of Supervisors, and the Board of Supervisors shall hold a Public Hearing on March 9, 2011 at 4:50 p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of this Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: None. The additional cost of 2% is \$19,131.

## RESOLUTION 41 - 11

Introduced by Supervisors Thompson, Daly, Grattidge, Peck, Sausville, Veitch and Wormuth

AUTHORIZING THE CHAIR OF THE BOARD TO ENTER INTO AN AGREEMENT WITH CARVER CONSTRUCTION, INC. FOR UPGRADES TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S CLIFTON KNOLLS AND KASHMIRI PUMP STATIONS

WHEREAS, upgrades are needed at the Saratoga County Sewer District No. 1's Clifton Knolls and Kashmiri Pump Stations; and

WHEREAS, the Saratoga County Sewer District Commission has solicited and entertained competitive proposals for upgrades and repairs to Saratoga County Sewer District No. 1's Clifton Knolls and Kashmiri Pump Stations, and

WHEREAS, the Sewer District's Executive Director and the Sewer Commission have recommended that a contract for such services be awarded to Carver Construction, Inc., the lowest bidder on the contract; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Carver Construction, Inc. of Altamont, New York, for upgrades and repairs at the Saratoga County Sewer District No. 1's Clifton Knolls and Kashmiri Pump Stations at a cost not to exceed \$619,100, the form and content of said contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The funds for this contract will be re-appropriated into the 2011 budget.

## RESOLUTION 42 - 11

Introduced by Supervisors Thompson, Daly, Grattidge, Peck, Sausville, Veitch and Wormuth

AUTHORIZING THE CHAIR OF THE BOARD TO ENTER INTO AN AGREEMENT WITH STILSING ELECTRIC, INC. FOR ELECTRICAL CONSTRUCTION AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S CLIFTON KNOLLS AND KASHMIRI PUMP STATIONS

WHEREAS, Saratoga County Sewer District No. 1’s Clifton Knolls and Kashmiri Pump Stations are in need of electrical upgrades; and

WHEREAS, the Saratoga County Sewer District Commission has solicited and entertained competitive proposals for electrical upgrades to the Saratoga County Sewer District No.1’s Clifton Knolls and Kashmiri Pump Stations, and

WHEREAS, the Sewer District’s Executive Director and Sewer District Commission have recommended that a contract for such services be awarded to Stilsing Electric, Inc., the lowest bidder on the contract; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Stilsing Electric, Inc. of Rensselaer, New York, for upgrades to the Saratoga County Sewer District No.1’s Clifton Knolls and Kashmiri Pump Stations at a cost not to exceed \$115,280, the form and content of said contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The funds for this contract will be re-appropriated into the 2011 budget.

RESOLUTION 43 - 11

Introduced by Supervisors Thompson, Daly, Grattidge, Peck, Sausville, Veitch and Wormuth

AMENDING THE 2011 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO CAPITAL AND OTHER 2010 SARATOGA COUNTY SEWER DISTRICT NO. 1 PROJECTS

WHEREAS, unexpended 2010 funds for Saratoga County Sewer District No. 1’s capital and other 2010 projects in the amounts of \$1,833,400 need to be reappropriated to the 2011 budget in order to complete the balance of work related to said projects in 2011; now, therefore, be it

RESOLVED, that the 2011 Saratoga County Budget is amended as follows:

SEWER DISTRICT:

Appropriations:

Increase Acct.: #7-81-812-7098 Professional Services	\$ 55,000.00
Increase Acct.: #7-81-812-7050 Product Eq.	\$ 25,000.00
Increase Acct.: #7-81-812-7099 Other Cap.	\$ 25,000.00
Increase Acct.: #7-81-812-7092 Infrastructure	<u>\$1,728,400.00</u>
	\$1,833,400.00

Revenues:

Increase Acct.: #7-0599.M Fund Balance	\$1,833,400.00
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BUDGET IMPACT STATEMENT: The current Sewer District fund balance of \$9.7 million will be reduced by this amount.

RESOLUTION 44 - 11

Introduced by Supervisors Thompson, Daly, Grattidge, Peck, Sausville, Veitch and Wormuth

APPROVING THE AMENDMENT OF THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #2 TO INCLUDE 5 ACRES IN THE TOWN OF MALTA

WHEREAS, New York State Agriculture and Markets Law Section 25-AA allows landowners with viable agricultural lands to petition the County Board of Supervisors within a 30 day annual timeframe to be included within agricultural districts; and

WHEREAS, the Board of Supervisors has received a petition from Suzanne and David Haight, owners of 5 acres of viable agricultural land bearing Tax Parcel #192.00-1-9.12 in the Town of Malta on Nelson Ave. Extension that is dedicated to horticulture, requesting inclusion of said land within the boundaries of Saratoga County Consolidated Agricultural District #2; and

WHEREAS, the Saratoga County Agricultural and Farmland Protection Board has submitted a report to the Board of Supervisors recommending the inclusion of said lands of Haight within the boundaries of Saratoga County Consolidated Agricultural District #2, and a public hearing having been held on said petition on January 27, 2011 at which time there were no objections to said petition; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the petition of Suzanne and David Haight; and it is further

RESOLVED, that boundaries of Saratoga County Consolidated Agricultural District #2 are hereby amended to include the 5 acre parcel owned by Suzanne and David Haight bearing Tax Parcel #192.00-1-9.12 in the Town of Malta.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 45 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

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

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

RESOLVED, that the Chair of the Board of Supervisors convey by quitclaim deed to the following parties or their designees, the lands set opposite their names, upon payment of the indicated amount, which includes penalties, interest and charges,

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Cheryl L. Allen 20 Walter Maxfield Road Hadley, NY 12835	2008, 2009 & 2010	Day	25.19-2-17	\$6,008.99
MDO Holdings, LLC 80 Maple Avenue Ballston Spa, NY 12020	2008 & 2009	Galway	186.-1-45.1	\$2,589.47
Michael Remington 1620 Route 9 Fort Edward, NY 12828	2008, 2009 & 2010	Moreau	49.4-2-2	\$7,689.23
Jeremy Briell and Kimberly Briell 51 Washington Avenue Waterford, NY 12188	2008, 2009 & 2010	Waterford	291.54-1-41	\$8,824.66

BUDGET IMPACT STATEMENT: These amounts include all appropriate penalties and interest.

RESOLUTION 46 - 11

Introduced by Supervisors Raymond, Hargrave, Kinowski, Lawler, Lucia, Southworth and Thompson

CORRECTING 2011 TAX BILL

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on tax rolls; and

WHEREAS, the owner of the following land has timely submitted proof of error in the 2011 tax bill; and  
 WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected; now, therefore, be it

RESOLVED, that the application of the following individual for correction of the 2011 tax roll is approved, and the tax roll is so corrected:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Triller Development LLC	Clifton Park	263.-2-64.1	\$256.76

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 47 - 11

Introduced by Supervisors Veitch, A. Johnson, Raymond, Rowland, Wormuth, Wright and Yepsen

APPROVING 2011 COUNTY LEGISLATIVE PROGRAM

WHEREAS, our County is recognized as a statewide leader in economic growth and opportunity; and

WHEREAS, we wish to continue the reforms of non-productive state laws and policies and the provision of greater flexibility in resource allocation for local governments; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors requests enactment of the following legislative initiatives:

Saratoga County 2011 Legislative Program

1. Urging Governor Cuomo and the NYS Legislature to authorize the reinstatement of VLT revenues for Saratoga Springs and Saratoga County. In 2009, the state’s financial gurus devised a formula that excluded Saratoga County and the City Saratoga Springs from the funding stream for communities hosting VLT facilities. That means 16 other communities, including the City of Yonkers, got to share in almost \$34 million in state aid while our county and our largest city, which hosts the racino, were denied a fair share of this funding stream. We certainly don’t deny that the other communities have a right to be reimbursed for being hosts to the VLT operations, but to devise a formula that only effects two communities out of eighteen is unfair and needs to be revised. The current formula, which is based on the statewide unemployment rate, is essentially punishing our County for maintaining a strong local economy. In doing so we’ve been eliminated from the list of entities that are still receiving state funding because they have a poverty rate that is at least greater than 50% of the statewide rate. It’s time to give our residents their fair share of these revenues, the loss of which has already proved to be a financial catastrophe in the City of Saratoga Springs.

2. Supporting the New York State Association of Counties “9 for 90” Anti-Mandate Campaign. The New York State Association of Counties has instituted a statewide initiative to address the financial burden placed on counties to deliver state mandated services that consume 90% of our property tax levy. We’re asking the state legislature to pledge to reduce taxes by reforming the State’s public service delivery structure. Our State leaders have the power to do more than simply cap property taxes at 79 percent above the national average. They can reduce property taxes by reforming State mandated programs that county governments are required to deliver and pay for under State law. Currently, 9 State mandates consume 90 percent of the county property tax levy statewide. In some individual counties, the percentage of the tax levy is much greater than that. The mandated programs include: Medicaid, Public Assistance/Safety Net, Child Welfare, Preschool Special Education, Early Intervention, Indigent Defense, Youth Detention, Probation, and Pensions.

3. Supporting the New York State Association of Counties initiative to create a Sales Tax Joint Revenue Center. Along with the Property Tax, the Sales Tax, which we share with the State, is the principle source of revenue for Saratoga County. However, as we’ve seen over the past few years, it can be volatile and hard to forecast. In addition, our annual budget process has been hampered by the lack of timely information on the collection of this tax. Now more than ever we need to have access to the financial data that the state is either not sharing, or delaying the reporting of within a reasonable time frame. As a possible solution to this problem, we’re supporting the New York Association of Counties (NYSAC) proposal to develop a dashboard-like

information sharing system, the Joint Revenue Resource Center in partnership with the State Department of Taxation and Finance and the Division of Budget, that will provide us with access to the information we need to develop and manage our annual operating budget.

4. Supporting an amendment to Civil Service Law 159-c to exclude employees who do not work year round or work seasonally, or have the ability to take the time during the time in which they are not working during the rest of the year (shift workers) from taking advantage of a paid leave of absence for up to 4 hours for breast or prostate cancer screening. Current law entitles every public officer, employee of the state, county, municipality or of any school district to take a leave of absence for a breast cancer or prostate cancer screening. Although this law had good intentions, many state, county, city, and school district employees do not work year round, and taxpayer's money should not be used to pay for their replacement or substitute for a day, unless it is a medical emergency. Those employees, who do not work year round or work seasonally, or are shift workers, have the ability to take time during the time they are not working to have these tests performed at no additional cost to the taxpayer.

5. Supporting various health care reform initiatives including the permanent reinstatement of the Intergovernmental Transfer Program (IGT) and the restructuring of the funding mechanisms for mandated Medicaid services. For years our county nursing home, Maplewood Manor, was able to fund its operations with a combination of revenues that included an annual subsidy from the IGT program. Since that program was terminated by the federal government our residents have had to provide in excess of \$6 million annually to cover Maplewood's operating deficit. The recent short term reinstatement of this program should be made permanent. In addition, Saratoga County's annual portion of countywide Medicaid expenses exceeds \$24 million. Since New York State and the federal government have absolute control over what services are provided, and to whom, they should relieve our taxpayers of the burden of paying for any of these services since we have no way to manage or control the related costs.

6. Urging Governor Cuomo and the members of the Medicaid Redesign Team (MRT) to consult with Counties regarding the State takeover of local Medicaid administrative responsibilities. While the task of developing policies to cut Medicaid falls to the MRT, there are provisions contained in the appropriation language that would authorize the Commissioner of Health to implement a plan to achieve the targeted savings of \$1 billion should the MRT fall short. The plan would be developed by the Commissioner and the state Medicaid Director in consultation with several other state Commissioners responsible for various human services regulated by the state. Under the Governor's proposal the Commissioner of Health would be given virtually unlimited authority to implement the plan, utilizing a wide range of actions including the ability to modify law, without consulting the Legislature or gaining legislative approval. This kind of unchecked authority is troubling for the Counties that are already burdened with the financial consequences of other unchecked state mandates.

7. Opposing any effort by the Hudson River-Black River Regulating District (HRBRRD) to assess fees or charges against Saratoga County or other governments to cover the revenue shortfall in their operating budget caused by the federal court ruling. In a decision by the U.S. Court of Appeals a ruling was issued that affected the methodology by which HRBRRD assessed private downstream hydroelectric plants. The ruling essentially said that these electric plants could only be assessed for construction, maintenance, and depreciation, not *operating* costs. This left the regulating district, which manages the Sacandaga Lake reservoir, with a revenue shortfall of \$5.3 million dollars in its annual operating budget. Saratoga County supports our state representatives asking our delegates, in the federal legislature, to support and adopt legislation amending the Federal Power Act to allow the reinstatement of these historical costs against the federally licensed power companies benefiting from the existence of this reservoir.

8. Opposing any New York State imposed Property Tax Cap without providing an equal or greater amount of mandate relief to offset the lost revenues. New York State government has repeatedly approved expensive programs and generous employee benefits, then passed those costs down to the local level. Without a break from these kinds of mandates a tax cap would be a financial disaster. While the Governor has indicated that "mandate relief" – cutting costs forced onto local governments by the state – is a priority he hasn't identified what those cuts would be or specifically tied them to a passage of a cap. This should make all local government officials very nervous.

9. Opposing the creation of any new Indian Casino Gambling in New York State. Under the current operating terms for Indian owned casinos there is a clear disadvantage to any non-Indian run casinos operating in New York. At this time, the proposed casino in Sullivan County is a good illustration of the magnitude of the potential losses we face as the host community for a non-Indian owned facility. The estimated financial impact exceeds a half a billion dollars in lost revenues, education funding, racetrack commissions, horse racing industry support, and lottery administration fees. There are also currently 900 employees and thousands more from education and the horse racing industry that would be affected. The reasons for these losses are simple: Indian run casinos provide both table games and slot machines, which are more attractive than state sponsored video lottery terminals. In addition, Indian casinos pay taxes of anywhere of 18% to 25% on slots and 0% on table games compared with Racinos that pay taxes of anywhere from 60% to 70% on VLT revenues.

10. Requesting a more equitable share of the New York State Public Safety Surcharge to support statewide interoperable public safety communications. In 2008, the State collected over \$175 million from its \$1.20 surcharge on wireless telephones and allocated \$9.8 million to counties and other municipalities who are the actual providers of wireless 911 services to its residents. Therefore, we're asking for a greater share of the surcharge monies to provide the best wireless 911 services available to the public.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 48 - 11

Introduced by Supervisors Veitch, A. Johnson, Raymond, Rowland, Wormuth, Wright and Yepsen

#### RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR CUOMO TO SUPPORT THE FARMLAND PROTECTION PROGRAM AND ENVIRONMENTAL PROTECTION FUND

WHEREAS, agriculture is a significant contributor to New York's economy; and,

WHEREAS, farms provide jobs, support local businesses and are part of industry sectors that have a \$31 billion economic impact annually in New York; and,

WHEREAS, farms comprise 7 million acres of land in New York, roughly 25% of the state's land base; and,

WHEREAS, farmers have a strong track record of pro-active environmental stewardship in New York; and,

WHEREAS, rapidly changing economic conditions threaten the future viability of New York's agricultural industry; and,

WHEREAS, more than 425,000 acres of farmland were lost to development in New York between 1982 and 2007; and,

WHEREAS, the State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans; and,

WHEREAS, over \$3 million has been awarded by the Farmland Protection Program to 50 counties and 64 towns to assist in the development of local agricultural and farmland protection plans; and,

WHEREAS, the Farmland Protection Program has awarded more than \$173 million to help farmers, local governments and land trusts permanently protect 74,000 acres on 303 farms; and,

WHEREAS, demand for Farmland Protection Program funding has been strong due to the program's popularity, with more than \$500 million in applications turned away since the program's inception in 1996; and,

WHEREAS, funding for the Farmland Protection Program is allocated from the state's Environmental Protection Fund (EPF), a dedicated fund whose principle funding source is a state Real Estate Transfer Tax (RETT); and,

WHEREAS, in 2010, funding for the Farmland Protection Program was cut by 51% and EPF funding was reduced by 37%;

WHEREAS, Agriculture accounts for 10% of Saratoga County's land mass and has 570 farms that contribute approximately \$64 Million Dollars annually to the local economy,

WHEREAS, Saratoga County has been a strong supporter of Agriculture through the use of farmland protection measures and has demonstrated its commitment to farmland protection through the creation of a county farmland protection program in 2003 that has helped to protect over 2,000 acres of land across the County with \$4,333,000 across 10 municipalities throughout the County.

WHEREAS, the Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms across New York;

now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors does hereby support restoring funding for New York's Environmental Protection Fund and Farmland Protection Program, and, be it further

RESOLVED, that the Saratoga County Board of Supervisors does hereby urge state lawmakers and Governor Cuomo to support New York's farmers, the state's agricultural economy and the protection of valuable farmland by supporting \$22 million in funding for the Farmland Protection Program and \$222 million for the Environmental Protection Fund for the purpose of conservation efforts; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors is hereby directed to forward certified copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Assemblyman Jim Tedisco, Assemblyman Tony Jordan, Senator Roy McDonald, Senator Hugh T. Farley and the American Farmland Trust.

BUDGET IMPACT STATEMENT: No budget impact.

Chairman Wood introduced the individuals that were appointed in the resolution that were just passed. He welcomed them aboard.

Chairman Wood first introduced Mr. Hans Lehr the Director of Community Mental Health Services. Mr. Lehr thanked the Board for its vote of confidence and stated that it has been a pleasure serving the citizens of this county and the Mental Health Department and looks forward to continuing this service.

Chairman Wood introduced Catherine Shrome the Director of Purchasing. Ms. Shrome thanked the Board for the opportunity.

Chairman Wood introduced Lisa Scaccia the Employment and Training Program Director II. Ms. Scaccia said she thanks the Board for the opportunity and looks forward to continuing to serve the residents of Saratoga County in their search for employment.

Chairman Wood said he has a special presentation which will start with a few comments and will be followed by a short video. "Today we will unveil the first of my special historic educational initiatives that I referenced in my organizational meeting. The first project recognizes and promotes the 220<sup>th</sup> anniversary of the establishment of Saratoga County. A week ago this past Monday, on February 7, 2011 Saratoga County celebrated its 220<sup>th</sup> birthday. The County was officially created on February 7<sup>th</sup> 1791 when the legislature of the State of New York passed the law stating that all that part of the said Albany County that was bounded on the east by Rensselaer and Washington Counties on the South by the Mohawk River and the Town of Schenectady on the west by the County of Montgomery and on the north by the County of Washington shall be one separate and distinct county and be called and be known by the name Saratoga. At that time there were just four towns: Ballstown (now known as Ballston), Halfmoon, Saratoga and Stillwater. Each town had elected 1 supervisor to represent them: Bariah Palmer from Ballstown, Benjamin Rosekrans from Halfmoon, John Schuyler from Saratoga and Elias Palmer from Stillwater. The first meeting was held on May 31<sup>st</sup> at Mead's Tavern in Stillwater. Since only 3 of the 4 supervisors were present they adjourned until the next morning. They met at 10 o'clock the next morning on June 1<sup>st</sup> but since Bariah Palmer from Ballstown was still absent they adjourned again. Finally on June 2<sup>nd</sup> two days late Bariah Palmer arrived. Despite his lack of punctuality, Bariah Palmer was made moderator of the Board. The next order of business was appointing a clerk and a treasurer which was done. After the appointment the rest of the business consisted of payment accounts and levying taxes (and what has changed in 220 years that was my thought), the records showed that the County was paying for services such as the taking of census, working at elections, laying out roads, making tax lists, killing wolves by offering a bounty for killing wolves (the County hoped to get the wolf population under control), overseeing the poor, attending trials and appointing constables. After the accounts were settled, the Board agreed that they would adjourn and plan to meet again the first Tuesday in September back at Mead's Tavern in Stillwater. It is interesting to note the similarities between the topics discussed then and our current ones. All this information and more including a copy of the page of the original minutes are included in your packet which is at your table. It is also on the County website. I want recognize and thank County Historian, Lauren Roberts and Jen Ciulla for their help in putting this information together. And finally we have a short snippet of the video of the reenactment of the first meeting that was made on the County's 200<sup>th</sup> anniversary at the Canfield Casino in 1991. Watch closely and you may recognize some of the actors. The words and scripts are attached to your packet."

The video then played. Chairman Wood pointed out that the moderator in the video was Kathy Marchione. He said the whole video will be placed on the County's website for everyone to view.

Chairman Wood acknowledged Supervisor Southworth. Ms. Southworth said she would like to recognize Kathy Marchione and two of her staff members, Kate and Charles, for coming to the Town of Ballston this week to do a presentation on the Kayaderosseras to the Women's Club. She said this was really appreciated and it was a great presentation.

Chairman Wood acknowledged Supervisor Richardson. Mr. Richardson said that on May 15<sup>th</sup> of this year there will be a re-enactment of the funeral of Colonel Ellsworth. He said there is going to be a couple hundred re-enactors there on that day which is a Sunday. He encouraged everyone to mark that day down and come to Mechanicville to this event, it would be appreciated.

Chairman Wood announced the following appointment:

Capital District Youth Center, Inc. (CDYCI) Board of Directors

John Adams (a term to expire 12/31/2012)

Fish and Wildlife Management Board Region 5

Ronald Rybicki (term to expire 12/31/2012)

3902 Lewis Road, Ballston Spa, NY 12020

Robert Hodorowski (term to expire 12/31/2012)

109 Point Breeze Road, Saratoga Springs, NY 12866

Hudson River Community Advisory Group (Alternates)

Preston Jenkins

Jack Lawler

Mindy Wormuth

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

Pamela Hargrave, Clerk