

AGENDA SESSION
April 10, 2013 5:00 p.m.

Vice Chairman Sausville called the meeting to order.

Roll call was taken. PRESENT –Alan Grattidge, Philip C. Barrett, Anita Daly, Jean Raymond, Richard Rowland, Arthur M. Wright, Paul Sausville, Daniel Lewza, Preston L. Jenkins, Jr., John Collyer, Matthew E. Veitch, Joanne Dittes Yepsen, Edward D. Kinowski, John Lawler, Arthur Johnson 15. ABSENT: Patricia Southworth, Richard Lucia, Mary Ann Johnson, George J. Hargrave, Mindy Wormuth, Thomas Richardson, Willard H. Peck, Thomas N. Wood III - 8.

On a motion by Mr. Collyer, seconded by Mr. Wright the minutes of the March 13, 2013 meeting were unanimously approved.

EQUALIZATION AND ASSESSMENT

Accepting tender offers on parcels in the Towns of Clifton Park and Stillwater.

Authorizing the conveyance of 31 parcels sold at the March auction to successful bidders.

Mr. Hellwig said there will be two resolutions. One will be accepting tender offers on parcels in the Towns of Clifton Park and Stillwater and the second will be the conveyance of the 31 parcels that were sold at the March Auction.

PERSONNEL & INSURANCE

Authorizing County insurance coverage through May 8, 2014 at a cost of \$917,542 and amending the budget in relation thereto.

Mr. Hellwig said this resolution authorizes renewal of the County's property and casualty insurance through May of 2014.

ECONOMIC DEVELOPMENT

Authorizing the Chairman to enter into an agreement with the Chamber of Southern Saratoga County (CSSC) to draft and implement a Community Development Plan to promote tourism and other economic benefits at a cost not to exceed \$20,000.

Mr. Hellwig said this item authorizes the Chairman to enter into an agreement with the Southern Saratoga Chamber of Commerce for the purpose of drafting and implementing a Community Development Plan.

RACING

Supporting legislation requiring full casinos to be located at existing VLT racetracks and requiring such casinos to make appropriate support payments for education, purse enhancements, breeding funds, racing operation/capital expenditures and host communities.

Mr. Hellwig said this resolution supports Senate Bill No. 4173 and Assembly Bill No. 5995 which both requires that full casinos be located at existing VLT racetracks in addition to other conditions that were included in prior resolutions adopted by this Board.

PUBLIC HEALTH

Authorizing the Chairman to enter into an amended agreement with Procura, LLC to provide training services at an additional cost not to exceed \$525.

Mr. Hellwig said this resolution will authorize the Chairman to enter into an amended agreement with Procura to provide training to staff members in an attempt to provide additional expertise in developing reports off the billing software.

PUBLIC SAFETY

Proclaiming April 21 – April 27, 2013 National Crime Victims’ Rights Week.

Authorizing the Chairman and the Sheriff to enter into a contract for additional police services for the Village of Corinth.

Authorizing participation in the 2013 STOP-DWI Program and authorizing contracts with local agency participants.

Authorizing the Chairman to accept \$85,222 State Homeland Security Grant to fund various administrative training, hazard analysis and planning activities in the Emergency Services Department.

Amending the 2013 budget to appropriate an additional \$10,693 in Homeland Security Funding for the purchase of a computer workstation and aerial digital imagery and data services.

Authorizing a Memorandum of Understanding with Rensselaer County to capture \$2,300 in State funding for reimbursing Saratoga County for overtime and equipment costs associated with participation in a hazmat training exercise.

Mr. Hellwig said there are six resolutions out of Public Safety. The first is to proclaim National Crime Victims’ Rights Week, the second is a renewal of a contract between the Village of Corinth and the Sheriff’s Department, the third is to authorize the STOPDWI program and contracts, the fourth and fifth items will be to accept and appropriate Homeland Security funding and the last item will be the authorization of a memorandum of understanding with Rensselaer to capture \$2,300 in state funding for services that will be provided by the City of Saratoga Springs relative to their participation in a HazMat training exercise to be held at the Watervliet Arsenal later this month.

SOCIAL PROGRAMS

Proclaiming May 2013 as “Older Americans Month” in the County of Saratoga.

Amending Resolution #136-2012 to authorize an additional \$10,000 in Community Services for the Elderly funding to be provided through an amended agreement with the Town of Clifton Park to offset the purchase of a senior transportation bus.

Authorizing the Chairman to enter into an agreement with the NYS DOH to establish an escrow agreement to manage payments for Early Intervention Services by a state assigned fiscal agent.

Authorizing the Chairman to enter into an agreement with the Research Foundation for Mental Hygiene, Inc. to provide employment services and supports under the “Ticket to Work” program for individuals receiving Social Security Disability Insurance (SSDI) and/or Supplemental Security Income (SSI).

Mr. Hellwig said there will be a resolution proclaiming May as “Older Americans’ Month”. The second item will be an amendment to a resolution for additional funding in Community Services for the Elderly. The third item will be an agreement with the NYS DOH to establish an escrow agreement to manage payments for the Early Intervention Services program. And the final item will be the authorization with the Research Foundation for Mental Hygiene to provide services under the Ticket to Work Program.

PUBLIC WORKS

Setting May 15, 2013 at 5:15PM in the County Board Rooms as the date, time and place for a public hearing pursuant to Section 120-w of the General Municipal Law regarding the potential privatization of the County Landfill.

Authorizing the Chairman to enter into an amended agreement with Mark Schachner to provide legal services related to the privatization of the County Landfill at a rate of \$190 per hour, at a total cost not to exceed \$25,000.

Amending the 2013-2017 Saratoga County Capital Plan due to increased CHIPS funding increasing road improvements from 15.52 miles to 17.42 miles.

Mr. Hellwig said there will be a resolution setting a public hearing for the purpose of hearing the public's comments with regards to the privatization of the County's landfill. The second item will be for authorization for a contract with Mark Schachner for legal services at a rate of \$190 per hour with a cost not to exceed \$25,000. The last item will be an amendment to the Capital Plan due to increased funding to increase road improvements from 15.52 miles to 17.42 miles.

LAW AND FINANCE

Amending the budget to establish a Capital Fund of \$18,500,000 for the Saratoga County Sewer District's upgrade of Saratoga Lake sewer lines and construction of a new sewer line in the Town of Halfmoon.

Ratifying an emergency condition and authorizing the Executive Director of the Saratoga County Sewer District to procure those goods and services necessary to repair a deteriorated portion of sewer force main in the Town of Milton at a cost not to exceed \$500,000 and amending the budget in relation thereto.

Authorizing the Chairman to enter into an agreement with Environmental Design Partnership for engineering services for the Saratoga County Sewer District's Milton Pump Station upgrade project at a cost not to exceed \$83,350.

Mr. Hellwig said there will be three items all from the Sewer District. The first will be to establish a Capital Fund in the amount of \$18.5M that will be needed for the upgrade of the Saratoga Lake sewer lines and the construction of a new sewer line in Halfmoon. The second will ratify an emergency condition and authorize the Executive Director to purchase goods and services necessary to repair a portion of a sewer force main in Milton with a cost not to exceed \$500,000. The last item will be for authorization for an agreement with Environmental Design Partnership for engineering services for an upgrade to the pump station in Milton at a cost not to exceed \$83,350.

On a motion by Mr. Rowland, seconded by Mr. Barrett the agenda was unanimously set for the April 16, 2013 Board Meeting.

On a motion by Mr. Veitch, seconded by Mr. Kinowski, the meeting was unanimously adjourned.

Respectfully Submitted,

Pamela A. Hargrave, Clerk

REGULAR SESSION
TUESDAY, APRIL 16, 2013
4:00 PM, E.S.T.

Board called to order by Chairman Grattidge.

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, Paul Sausville, Thomas Richardson, Preston L. Jenkins, Jr., John Collyer, Thomas N. Wood III, Joanne Dittes Yepsen, Matthew E. Veitch, Edward D. Kinowski, John Lawler, Arthur Johnson 20ABSENT – Richard Lucia, Willard H. Peck, Daniel Lewza, 3

The invocation was given by Patti Southworth, Chaplain.

PRESENTATIONS:

Chairman Grattidge presented a proclamation to the Burnt Hills Ballston Lake Girl's Varsity Volleyball Coach and team members for their wins in 2012: the Harold Van Earden Tournament, the John Glenn Tournament, the Suburban Council North Division, and the Section 2 Class A Championship.

Chairman Grattidge presented a proclamation to the Burnt Hills Ballston Lake Boy's Varsity Football Coach for their successful 2012 season by winning the New York State Class A Football Championship on Friday, November 23, 2012 at the Carrier Dome in Syracuse, New York, with a decisive 40 – 20 victory over Sweet Home.

County Historian Lauren Roberts gave a power point presentation on the 225th anniversary of the Towns of Ballston, Halfmoon, Saratoga and Stillwater. She spoke of the history of these towns and their significance to the County. Chairman Grattidge read a proclamation and presented a copy to each of the four Town Supervisors.

PUBLIC INPUT:

John VanAmburgh – Town of Stillwater – RE: Low income requirement for senior exemption. Mr. VanAmburgh asked the Board to look into the requirements for low income and adjust them. He spoke of the sliding scale of senior citizen tax exemption and who he has spoken with to encourage them to investigate these limits.

On a motion by Mr. Jenkins, seconded by Mr. Richardson the minutes of the March 19, 2013 minutes were unanimously adopted.

The Clerk presented the following:

Letter from Sheriff Bowen requesting additional personnel.

Received and filed.

Resolution from Tioga County opposing proposed amendments to the Election Law.

Copied to Supervisor Peck and the County Administrator.

Resolution from Steuben County supporting legislation regarding the proposed laws concerning contact information for vacant structures.

Copied to Supervisor Peck and the County Administrator.

Mr. Lawler reported from the Saratoga County Water Authority that member Greg Connors has resigned from the Authority.

On a motion by Mr. Richardson, seconded by Mr. Sausville Resolutions 73 through 94 were adopted by a unanimous vote.

RESOLUTION 73 - 13

Introduced by Supervisors Collyer, Hargrave, Jenkins, M. Johnson, Lewza, Raymond, and Yepsen

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 or more 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 these requests; now, therefore, be it

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

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
The Good Times Lakeview Inn, Inc. 175 Lake Road Ballston Spa, NY 12020	2010, 2011, 2012 & 2013	Ballston	239.-2-33.1	\$40,386.38
The Good Times Lakeview Inn, Inc. 175 Lake Road Ballston Spa, NY 12020	2010, 2011, 2012 & 2013	Ballston	239.-2-33.2	\$12,229.07
Vance I. Cohen 19 Cedarwood Dr. Queensbury, NY 12804	2010, 2011 & 2012	Clifton Park	259.14-3-3	\$730.70
Dennis A. Carrangi, Jr. 1005 Tommahawk Trail Glenville, NY 12302	2010, 2011 & 2012	Clifton Park	263.-1-5	\$2,910.74
Dennis A. Carrangi, Jr. 1005 Tommahawk Trail Glenville, NY 12302	2010, 2011 & 2012	Clifton Park	263.-1-6	\$15,149.16
Samuel O. Hoving Petie Hoving Duran 748 East 9 th St., 3B New York, NY 10009	2009 & 2010	Stillwater	243.84-4-25	\$6,351.10

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

RESOLUTION 74 - 13

Introduced by Supervisors Collyer, Hargrave, Jenkins, M. Johnson, Lewza, Raymond, 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 March 19, 2013, at auction sale, certain parcels of land in several Towns and Villages 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 March 19, 2013 are approved; and, be it further

RESOLVED, that the Chairman of the Board 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>
Susan Fogg 166 Stage Road Ballston Lake, NY 12019	Charlton	256.-1-53 Wayne Lewis	Robert Lewis and	\$10,000.00
Mary Jo M. Malizia 25 Beechwood Avenue Ballston Lake, NY 12019	Charlton	256.14-1-69 Wayne Lewis	Robert Lewis and	\$1,100.00
George Johnsen 1788 Hadley Hill Road P.O. Box 182 Hadley, NY 12835	Clifton Park	258.12-3-2	Richard J. Horstman	\$25.00
Melanie Sweet 128 Feeder Dam Road So. Glens Falls, NY 12803	Clifton Park	259.13-4-15	Vance I. Cohen	\$550.00
Melanie Sweet 128 Feeder Dam Road So. Glens Falls, NY 12803	Clifton Park	259.14-4-60	Vance I. Cohen	\$3,500.00
George Johnsen 1788 Hadley Hill Road P.O. Box 182 Hadley, NY 12835	Clifton Park	263.-2-39.3	Valentine& Sons Builders, LLC	\$25.00
Robert Frederick Popp 8 Hemlock Drive Clifton Park, NY 12065	Clifton Park	277.6-2-42	Country Club Acres, Inc.	\$50.00
Anthony George Bluman 4 Spruce Court Vorheesville, NY 12186	Clifton Park	278.17-3-38	Michele VanEpps	\$9,200.00
Robert Keane 247 Greenfield Avenue Ballston Spa, NY 12020	Clifton Park	289.37-2-1	Vance I. Cohen	\$550.00
Bruce Borroughs 11 Stone Hedge Drive Gansevoort, NY 12831	Corinth	74.-1-33.113	Theodore James Madison	\$750.00
Robert Keane 247 Greenfield Avenue	Corinth	86.2-3-21	Priscilla E. Barry	\$250.00

Ballston Spa, NY 12020

James R. Votraw 47B Rolling Brook Drive Clifton Park, NY 12065	Day	31.-1-28.2	John McCormack	\$4,500.00
Shannon Hartrum 49 Gils Way Saugerties, NY 12477	Day	42.15-2-21	Juanita M. A. Henderson	\$1,500.00
Craig St. Cyr 2485 Bills Road Middle Grove, NY 12850	Galway	174.-1-71	Thomas Merrills	\$275.00
Jeremey Wilson 1113 Rock City Falls Road Rock City Falls, NY 12863	Galway	186.-1-63	John Rose	\$250.00
Terry R. Stewart, Sr. 44 Phillips Road Stillwater, NY 12170	Greenfield	124.-2-12	Francis O'Donnell	\$19,000.00
Tracy L. Wall 279 N. Greenfield Road Porter Corners, NY 12859	Greenfield	124.-2-25	Lewis M. Steele, Jr.	\$37,000.00
James Carlson 81 Ernst Road Gansevoort, NY 12831	Greenfield	125.-1-4	John Rose	\$1,500.00
Jeffrey J. Douglas 130 Porter Corners Porter Corners, NY 12859	Greenfield	151.-2-67	Calvin G. Howe	\$8,500.00
Melanie Sweet 128 Feeder Dam Road So. Glens Falls, NY 12803	Hadley	35.16-3-103.1	Christopher J. Schuh	\$2,100.00
Josh Cottrell 1094 Rock City Road P.O. Box 32 Rock City Falls, NY 12863	Malta V/Round Lake	250.42-1-3	Estate of Frank B. Snowden	\$2,900.00
David Kowalski 4184 Silver Beach Road Ballston Spa, NY 12020	Malta	218.6-2-50	Louis J. Farone, Jr.	\$25.00
Samuel E. Paquin, II 430 Route 146 P.O. Box 675 Clifton Park, NY 12065	Malta	229.-2-25	Mandelbaum Family	\$175.00
Michael R. Bradshaw 14 Greenridge Place Saratoga Springs, NY 12866	Milton V/Ballston Spa	216.24-2-74	Douglas J. Rock	\$48,000.00
Stacy Woodcock	Milton	163.-1-8	Roger DeKalb	\$22,000.00

1113 Rock City Road
 Rock City Falls, NY 12863

Erik Lubinsky 6622 Summer Cove Drive Riverview, FL 33578	Northumberland	143.-2-25	Robert Sloane	\$77,000.00
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Donald Keller 4746 Consaul Road Amsterdam, NY 12010	Providence	132.-1-21	Irving E. Mussen	\$6,500.00
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Elliot J. VanHall 7264 Antioch Road Middle Grove, NY 12850	Providence	146.-1-62	Andres Baez	\$1,600.00
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Terry R. Stewart, Sr. 44 Phillips Road Stillwater, NY 12170	Providence	147.-1-45.2	Larry Northrop	\$12,500.00
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George Charles Kahnle Box 92 Gates Avenue 86 Gates Avenue Victory Mills, NY 12884	Saratoga V/Victory Mills	170.37-2-44.2	Leon E. Van Arnum	\$50.00
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Josh Cottrell 1094 Rock City Road P.O. Box 32 Rock City Falls, NY 12863	Stillwater V/Stillwater	253.27-3-10	William Shelden	\$59,000
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BUDGET IMPACT STATEMENT: The gross proceeds of \$343,250 represent a profit of \$219,371.12 over the foreclosed delinquent taxes. Additionally, since January 1, 2013, the County Treasurer has collected \$332,442.44 in delinquent taxes for properties that would otherwise have been included in the auction.

RESOLUTION 75 - 13

Introduced by Supervisor A. Johnson, Daly, M. Johnson, Kinowski, Peck, Wood and Wormuth

AUTHORIZING COUNTY'S INSURANCE COVERAGES THROUGH MAY 8, 2014 AND AMENDING THE 2013 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 79-12 authorized the award of several insurance coverages for the County through May 8, 2013; and

WHEREAS, the County solicited and received competitive quotes for comparable coverages through May 8, 2014; now, therefore, be it

RESOLVED, that the Chairman of the Board accept the proposals of Cool Insuring for the County's insurance coverages by the carriers listed below, through May 8, 2014, at a cost not to exceed \$917,543:

Coverage	Company	Limits	Deductible	Premium
Property	NYMIR	\$193,418,985	\$10,000	\$139,395.30
Boiler/Machinery	NYMIR	\$78,729,970	\$25,000	incl.
Inland Marine	NYMIR	\$22,307,590	\$5,000	\$34,535.60
Crime	Travelers	\$1,000,000	\$10,000	\$4,166
General Liability	NYMIR	\$1M/\$6M	\$50,000	\$160,356.90
Public Officials Liability	NYMIR	\$1M/\$6M	\$100,000	\$39,486.70
Law Enforcement Liability	NYMIR	1M/\$6M	\$100,000	\$112,699.40
OCP	NYMIR	1M/\$3M	None	\$275

Automobile	NYMIR	\$1,000,000	\$50,000	\$149,710
Umbrella	NYMIR	\$10,000,000	\$10,000 (SIR)	\$79,007.50
Airport Liability	Ace	\$20,000,000	None	\$7,455
Taxes/Fees				\$2,950.11
Cap Fee				\$13,418.65
<i>Healthcare</i>				
Infirmery – Primary	NYMIR	1M/\$3M	None	\$27,959.10
MH & PHNS – Primary	NYMIR	1M/\$3M	None	\$48,970.69
Excess	CNA	\$5,000,000	\$10,000 (SIR)	\$97,157
TOTAL				\$917,542.95

and; be it further

RESOLVED, that the 2013 Saratoga County Budget is amended as follows:

GENERAL FUND:

Transfer:

FROM: 1-14-999-9000 Unallocated Amount	\$46,224
TO: 1-14-991-8630 Commercial Package Premium	\$46,224

BUDGET IMPACT STATEMENT: This renewal will require the transfer of \$46,224 from Contingency into the insurance division.

Discussion on Resolution No. 76:

Ms. Yepsen said this sounds like a great program and is all for promoting the County. She said we are one County with two Chambers and hopes both Chambers will be given the same consideration. Ms. Yepsen said her question today is about the \$100,000 unidentified economic development efforts. She asked where the funds came from and if the \$20,000 is out of the \$100,000 or if it is I Love NY funds.

Mr. Hellwig responded that the money is in a line in the budget that is funded through the collection of Occupancy Taxes and not I Love NY funding. It is up to the Economic Development Committee what initiatives they will pursue and will be determined throughout the year.

Mr. Lawler asked Mr. Hellwig how much the contract was for the Saratoga County Chamber of Commerce. Mr. Hellwig responded \$346,000. Mr. Lawler said there is a contract that supports that Chamber and understands that the bulk of that money is used for advertising and promotes the City of Saratoga Springs and justifiably so. He is comfortable with that amount and feels it is appropriate to spend 6% of that on the Southern Chamber as it is the fastest growing community. He said both Chambers can do a great job in promoting the economic development of Saratoga County. Mr. Lawler thanked Chairman Grattidge for setting that funding aside for economic development.

RESOLUTION 76 - 13

Introduced by Supervisors Lawler, Daly, A. Johnson, Kinowski, Peck, Richardson and Sausville

AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH THE CHAMBER OF SOUTHERN SARATOGA COUNTY TO FURTHER DEVELOP AND IMPLEMENT THE CHAMBER'S COMMUNITY DEVELOPMENT PROGRAM TO PROMOTE TOURISM AND ECONOMIC DEVELOPMENT

WHEREAS, the Chamber of Southern Saratoga County has initiated a new program in 2013 called the Community Development Program which focuses on bringing together volunteers from the community, including business people, education leaders, students, community leaders, elected officials and civic-minded people, on projects designed to promote tourism and economic development in southern Saratoga County; and

WHEREAS, Community Development Program projects in the planning stages for 2013 include structural improvements to the Brookside Museum in the Village of Ballston Spa; utilizing local high school students to organize a genealogy project at the Museum for families who have recently moved to Saratoga County; the

identification of new ways to market the Brookside Museum; the restoration of the historic Mechanicville train station near the new inter-model railyard in the City of Mechanicville, and the station's possible conversion into railroad museum; and

WHEREAS, the Chamber recently completed its prototype model for the Community Development Program, the restoration of historic Erie Canal Lock 19 in the Vischer Ferry Nature Preserve in Clifton Park, which involved the participation of 80 students and major corporations, including GE and Momentive, and the provision of \$150,000 in in-kind services from Chamber members and sponsors; and

WHEREAS, the 2013 County Budget includes \$100,000 for unidentified economic development efforts; and

WHEREAS, the Chamber's Community Development Program is a meritorious economic development project deserving of County's financial support and promotional assistance; and

WHEREAS, our Economic Development Committee has recommended that the County enter into an agreement with the Chamber of Southern Saratoga County for the further development and implementation of the Chamber's Community Development Program to promote tourism and provide other economic benefits in Saratoga County at a cost not to exceed \$20,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with the Chamber of Southern Saratoga County for the further development and implementation of the Chamber's Community Development Program to promote tourism and economic development in Saratoga County, at a cost not to exceed \$20,000, with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 77 - 13

Introduced by Supervisors Veitch, Barrett, A. Johnson, Richardson, Southworth, Wood and Yepsen

EXPRESSING THE BOARD OF SUPERVISORS STRONG SUPPORT FOR STATE LEGISLATION (S.4173/A.5995) REQUIRING CASINOS AUTHORIZED BY AMENDMENT OF THE STATE CONSTITUTION TO BE LOCATED AT EXISTING RACETRACKS CONDUCTING VIDEO LOTTERY GAMING

WHEREAS, Governor Andrew M. Cuomo has introduced, and the New York State Legislature has passed, a concurrent resolution introducing an amendment to Article 1, Section 9 of the State Constitution to allow no more than seven casinos as authorized and prescribed by the State Legislature; and

WHEREAS, amending the State Constitution requires that such concurrent resolution must pass two consecutive sessions of the State Legislature and be approved by public referendum; and

WHEREAS, pursuant to Resolution 21-02, the Saratoga County Board of Supervisors adopted a Local Law (Introductory No. 1, Print No. 2) on February 13, 2002, authorizing Saratoga Casino and Raceway (formerly "Saratoga Equine Sports Center") to operate video lottery gaming in accordance with the New York State Tax Law and subject to state licensure and regulation; and

WHEREAS, pursuant to the New York State Tax Law, revenues generated from the Video Lottery Terminals (VLTs) authorized to operate at Saratoga Casino and Raceway have been and are distributed in part to New York State for the purpose of funding education, to the Saratoga Raceway for the purpose of enhancing purses, and to the breeding funds that support local breeders and owners; and

WHEREAS, Saratoga Casino and Raceway is a proven revenue producer for New York State whose VLT operations have generated more than a half billion dollars in education aid since 2004, and over a hundred million dollars more in support of state lottery administration; and

WHEREAS, the approximately \$100 million generated to date by VLT operations at Saratoga Casino and Raceway for enhanced purses and breeding support has kept the harness racing industry alive in Saratoga County, directly supporting local racing-related jobs; and

WHEREAS, Saratoga Casino and Raceway is a major employer in Saratoga County, having approximately 400 full-time and 225 part-time employees; and

WHEREAS, in the event that the proposed Constitutional Amendment is approved and the State Legislature authorizes expanded casino gaming establishments in locations that do not include Saratoga Casino and Raceway, that action would risk negatively impacting the facility, thereby reducing the revenues generated from

its VLTs, and in turn reducing the corresponding reinvestment of those revenues in education and the local racing industry, and endangering local jobs; and

WHEREAS, not including Saratoga Casino and Raceway as an approved casino site would also result in a lost opportunity for local economic growth in terms of: increased tourism; the direct, indirect and induced effects of new jobs created to support expanded casino operations; and the construction jobs generated from building new gaming space; and

WHEREAS, this Board previously adopted Resolution 258-12 expressing its strong support for Saratoga Casino and Raceway being selected as one of the seven potential casino sites to be authorized by the State Legislature pending the amendments of Article 1, Section 9, of the New York State Constitution; and

WHEREAS, Senate Bill No. S4173 and Assembly Bill No. A5995 have been introduced in the State Legislature, requiring that all casinos authorized by Article 1, Section 9, of the State Constitution be located at existing racetracks licensed to conduct video lottery gaming prior to September 1, 2012; and

WHEREAS, said Senate Bill No. S4173 and Assembly Bill No. A5995 further require that while 90% of the net proceeds derived by the State from casino gaming must be applied exclusively in support of education in New York State, up to 10% of such proceeds may be used for the support of local government in the host communities as prescribed by the local legislative body; and

WHEREAS, said Bills further require that designated portions of the vendor fee retained by the facilities operating casino gaming must be dedicated and spent at local racetracks on enhancing purses and on racing operations or capital expenditures, as well as on appropriate breeding funds for the manner of racing conducted at each racetrack; and

WHEREAS, our Racing Committee has recommended that this Board send a resolution of support for the passage of Senate Bill S4173 and Assembly Bill A5995 to the State Legislature and Governor Andrew Cuomo; 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 enact into law Senate Bill S4173 and Assembly Bill A5995 to require that all casinos authorized by the amendment of Article 1, Section 9, of the New York State Constitution be sited at racetracks licensed to conduct video lottery gaming prior to September 1, 2012; and to further require that support payments be made to host communities, breeding funds, and to local racetracks for purse enhancements, racing operations and capital expenditures; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors forward a certified copy of this Resolution to Governor Andrew M. Cuomo and Saratoga County's representatives in the New York State Senate and Assembly.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 78 - 13

Introduced by Supervisors Kinowski, Raymond, Sausville, Southworth, Veitch, Wood and Wormuth

AUTHORIZING AN ADDENDUM TO LICENSE AGREEMENT WITH PROCURA, LLC TO PROVIDE TRAINING SERVICES

WHEREAS, the County of Saratoga previously entered into a License Agreement with Procura, LLC for the provision of billing software for the Saratoga County Public Health Nursing Service; and

WHEREAS, pursuant to Resolution 138-11, this Board authorized the Chair of the Board to execute an addendum to the County's License Agreement with Procura, LLC to include the provision of software compliant with new federal billing standards and the provision of web-based hosting services; and

WHEREAS, certain staff members of the Saratoga County Public Health Nursing Service are in need of software training services that will enable them to comply with New York State cost reporting requirements; and

WHEREAS, the provision of said software training services are not included in the County's existing License Agreement with Procura, LLC; and

WHEREAS, Procura, LLC is willing to provide said software training services at a cost of \$175 per hour for three hours; and

WHEREAS, our Public Health Committee and Director of Public Health have recommended that the County amend its License Agreement with Procura, LLC to authorize the provision by Procura of software

training services needed to comply with NYS cost reporting requirements, at a cost not to exceed \$525; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an addendum to the County's existing License Agreement with Procura, LLC of 900 Oakmont Lane, Suite 308, Westmont, Illinois, 60559, to add the provision of software training services needed to comply with New York State cost reporting requirements, at a cost not to exceed \$525, with the form and content of such addendum being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 79 - 13

Introduced by Supervisors Wormuth, Jenkins, Lawler, Lucia, Rowland, Southworth and Veitch

PROCLAIMING APRIL 21 – APRIL 27, 2013 NATIONAL CRIME VICTIMS' RIGHTS WEEK

WHEREAS, 18.7 million Americans are directly harmed by crime each year, and each crime affects many more family members, friends, neighbors, and co-workers; and

WHEREAS, victims may suffer emotional, physical, psychological, and financial harm as a result 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, today thousands of victim assistance programs provide help and support to child victims of violence and sexual abuse; stalking victims; survivors of homicide victims; victims of drunk driving crashes; and victims of domestic, dating, and sexual violence and other crimes; and

WHEREAS, the victims assistance community faces new challenges to reach and serve victims, including victims of new crimes like cybercrime and terrorism; 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, which is being observed nationwide from April 21 – April 27, 2013, provides an opportunity to celebrate the energy, creativity, and commitment that launched the victims' rights movement, inspired its progress, and continues to advance the cause of justice for crime victims; and

WHEREAS, the theme of this year's National Crimes Victims' Rights Week is "New Challenges, New Solutions"; and

RESOLVED, that the Saratoga County Board of Supervisors hereby designates the week of April 21 to April 27, 2013, 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, Saratoga County Domestic Violence and Rape Crisis Services and Parents of Murdered Children.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 80 - 13

Introduced by Supervisors Wormuth, Jenkins, Lawler, Lucia, Rowland, Southworth and Veitch

AUTHORIZING THE CHAIR AND THE SHERIFF TO ENTER INTO A CONTRACT FOR ADDITIONAL POLICE SERVICES FOR THE VILLAGE OF CORINTH

WHEREAS, Resolution 112 - 12 last authorized a contract with the Village of Corinth for additional law enforcement services within the Village; and

WHEREAS, the Village wishes to extend this contract; and

WHEREAS, the proposed contract includes reimbursement by the Village for all County expenses including salaries, benefits, training, all transportation expenses, and a patrol car; and

WHEREAS, the County and the Village recognize that the amount of the County's expenses for salaries and benefits is contingent upon ongoing negotiations for a new contract with the Patrolmen's Union; now, therefore, be it

RESOLVED, that the Chair of the Board and the Sheriff are authorized to execute a contract with the Village of Corinth for additional County law enforcement services within the Village from June 1, 2013 through May 31, 2014 for a sum not to exceed \$298,800, the form and substance of said contract being subject to the approval of the County Attorney; and, be it further

RESOLVED, that, if this contract is terminated, the additional positions of "Deputy Sheriff, Patrolman" necessary for these services shall be abolished.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 81 - 13

Introduced by Supervisors Wormuth, Jenkins, Lawler, Lucia, Rowland, Southworth and Veitch

AUTHORIZING PARTICIPATION IN 2013 STATE STOP-DWI PROGRAM AND CONTRACTS WITH LOCAL AGENCY PARTICIPANTS

WHEREAS, Vehicle and Traffic Law §1197 authorizes establishment of county special traffic options programs for driving while intoxicated (STOP-DWI) to reduce drug-related and alcohol-related traffic injuries and fatalities; and

WHEREAS, Resolution 67-12 authorized renewal and implementation of our local STOP-DWI program and its participation in the 2012 State program; and

WHEREAS, 2012 County participants wish to continue their services in 2013; and

WHEREAS, the participation and cooperation of these local agencies and of the County are essential for effective action against this continuing menace to our residents; now, therefore, be it

RESOLVED, that the County of Saratoga renew its annual application to participate in the New York State STOP-DWI program for 2013; and, be it further

RESOLVED, that this Board of Supervisors approves the following 2013 STOP-DWI Program and budget for Saratoga County:

<u>ADMINISTRATION:</u>	<u>\$ 17,656</u>
Personnel	\$ 13,659
Contractual	\$ 1,363
Dept. Expenses	\$ 2,634

<u>ENFORCEMENT AGENCIES:</u>	<u>\$ 121,977</u>
Saratoga County Sheriff	\$ 46,100
City of Saratoga Springs	\$ 34,200
Village of South Glens Falls	\$ 7,363
Town of Waterford	\$ 5,985
City of Mechanicville	\$ 4,560
Village of Ballston Spa	\$ 5,605
Town of Stillwater	\$ 3,325
Additional funding	\$ 14,839

<u>COUNTY DEPARTMENTS:</u>	<u>\$ 138,850</u>
District Attorney	\$ 37,650
Probation	\$ 47,700
Mental Health	\$ 51,700
Office of Emergency Services	\$ 1,800

<u>INFORMATIONAL AGENCIES:</u>	\$ 59,050
ASAPP	\$ 53,050
SADD Programs	\$ 6,000
Total 2012 Grants:	<u>\$ 337,533;</u>

and, be it further

RESOLVED, that, when necessary, the Chairman of the Board shall execute any agreements and documents needed to implement the above 2013 STOP-DWI program, with the form and content of such agreements and documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 82 - 13

Introduced by Supervisors Wormuth, Jenkins, Lawler, Lucia, Rowland, Southworth and Veitch

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

WHEREAS, funds are available from the New York State Office of Homeland Security for a State Homeland Security Program (SHSP) Grant in the amount of \$85,222; and

WHEREAS, said funds are available to offset administrative expenses, and to pay for training exercises, hazard analysis and planning activities; and

WHEREAS, the acceptance of these grant funds requires this Board's approval; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all agreements and documents necessary to accept a New York State Homeland Security Program (SHSP) grant in the amount of \$85,222, the form and content of said documents and agreements being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 83 - 13

Introduced by Supervisors Wormuth, Jenkins, Lawler, Lucia, Rowland, Southworth and Veitch

AMENDING THE 2013 COUNTY BUDGET TO REAPPROPRIATE \$10,693 IN REVENUES AND EXPENSES UNDER EMERGENCY SERVICES

WHEREAS, unexpended Homeland Security grant funds in the 2012 budget for Emergency Services in the amount of \$10,693 authorized for the purchase of a computer workstation, and aerial digital imaging and data services, need to be reappropriated to the 2013 budget; now, therefore be it

RESOLVED, that the 2013 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES:

Appropriations:

Increase Acct.: #1-36-366-7032B DHS PC Networks	\$ 4,483
Increase Acct.: #1-36-366-8190B DHS Other Prof Serv	<u>\$ 6,210</u>
	\$10,693

Revenues:

Increase Acct.: #1-36-3306 Homeland Security	\$10,693
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 84 - 13

Introduced by Supervisors Wormuth, Jenkins, Lawler, Lucia, Rowland, Southworth and Veitch

AUTHORIZING THE CHAIR TO ENTER INTO A COST REIMBURSEMENT AGREEMENT WITH THE COUNTY OF RENSSELAER FOR THE 2010 REGIONAL HAZARDOUS MATERIALS GRANT PROGRAM

WHEREAS, the County of Saratoga is a member of a regional partnership with the Counties of Albany, Rensselaer, Schenectady and Schoharie, the Cities of Albany, Schenectady and Troy, and the Saratoga Springs Fire Department, to apply for, receive and administer on a rotating basis Hazardous Materials Grant Program funds administered by the New York State Division of Homeland Security and Emergency Services; and

WHEREAS, the County of Rensselaer is the recipient of 2010 Hazardous Materials Grant monies from the State Division of Homeland Security and Emergency Services to be utilized in part for the costs of training personnel for the new Haz Mat equipment capabilities; and

WHEREAS, Saratoga County has employees who are in need of such Haz Mat equipment capabilities training; and

WHEREAS, said grant monies possessed by the County of Rensselaer can be utilized to reimburse Saratoga County for the costs our County incurs in training its employees, including overtime and backfill costs, up to the amount of \$2,400; and

WHEREAS, our Public Safety Committee has recommended that the County enter into an agreement with Rensselaer County providing for the reimbursement of said Haz Mat training costs incurred by Saratoga County; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with the County of Rensselaer for the reimbursement of costs incurred by Saratoga County in providing our County personnel with Haz Mat equipment capabilities training, with the amount of said reimbursement not to exceed \$2,400, and the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: Rensselaer County is the Grant recipient and will be reimbursing all participating counties for their costs to participate in this training exercise.

RESOLUTION 85 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

PROCLAIMING MAY 2013 AS "OLDER AMERICANS MONTH IN THE COUNTY OF SARATOGA"

WHEREAS, our President and our Governor have proclaimed May as "Older Americans Month"; and

WHEREAS, this year's theme, "Unleash the Power of Age", encourages older Americans to stay engaged, active and involved in their own lives and in their communities; and

WHEREAS, our County is fortunate that its residents include more than 40,000 individuals 60 years of age or over; and

WHEREAS, the older adults in Saratoga County are the roots from which our community grows, who bestow gifts of wisdom and insight upon younger generations, and strengthen the bonds between neighbors to create a better place to live; and

WHEREAS, our older adults are active community members involved in volunteering, mentorship, arts and culture, and civic engagements; and

WHEREAS, the older adults in Saratoga County should be commended for their role in creating and bolstering the fiber of our community and nation; and

WHEREAS, each of these citizens has been an important contributor to our County as it has progressed to its present fiscal strength and its status as the most populous rural County in the State; now, therefore, be it

RESOLVED, that this Board of Supervisors proudly proclaims the month of May 2013 as "OLDER AMERICANS MONTH IN THE COUNTY OF SARATOGA", and urges every citizen to take the time this month to honor our older adults and the people who serve and support them as powerful and vital citizens who greatly contribute to our community.

RESOLUTION 86 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

AMENDING RESOLUTION 136-12 AND AUTHORIZING AN AMENDED AGREEMENT WITH THE TOWN OF CLIFTON PARK PROVIDING FOR AN ADDITIONAL \$10,000 IN FUNDING FOR A SENIOR TRANSPORTATION BUS

WHEREAS, Resolution 136-12 authorized an agreement with the Town of Clifton Park providing for the County's reimbursement to the Town of an amount not to exceed \$20,000 for the Town's purchase of a bus for use in the transportation of local senior citizens to seniors' programs; and

WHEREAS, at the conclusion of 2012, our County Office for the Aging received additional State Community Services for the Elderly (CSE) grant funds in the amount of \$10,000 that were available to pass through to the Town of Clifton Park to offset the cost of purchasing the Town's senior transportation bus; and

WHEREAS, the County's reimbursement to the Town of Clifton Park of the additional \$10,000 in CSE grant funds for the Town's purchase of the senior transportation bus requires an amendment to Resolution 136-12 and an amendment to the County's contract with the Town to increase the County's reimbursement to the Town to an amount not to exceed \$30,000 for the purchase of the bus; now, therefore, be it

RESOLVED, that Resolution 136-12 is hereby amended to increase the County's reimbursement to the Town of Clifton Park for the purchase of a senior transportation bus to an amount not to exceed \$30,000; and be it further

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an amendment to the agreement with the Town of Clifton Park to increase the County's reimbursement to the Town for the purchase of a senior transportation bus by the amount of \$10,000, with total County reimbursement to the Town not to exceed the amount of \$30,000; the form and content of such amendment being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 87 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH THE NYS DEPARTMENT OF HEALTH ADDRESSING STATE MANDATED CHANGES IN THE ADMINISTRATION OF THE EARLY INTERVENTION PROGRAM

WHEREAS, the New York State Public Health Law was recently amended to change the terms and conditions under which Counties are involved in the administration of the Early Intervention Program; and

WHEREAS, under the new law, Counties will no longer be allowed to contract with Early Intervention Program services providers effective April 1, 2013; and

WHEREAS, as of April 1, 2013, Early Intervention Program service providers will be required to contract directly with the New York State Department of Health (DOH) which shall assume responsibility for the fiscal management and payment of Early Intervention Program claims; and

WHEREAS, under the new law, instead of being authorized to contract directly with EI service providers, Counties must grant authority to DOH, through a fiscal agent, to act on their behalf and utilize the fiscal agent for payment of EI claims; and

WHEREAS, under the amended law, EI providers will be responsible for directly billing third party payers such as the Medicaid Program and private insurance, while previously these functions were a County responsibility; and

WHEREAS, Counties will continue to fund 100% of the uncovered EI provider services in the first instance, before becoming eligible for 49% State reimbursement; and

WHEREAS, Counties shall be required to make an initial estimated payment into an escrow account managed by the fiscal agent and every two weeks thereafter make additional payments based on actual program expenditures as per DOH reports; and

WHEREAS, DOH will provide Counties with a quarterly reconciliation and claims report for all payments made to providers during the period; and

WHEREAS, Saratoga County, on behalf of the County Youth Bureau, will continue to separately contract for transportation services, service coordination and respite services, and process payment vouchers for said services; and

WHEREAS, DOH is requiring that each County enter into an agreement with DOH which sets these new procedures, terms and conditions to ensure that appropriate funding is deposited by each County into an escrow account designated by DOH for the payment by DOH and/or its fiscal agent of the County's share of EI approved costs; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with the New York State Department of Health to comply with recent amendments to the New York State Public Health Law requiring the State Department of Health to assume responsibility for the fiscal management and payment of Early Intervention Program claims; and be it further

RESOLVED, that the form and content of such agreement shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 88 - 13

Introduced by Supervisors Rowland, Barrett, Collyer, Hargrave, M. Johnson, Lucia and Yepsen

AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH THE RESEARCH FOUNDATION FOR MENTAL HYGIENE, INC. TO PROVIDE EMPLOYMENT SERVICES UNDER THE "TICKET TO WORK" PROGRAM FOR INDIVIDUALS RECEIVING SOCIAL SECURITY DISABILITY INSURANCE AND/OR SUPPLEMENTAL SECURITY INCOME

WHEREAS, the Social Security Administration's Ticket to Work program assists people with disabilities in finding employment with the goal of progressing towards financial self-sufficiency; and

WHEREAS, to be eligible to participate in the Ticket to Work program, a person must be between the ages of 18 and 64 and receiving Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits; and

WHEREAS, the Social Security Administration (SSA) contracts with local entities to administer the Ticket to Work program on behalf of the New York State Department of Labor and the New York State Office of Mental Health; and

WHEREAS, the SSA has contracted with Research Foundation for Mental Hygiene, Inc. of Menands, New York, to administer the Ticket to Work Program in the Capital District area; and

WHEREAS, organizational entities wishing to provide employment and support services to disabled individuals participating in the Ticket to Work program must enter into a contract with SSA or SSA's designated administrator to provide such services; and

WHEREAS, providers of employment network support services under the Ticket to Work program are eligible to receive a portion of Ticket to Work program revenues; and

WHEREAS, as a provider to employment services to Saratoga County residents, our County Office of Employment and Training wishes to become a provider of employment network support services under the Ticket to Work program and to share in program revenues; and

WHEREAS, our Social Programs Committee has recommended that the County enter into a contract with Research Foundation for Mental Hygiene, Inc. authorizing the County Office of Employment and Training to become a provider of employment network support services for disabled individuals under the Ticket to Work program; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Research Foundation for Mental Hygiene, Inc. of Menands, New York, authorizing the County Office of Employment and Training to become a provider of employment network support services for disabled individuals participating in the Ticket to Work program, and to share in program revenues; and, be it further

RESOLVED, that the form and content of such agreement shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 89 - 13

Introduced By Supervisors Raymond, Collyer, Lewza, Jenkins, A. Johnson, Peck and Wright

SETTING A PUBLIC HEARING PURSUANT TO SECTION 120-W OF GENERAL MUNICIPAL LAW REGARDING THE POTENTIAL PRIVATIZATION OF THE COUNTY LANDFILL FACILITY

WHEREAS, the Saratoga County Board of Supervisors has provided environmental infrastructure to serve the needs of residents, businesses, industries, and institutions of the County in order to protect public health and the environment, enhance the quality of life, and promote economic development; and

WHEREAS, part of the environmental infrastructure was the development of a landfill facility in the Town of Northumberland in 2001 following a decade of County investment in the identification of alternative sites, evaluation of impacts through the State Environmental Quality Review Act, and adjudicatory hearings and permitting through the State Department of Environmental Conservation, and

WHEREAS, the landfill was constructed to meet all the highest standards for protection of groundwater and surface water to preserve public health and the environment, and

WHEREAS, upon completion of the landfill facility this Board decided not to open the facility and instead to hold it as an insurance policy for future use; the County has maintained the facility since that time while regularly evaluating the potential for opening the facility, most recently through the process to update the County Local Solid Waste Management Plan; that planning process identified several options for the landfill facility, and

WHEREAS, this Board decided by Resolution 30-12 to initiate a Request For Proposal [RFP] process to identify potential interest by private companies in the landfill facility which could recover the significant investment made by the County and which will help the County continue to stabilize property taxes through the provision of a means for the safe and financially sound disposal of non-recyclable waste which will in turn provide stability for residents, businesses and industries to prosper in Saratoga County, and

WHEREAS, this Board received from its consultant Gerhardt LLC a draft RFP and on April 17, 2012 the Board approved Resolution 96-12 directing the issuance of the Draft RFP for the potential privatization of the Saratoga County landfill facility pursuant to the procedures established in Section 120-w of General Municipal Law and rescinding Resolution 112-99 which had previously established a policy that the County landfill facility would only be used for the disposal of solid waste generated in Saratoga County and that the landfill would only be owned and operated by the County, and

WHEREAS, the Draft RFP was available for public review at the County Department of Public Works, the Northumberland Town Hall, the Ballston Spa Public Library, the Saratoga Springs Public Library, and was posted on the Saratoga County website and an invitation for public comment was officially noticed on April 20, 2012 in The Saratogian, on April 23, 2012 in The Daily Gazette, on April 25, 2012 in the New York State Environmental Notice Bulletin, and on May 2, 2012 in the New York State Register, and

WHEREAS, such public comment period was open through July 2, 2012, and the comments received on the Draft RFP and responses to the comments are contained in Appendix B in the Final RFP, and

WHEREAS, this Board considered the comments received and approved the issuance of a Final RFP by Resolution 158-12, and

WHEREAS, the Final RFP was available for public review at the County Department of Public Works, the Northumberland Town Hall, the Ballston Spa Public Library, the Saratoga Springs Public Library, and was posted on the Saratoga County website and was officially noticed on July 20, 2012 in The Saratogian, on July 20, 2012 in The Daily Gazette, on July 25, 2012 in the New York State Environmental Notice Bulletin, and on August 1, 2012 in the New York State Register, and

WHEREAS, each of the companies which submitted final proposals attended the mandatory landfill facility site visit on August 28, 2012 and

WHEREAS, final proposals were received on October 9, 2012 from New England Waste Services of N.Y., Inc. [Casella Waste Systems Inc], Capital Regions Landfills Inc. [Waste Connections, Inc], and Finch Paper LLC, and

WHEREAS, Section 120-w of NYS General Municipal Law provides for the conduct of a public hearing in regard to the proposals received for the privatization of the landfill facility and for the potential sale of the County property and the landfill facility; now therefore be it

RESOLVED, in conformance with Section 120-w of NYS General Municipal Law, the Saratoga County Board of Supervisors hereby approves and establishes that a public hearing shall be held on the proposals received for the potential privatization of the County Landfill Facility and on the potential sale of such facility and property on May 15, 2013 at 5:15 pm in the legislative chambers of the Board of Supervisors located at 40 McMaster Street, Ballston Spa, New York, and be it further

RESOLVED, that the Clerk of the Board shall publish a notice of this hearing in the official County newspapers and post said notice on the County’s website; and be it further,

RESOLVED, that Gerhardt LLC shall publish notice of this hearing in the New York State Environmental Notice Bulletin and in the New York State Register, with any expense thereof to be borne by the County.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 90 - 13

Introduced by Supervisors Raymond, Collyer, Jenkins, A. Johnson, Lewza, Peck and Wright

AUTHORIZING THE CHAIR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ATTORNEY MARK SCHACHNER FOR THE PROVISION OF LEGAL SERVICES WITH RESPECT TO THE PRIVATIZATION OF THE COUNTY LANDFILL AND AMENDING THE 2013 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 267-12, this Board authorized the Chair of the Board to execute a retainer agreement with Mark Schachner of Miller, Mannix, Schachner and Hafner, LLC to serve as Special Counsel with respect to the privatization of the County Landfill at a rate of \$190 per hour, and at a total cost not to exceed \$9,500; and

WHEREAS, due to a higher than anticipated volume of legal work for the various tasks associated with complying with the requirements of General Municipal Law §120-w and SEQRA, it is necessary to amend the County’s legal services retainer agreement with Attorney Schachner to increase the contract’s amount by an additional \$15,500; and

WHEREAS, our Public Works Committee has recommended that the County’s retainer agreement with Special Counsel Mark Schachner be increased to an amount not to exceed \$25,000; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the County’s agreement with Special Counsel Mark Schachner of Miller, Mannix, Schachner & Hafner, LLC of Glens Falls, New York, for the provision of additional legal services relative to the privatization of the County Landfill at the rate of \$190 per hour, and at an additional cost not to exceed \$15,500, thereby increasing the total contract amount to \$25,000; with the form and content of such amendment being subject to the approval of the County Attorney; and, be it further

RESOLVED, that the 2013 Saratoga County Budget is hereby amended as follows:

GENERAL FUND:

Transfer:

FROM: #1-14-999-9000 Unallocated amount	\$15,500
TO: 1-90-920-9902 Transfer to Highway Fund	\$15,500

PUBLIC WORKS:

Appropriations:

Increase Acct.: #2-50-515-8130 Architects/Engineers	\$15,500
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Revenues:

Increase Acct.: #2-50-5031 Transfer from General Fund	\$15,500
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BUDGET IMPACT STATEMENT: The \$15,500 cost of this contract amendment will reduce the general fund contingency account to \$417,936.

RESOLUTION 91 - 13

Introduced by Supervisors Raymond, Collyer, Jenkins, A. Johnson, Lewza, Peck and Wright

AMENDING THE 2013-2017 SARATOGA COUNTY CAPITAL PLAN AND 2013 COUNTY BUDGET DUE TO INCREASED NYS DOT CHIPS FUNDING IN THE AMOUNT OF \$387,088

WHEREAS, New York State’s adopted 2013-2014 State Budget contains the first increase in Consolidated Highway Improvement Program (CHIPS) funding to Saratoga County in five years; and

WHEREAS, the increased CHIPS finding in the amount of \$387,088 will be utilized by the County Department of Public Works to improve additional sections of County Road 13 (Fayville Road) in the Town of Providence and County Road 94 (Guideboard Road) in the Town of Halfmoon, and will increase planned County Road improvements in 2013 by 1.9 miles from 15.52 miles to 17.42 miles; and

WHEREAS, the acceptance of this increase in CHIPS funding requires an amendment to the 2013-2017 Saratoga County Capital Plan and an amendment to the 2013 County Budget; now, therefore, be it

RESOLVED, that the 2013-2017 Saratoga County Capital Plan is hereby amended to add the improvement of an additional 1.9 miles of County Roads to include a section of County Road 13 in the Town of Providence and a section of County Road 94 in the Town of Halfmoon; and, be it further

RESOLVED, that the 2013 Saratoga County Budget is amended as follows:

HIGHWAY FUND:

Appropriations:

Increase Acct.: #2-50-510-8251 Highway Supplies	\$387,088
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Revenues:

Increase Acct.: #2-50-3501 Consolidated Highway Aid	\$387,088
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 92 - 13

Introduced by Supervisors Sausville, Daly, Rowland, Veitch, Wood, Wormuth, and Wright

AMENDING THE COUNTY BUDGET UNDER THE SEWER DISTRICT TO ESTABLISH A CAPITAL FUND FOR THE CONSTRUCTION OF IMPROVEMENTS TO SARATOGA COUNTY SEWER DISTRICT NO. 1’S SARATOGA LAKE SEWER SYSTEM AND THE CONSTRUCTION OF NEW FORCE MAINS ALONG ROUTES 4 AND 32 IN THE TOWN OF HALFMOON

WHEREAS, pursuant to Resolution 197-12, this Board authorized the construction of improvements to Saratoga County Sewer District No. 1’s sewer system around Saratoga Lake, and the installation of new force mains southerly along Routes 4 and 32 in the Town of Halfmoon; and

WHEREAS, by Resolution 196-12, this Board authorized the issuance of serial Bonds in the amount of \$18,500,000 to finance the construction of said improvements; and

WHEREAS, due to the magnitude of these construction projects and the expected time for completion, it is necessary to establish a capital fund for said projects; now, therefore, be it

RESOLVED, a capital fund is hereby established for the construction of improvements to Saratoga County Sewer District No. 1’s sewer system around Saratoga Lake and for the construction of an extension of the Sewer District’s sewer system southerly along Routes 4 and 32 in the Town of Halfmoon; and, be it further

RESOLVED, that the 2013 Saratoga County Budget is amended as follows:

SARATOGA COUNTY SEWER DISTRICT #1:

CONTROL ACCOUNTS:

HM 0960 Appropriations Control	\$18,500,000
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HM 0510 Estimated Revenue Control	\$18,500,000
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Appropriations:

Increase Acct. #HM-81-100-7092 Infrastructure	\$18,500,000
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Revenues:

Increase Acct. #HM-81-5730 Bond Anticipation Notes	\$18,500,000
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BUDGET IMPACT STATEMENT: This project is financed with Sewer District bond proceeds.

RESOLUTION 93 - 13

Introduced by Supervisors Sausville, Daly, Rowland, Veitch, Wood, Wormuth, and Wright

RATIFYING AN EMERGENCY CONDITION AND AUTHORIZING THE SEWER DISTRICT'S EXECUTIVE DIRECTOR TO PROCURE NECESSARY GOODS AND SERVICES TO EFFECT AN EMERGENCY REPAIR IN THE TOWN OF BALLSTON

WHEREAS, pursuant to Resolution 217-12, this Board authorized a contract with Insituform Technologies, Inc. to reline approximately 2,500 feet of interceptor sewer line owned and maintained by Saratoga County Sewer District No. 1 in the Town of Ballston, at a cost not to exceed \$713,577.50; and

WHEREAS, in the course of performing such relining work, Insituform set up bypass pumping operations from the end of the Milton Pump Station forcemain; and

WHEREAS, during said bypass pumping operations, approximately 40 feet of the end of the 35 year old foremain broke apart; and

WHEREAS, upon further inspection, it was discovered that approximately 700 feet of the forcemain had experienced severe hydrogen sulfide corrosion and was in need of immediate repair or replacement; and

WHEREAS, pursuant to General Municipal Law §103(4), the deterioration and failure of the forcemain creates a public emergency in need of immediate remedial action, and obviating any requirement to engage in the competitive bidding process to procure the necessary goods and services needed to effect the repair and/or replacement of the damaged forcemain; and

WHEREAS, the Saratoga County Sewer District Commission has determined that in the interests of the public's health and safety that the Executive Director of Saratoga County Sewer District No. 1 be authorized to procure, upon consultation with the Sewer District's Engineer, those goods and services necessary to repair and/or replace the District's damaged section of forcemain as soon as practicable and on an emergency basis pursuant to General Municipal Law §103(4); and

WHEREAS, the total costs of repairing and/or replacing the forcemain will be determined as the work progresses, but it is estimated by the Sewer District's Executive Director and the Sewer District's consulting engineer that said costs will not exceed \$500,000; and

WHEREAS, it is anticipated that the majority of the repair work will be performed by Insituform Technologies, Inc., and that it will be necessary to amend the County's contract with Insituform once final costs have been determined; now, therefore, be it

RESOLVED, that this Board of Supervisors does hereby acknowledge, confirm and ratify the determination of the Saratoga County Sewer District Commission that a public emergency exists as a result of the deterioration and/or failure of an approximately 740 foot section of Saratoga County Sewer District No. 1's forcemain in the Town of Ballston, thereby obviating any requirement to solicit formal bids for goods and services needed to repair and/or replace said forcemain, and be it further

RESOLVED, that the Sewer District's Executive Director is hereby authorized and directed to procure, upon consultation with the Sewer District consulting engineer, those goods and services necessary to repair and/or replace said damaged section of forcemain in the Town of Ballston, as soon as may be practicable, at a cost not to exceed \$500,000; and be it further

RESOLVED, that once the costs of such repair and/or replacement of the District forcemain have been determined, the Sewer District Commission shall report and recommend to this Board as to the need to authorize an amendment to the County's contract with Insituform Technologies, Inc. and the need to amend the 2013 County Budget.

BUDGET IMPACT STATEMENT: These emergency repairs will be funded by an appropriation from the Sewer District's Fund Balance.

RESOLUTION 94 - 13

Introduced by Supervisors Sausville, Daly, Rowland, Veitch, Wood, Wormuth, and Wright

AUTHORIZING AN AGREEMENT WITH ENVIRONMENTAL DESIGN PARTNERSHIP, LLP FOR ENGINEERING SERVICES RELATIVE TO PLANNED IMPROVEMENTS TO SARATOGA COUNTY SEWER DISTRICT NO.1'S MILTON PUMP STATION

WHEREAS, Saratoga County Sewer District No. 1's Milton Pump Station is in need of certain repairs and improvements, including the replacement of sewer pumps, the upgrading of the station's electrical system, and the addition of a septage receiving station; and

WHEREAS, the Saratoga County Sewer District Commission has solicited and entertained proposals for engineering services for the Sewer District's Milton Pump Station upgrade project; and

WHEREAS, the Sewer District Commission has recommended that a contract for such engineering services be awarded to Environmental Design Partnership, LLP, the lowest bidder; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Environmental Design Partnership, LLP of Clifton Park, New York for engineering services for Saratoga County Sewer District No.1's Milton Pump Station upgrade project, at a cost not to exceed \$83,350, with the form and content of said contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Grattidge said the Governor had made an appointment to the Saratoga County Clerk's position and he then introduced and welcomed Peter Martin.

Mr. Rowland said that he was participating in the 4H Walk-a-thon to be held on May 4th and asked the Board members to walk with him or sponsor him.

Chairman Grattidge announced the following appointment:

Saratoga County Water Authority
Ed Kinowski (term expires 12/31/13)

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

Respectfully submitted,

Pamela A. Hargrave, Clerk