

Agenda Session  
July 9, 2014 5:00 pm

Vice Chairman Veitch called the meeting to order.

Roll call was taken. PRESENT – Patrick Ziegler, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Preston Allen, Jean Raymond, Paul Lent, Arthur Wright, Paul Sausville, Daniel Lewza, Thomas Richardson, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Peter Martin, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 20. ABSENT - Paul Lunde, Kevin Tollisen, Preston L. Jenkins, Jr. - 3.

On a motion by Mr. Lucia, seconded by Mr. Wright the minutes of the June 11, 2014 meeting were unanimously approved.

Mr. Hellwig presented the following:

#### PERSONNEL

The creation of a temporary part-time position in the Veterans' Service Agency which will be a Recreation Leader who will assist the Peer to Peer Program Coordinator with planning and scheduling of various recreational events for the Veterans.

The appointment of Dr. Michael Preziosio, Ph.D. as Director of Community Mental Health Services.

#### ECONOMIC DEVELOPMENT

Authorization to enter into a contract with Saratoga County Prosperity Partnership, Inc. who will be the organization responsible for implementing all of the activities related to the Economic Development Strategic Plan that was developed by TIP Strategies and approved by the Board.

Urging essentially all entities that have any influence over PCB existence in the Hudson River to conduct additional testing along the river, in particular the flood plains, to complete an evaluation of the PCB's before decommissioning the current dredging and dewatering equipment along the river as well as navigational dredging.

#### EQUALIZATION & ASSESSMENT

Accept two (2) tender offers totaling \$52,295.14 on parcels in the Towns of Clifton Park and Milton.

The conveyance of a parcel sold at the March auction to the second bidder as the first bidder, the high bidder, forfeited his bid.

#### PUBLIC WORKS

Authorization of funding and the implementation of the design phase of the Fenimore Bridge in the Town of Moreau that is in accordance with Federal Guidelines.

Agreement with Washington County who will be funding half of the local share for these designs costs since a portion of the bridge is located in Washington County.

Authorization to enter into an agreement with Creighton Manning Engineering, LLP who will do the Fenimore Bridge work in an amount not to exceed \$25,000.

The implementation and funding of program costs related to the resurfacing of Spier Falls Road/County Road 24 in the Town of Moreau.

Agreement with Greenman-Pedersen, Inc. for the engineering and design services related to the Spier Falls Road work.

#### CHAIRMAN'S ITEM

Appointment of four (4) additional members to the Saratoga County Prosperity Partnership, Inc. Local Development Corporation. Those members include Supervisor Veitch, Supervisor Kinowski, Rita Cox who is Sr. Vice President of Marketing and External Affairs for the Saratoga Casino & Raceway, and Kevin Hedley who was recommended by the Saratoga County Chamber of Commerce who is an accountant and owns a firm in Clifton Park, Hedley & Company.

#### LAW & FINANCE

Amendment to the contract with Delaware Engineering, P.C. to conduct additional inspection services related to a capital project that is underway at the Sewer District.

Authorization for a contract with J. Squared Construction Corp. who was the low bidder for capital improvements that are going to occur at the Saratoga County Sewer District's Milton pump station. Essentially all the infrastructure is in need of replacement. That bid amount of \$1,738,000 is available within this year's budget.

Authorization for a lot line adjustment that is necessary at the Water Treatment Facility in the Town of Moreau as part of a larger Capital Improvement Project that has been approved by the Water Authority to be completed during the current construction season.

Amendment to the Policy & Procedures Manual to place the changes that occurred last month to the Purchasing Policy in terms of best value awards. This will provide guidance to the Department in terms of how those purchases are supposed to be handled.

On a motion by Mr. Richardson, seconded by Mr. Peck the agenda was unanimously set for the July 15, 2014 Board Meeting.

#### PRESENTATION

Caitlyn Anderson gave an overview of the Capital / Mohawk Partnership for Regional Invasive Species Management (PRISM) program. Ms. Anderson is a Cornell student that is doing a research project on the impacts of invasive weed species on agricultural production lands including pastures, and field crops. She provided a packet of educational information regarding invasive species and the work the PRISM is doing.

Mr. Grattidge reminded everyone that the Horse Farm Tour is scheduled for Saturday, July 12<sup>th</sup>. There are 8 farms scheduled for the tour and the Board of Supervisors is the sponsor of this event. He thanked the farms for participating by opening their doors for this open house. He asked his colleagues to spread the word.

Mr. Peck thanked everyone for their well wishes and prayers for his son who is home and doing well. He said his son will make a full recovery.

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

Respectfully Submitted,

Pamela Wright, Clerk

REGULAR MEETING  
TUESDAY, JULY 15, 2014  
AT 4:00 P.M., E.S.T.

Chairman Sausville called the meeting to order.

Roll call was taken. PRESENT –Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Preston Allen, Jean Raymond, Paul Lent, Paul Lunde, Arthur M. Wright, Kevin Tollisen, Paul Sausville, Thomas Richardson, Daniel Lewza, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Peter Martin, Edward D. Kinowski, John Lawler – 20. ABSENT – Patrick Ziegler, Preston L. Jenkins, Jr., Arthur J. Johnson - 3.

The invocation was given by Thomas N. Wood, III, Chaplain.

On a motion by Mr. Richardson, seconded by Mr. Wood the minutes of the June 17, 2014 meeting were unanimously approved.

PRESENTATION:

Chairman's Initiative - Character First Program. Chairman Sausville invited Mr. Peck and Mr. Lunde to the podium. Mr. Peck introduced Molly Alger a home schooled student. She read her essay which was about the character trait diligence. Mr. Sausville thanked Ms. Alger for her participation and gave her a certificate of appreciation.

The Clerk presented the following:

Correspondence from the NYS Department of Labor notifying the County of approval of grant funds.

Received and filed.

Correspondence from the NYS Division of Homeland Security notifying the County of a grant award.

Received and filed.

On a motion by Mr. Barrett, seconded by Mr. Grattidge Resolution No's 145 thru 160 with the exception of Resolution No. 148 were adopted by a unanimous vote. Mr. Tollisen abstained from voting on Resolution No. 145.

RESOLUTION 145 - 2014

Introduced by Chairman Sausville

APPOINTING DIRECTORS OF THE SARATOGA COUNTY PROSPERITY PARTNERSHIP, INC. LOCAL DEVELOPMENT CORPORATION

WHEREAS, pursuant to Resolution 106-14, this Board of Supervisors authorized the formation of the Saratoga County Prosperity Partnership, Inc., an economic development local development corporation in accordance with Not-For-Profit Corporation Law §1411; and

WHEREAS, the Certificate of Incorporation of the Saratoga County Prosperity Partnership, Inc. Local Development was duly executed by the Chair of this Board, and filed in the New York State Department of State on May 29, 2014; and

WHEREAS, pursuant to the provisions of the Corporation's Certificate of Incorporation, the Directors of the Corporation are appointed by this Board of Supervisors; now, therefore, be it

RESOLVED, that the following persons are appointed Directors of the Saratoga County Prosperity Partnership, Inc. for the stated term:

NAME AND ADDRESS:  
Matthew Veitch  
2 Casino Drive  
Saratoga Springs, NY 12866

TERM EXPIRES:  
December 31, 2015

Edward D. Kinowski December 31, 2015  
640 Route 9P  
Saratoga Springs, NY 12866

Rita Cox December 31, 2015  
17 Leonardo Drive  
Clifton Park, NY 12065

Kevin Hedley December 31, 2015  
10 Hills Road  
Ballston Lake, NY 12019

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 146 - 2014

Introduced by Supervisors Daly, Barrett, Grattidge, Johnson, Lawler, Lucia and Wright

#### AMENDING THE 2014 COMPENSATION SCHEDULE UNDER MENTAL HEALTH CLINIC (VETERANS PEER TO PEER)

WHEREAS, the Director of the County Veterans Service Agency has requested the creation of a temporary part-time position of Recreation Leader in the Veterans Service Agency for up to seven weeks at a cost of \$14 per hour to provide staffing to assist the Peer to Peer Program Coordinator with planning, scheduling, and coordinating recreational activities for the Program's mentors and veterans participating in the Program and for other veterans interested in the outings and events; and

WHEREAS, State funding through the Peer to Peer Program is available to pay for the costs of the Recreation Leader position; and

WHEREAS, our Personnel Committee and the Director of Personnel have recommended that the 2014 Saratoga County Compensation Schedule be amended to create one temporary position of Recreation Leader, part-time, in the Veterans Service Agency, beginning on July 18, 2014 and ending on September 5, 2014; now, therefore, be it

RESOLVED, that the 2014 Saratoga County Compensation Schedule is amended as follows:

#### UNDER MENTAL HEALTH CLINIC (VETERANS PEER TO PEER)

Create (1) Recreation Leader, PT, from (7/18/14 – 9/5/14)

BUDGET IMPACT STATEMENT: None. The cost of this position will be covered by Peer to Peer Program State aid.

#### RESOLUTION 147 - 2014

Introduced by Supervisors Daly, Barrett, Grattidge, Johnson, Lawler, Lucia and Wright

#### APPOINTING MICHAEL S. PREZIOSO, Ph.D. AS DIRECTOR OF COMMUNITY MENTAL HEALTH SERVICES

WHEREAS, by reason of the retirement of Hans H. Lehr a vacancy has been created in the position of Director of Community Mental Health Services; and

WHEREAS, this Board of Supervisors is authorized to appoint the Director of Community Mental Health Services pursuant to Mental Hygiene Law §41.09; now, therefore, be it

RESOLVED, that Michael S. Prezioso, Ph.D., of the Town of Ballston, New York, be and he hereby is appointed to the position of Director of Community Mental Health Services at Salary Grade No. 21, STEP 1; and be it further

RESOLVED, that this Resolution shall take effect September 12, 2014.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Martin said the County has made a good start at addressing the County's economic needs. The Plan that was adopted earlier this year is a good plan as well as the decision to create the SCPP. He said this path has been one of transparency. Last year this Board adopted a budget for this endeavor of \$500,000. After a good start however we must now consider a resolution that is not in the best interest of our citizens. It is flawed both in terms of procedure and future precedence. We are being asked to authorize a contract for the payment of the entire budgeted unspent amount of over \$440,000 to a brand new entity. We have not seen this contract. This is a brand new entity with no staff and no plan of work. It has a board of directors consisting of 14 distinguished individuals who owe a duty of loyalty to SCPP Inc. These factors, the size of the funds devoted, over \$440,000, which can now be spent in a period of 5 months, the unfinished nature of the contract makes this resolution unusual. All we have to consider for these funds is nine skeletal provisions which may be incorporated into a service agreement with this brand new entity. We do not have enough information yet to prudently authorize the release of this amount of money. The fact that any funds not spent by SCPP, Inc. in their discretion will be returned to the County does not give me comfort. Mr. Martin asked that the resolution be tabled until the Board has a chance to review the service agreement or that a smaller amount be authorized at this time.

Mr. Wright said this Partnership has been discussed at the Economic Development level quite extensively, at the Law and Finance level quite extensively and there is no other entity that this County contracts with that will be under as much scrutiny as this new entity that we put together. It does have five (5) Supervisors on this Board and I think that we as a Board can trust these Supervisors to do what is in the best interest of this County. I think is a needed thing at this time. This Partnership will be securitized by this Board, by the ABO, they have monthly public meetings and there is nothing they can hide as every penny spent will be provided to anyone who wants that information. At this point I feel that we should move on with this, move on with this Partnership and start getting some bang for our buck out of this.

Mr. Kinowski said he accepts some of the comments made by Mr. Martin. However in the face of something he did say; it's new. We have distinguished members on the Board who are well known and sat on many Board's throughout this County. To restrain this group in the early stages of its development would be detrimental to the organization. This was a journey that was started in 2010 and the County has a track record of moving forward and look where we are today. That journey consisted of encouraging educators to come to the County, interviews were conducted with organizations, inadequacies were found, duplicate practices were found and he believes this Partnership will be cohesive in bringing this all together. There have been countless open meetings. He believes this Partnership is a brand new development that will move this County forward in the direction we need to go in. The IDA's & LDC's the County has created have been outstanding. Maplewood Manor LDC is one of them. He thanked the Board for the opportunity to be placed on some of these boards and he is proud to be on this Board.

Mr. Richardson said this has been on tract for the last four (4) years or so and have taken many ideas and thoughts from many people around this County. He believes the Board has moved forward in the right way, making sure that we have touched every base. It is time to move forward and this is a big step. It is a very important step. The group we have on this Board is an outstanding group and it is time to take that step forward.

Mr. Vetch said he echoes the comments of his fellow supervisors on this. He looks at it from more of a practical stand point. We are new, that is certainly out there. The process we have gone through over the past years, developing the Plan and creating the LDC is a long one and a good one for the County. The Plan sets out certain things for us to do in terms of staffing, making contacts and the nuts and bolts the LDC has to do. Every year the County has put money in the budget for Economic Development. In the past we have done exactly the same thing we are doing today which is to make a contract with an organization outside the County to use that money for purchases that it is spelled out for which is economic development in Saratoga County. We are doing exactly what we should be doing and look forward to a success future for the County in terms of Economic Development.

Mr. Peck said the accountability that he sees this Board will have is probably the most accountability of any organization that the Board funds. Not only will we have five (5) supervisors currently sitting on the Board, but the oversight will be the financial reports that have to be submitted, so he has great faith in the structure, the goals and in the oversight and accountability the Board will have. The Board has been funding economic development for years in Saratoga County but really have had little control. We could help guide, shift but we didn't have the amount of accountability we really should have when we hand over funds. Today, funding to the SCPP will be going for great support for this County.

Ms. Daly said she too appreciates all of the comments of her colleagues here today. But, she is a little concerned when she hears hesitation because this is a new entity. She reflected back on the times when we did previously have to step out of our comfort zone in an attempt to do something new. And what was done new in the past was create the Saratoga County Water Authority and the result of that was GlobalFoudries. We moved forward and created an LDC for

Maplewood Manor and we saved the taxpayers millions of dollars on that entity. We moved forward with the LDC and had the support of her colleagues when the Capital Resource Corporation was created and have done tremendous projects for the County with Saratoga Hospital and Skidmore College. All three of those are new and have proven to be very positive. It is because we unite; we don't do things on a whim; we've done our homework. Right now we are in the "fourth turn" of the project and to "pull back the reins" now and not allow this to go forward will be detrimental and irresponsible.

Mr. Collyer said he appreciates Mr. Martin bringing this forward to the full Board and those who are in attendance at the meeting. He does agree with Mr. Martin and he does agree with Mr. Kinowski but most of all he agrees with Mr. Peck in reference to accountability and transparency and he also feels/wishes this will definitely move forward and as a supervisor there is a responsibility to monitor this new corporation and wishes the SCPP the very best.

Mr. Grattidge said he supports moving forward with this resolution. He believes the new Partnership project is moving the County to the next level. We have come a long way in our economic development and this is a new era to move into and we have a great strategic plan to follow. He believes it is time to make this step to move forward.

Mr. Lawler said he could not disagree more strongly with Mr. Martin's comments. I would ask my fellow supervisors to review the wording of the resolution itself. The resolution very clearly says that payments shall be made to the Saratoga County Prosperity Partnership disbursement officer at such times as determined by the County Administrator and only after a contract consistent and approved by the County Attorney have been executed. He would remind his fellow supervisors, particularly Mr. Martin, that it is the practice of this Board to give the County Attorney the authority when preparing contracts. It is not this Board's practice to receive individual copies of contracts, look through them and vote on them. Mr. Lawler is a bit confused as to why that seems to be a requirement today. Nowhere in the resolution does it require that the entire amount be transferred to the Partnership. The resolution says that requests will be made to the County Administrator. So the presumption that all of the money will be transferred is not even included. There is a potential expense of \$446,000 and that has already been appropriated in the budget meaning that there is no budget impact in 2014. He thinks we have to have trust in the offices of the County Attorney and the County Administrator to execute their duties in a way that is in the best interest of the taxpayers of Saratoga County. He is struck and disappointed by the comments about the fiduciary intent of the members of the SCPP. There is a group of 14 individuals of which 5 are members of this Board who understand their fiduciary duty to the Partnership. He said he is comfortable and trust the directors of the many organizations that the county contracts with and grants funding to. All Partnership expenses will be a matter of public record. This Partnership is regulated by the NYS Authorities Budget Office. And the Partnership must file all required reports on partnership activities including budget and financial statements. All meetings will be a matter of record. All meetings will be held in public. In addition there are five (5) of Mr. Martin's fellow Supervisors on the Prosperity Partnership Board who will provide additional oversight on a nearly day to day basis on Partnership activities. Also please know the County is the sole stockholder of the Saratoga County Prosperity Partnership. As the sole stockholder the County can abolish this partnership by a vote of this Board. The County has absolute control of this organization. The contract will require the Partnership to return any unused funds by the end of the year. A standard of performance that is not applied to any other third party that receives funding from Saratoga County. The Prosperity Partnership is the most accountable, regulated and transparent third party organization that has ever received funding from Saratoga County. This is a startup organization and will have unique startup expenses.

On a motion by Mr. Wright, seconded by Tollisen Resolution No. 148 was adopted by the following vote:

AYES (165,637): Alan Grattidge (4,133), Philip C. Barrett (18,352.5), Anita Daly (18,352.5), Richard Lucia (6,531), Preston Allen (856), Jean Raymond (1,214), Paul Lent (3,545), Paul Lunde (7,775), Arthur M. Wright (2,048), Kevin Tollisen (21,535), Paul Sausville (14,765), Thomas Richardson (5,196), Daniel Lewza (18,575), Willard H. Peck (5,087), John Collyer (1,995), Thomas N. Wood III (5,674), Matthew E. Veitch (13,293), Edward D. Kinowski (8,287), John Lawler (8,423). NOS (53,970) – Patrick Ziegler (9,776), Preston L. Jenkins, Jr. (14,728), Peter Martin (13,293), Arthur J. Johnson (16,173).

RESOLUTION 148 - 2014

Introduced by Supervisors Lawler, Daly, Grattidge, Johnson, Kinowski, Lewza and Richardson

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH SARATOGA COUNTY PROSPERITY PARTNERSHIP, INC. TO PROMOTE, PROVIDE AND OVERSEE ALL ECONOMIC

## DEVELOPMENT ACTIVITIES IDENTIFIED IN THE ADOPTED SARATOGA COUNTY ECONOMIC DEVELOPMENT STRATEGIC PLAN

WHEREAS, pursuant to Resolution 65-2014, this Board of Supervisors adopted the Saratoga County Economic Development Strategic Plan to guide economic development efforts throughout Saratoga County over the next ten years; and

WHEREAS, in accordance with the recommendations made in the Saratoga County Economic Development Strategic Plan, this Board determined pursuant to Resolution 86-2014 to form a local development corporation under which economic development entities in Saratoga County would be united in a true economic development partnership; and

WHEREAS, pursuant to Resolution 106-2014, this Board authorized the formation of the Saratoga County Prosperity Partnership, Inc. local development corporation, and approved the corporation's Certificate of Incorporation pursuant to Not-For-Profit Corporation Law §1411 (the "LDC Act");

WHEREAS, a Certificate of Incorporation establishing the Saratoga County Prosperity Partnership, Inc. was filed with the New York Secretary of State on May 29, 2014; and

WHEREAS, the Saratoga County Prosperity Partnership, Inc. has been organized for purposes of developing and promoting industry and economic development in the Saratoga County region, including: marketing the County to prospective new businesses; promoting a support system of economic development resources to businesses in the County; assisting new and existing firms to access economic development financing programs; serving as the economic development arm for the County; and to promote, provide and oversee all economic development activities identified in the Saratoga County Economic Development Strategic Plan; and

WHEREAS, the 2014 Saratoga County Budget includes a balance of \$446,400 appropriated for economic development purposes; and

WHEREAS, County Law §224 authorizes counties to enter into contracts with not-for-profit organizations and other corporations for various enumerated county purposes, including publicizing the advantages of a county or region; and

WHEREAS, our Economic Development Committee has recommended that the County enter into an agreement pursuant to County Law §224 with Saratoga County Prosperity Partnership, Inc. to promote, provide and oversee economic development activities in Saratoga County in accordance with the Saratoga County Economic Development Strategic Plan and the purposes and powers set forth in the LDC Act, at a cost of \$446,400, and for the term August 1, 2014 through December 31, 2014; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized and directed to execute an agreement with Saratoga County Prosperity Partnership, Inc. pursuant to County Law §224 for the promotion, provision and oversight of economic development activities in Saratoga County in accordance with the Saratoga County Economic Development Strategic Plan and the purposes and powers set forth in Not-For-Profit Corporation Law §1411 (the "LDC Act"), at a cost of \$446,400, and for the term August 1, 2014 through December 31, 2014, with the form and content of such agreement being subject to the approval of the County Attorney; and, be it further

RESOLVED, that in accordance with the requirements set forth in County Law §224, such agreement shall include the following provisions:

- a) payments shall be made to Saratoga County Prosperity Partnership, Inc.'s disbursing officer at such times as determined by the County Administrator in consultation with the Chairman of the Board of Directors of Saratoga County Prosperity Partnership, Inc.;
- b) payments shall only be made upon the submission of a duly certified and documented County voucher; and
- c) Saratoga County Prosperity Partnership, Inc. shall refund any unused portion of its appropriation.

**BUDGET IMPACT STATEMENT:** The costs associated with this contract will be covered by the \$446,400 currently available in the 2014 budget for economic development services provided by the Saratoga County Prosperity Partnership.

RESOLUTION 149 - 2014

Introduced by Supervisors Lawler, Daly, Grattidge, Johnson, Kinowski, Lewza and Richardson

URGING THE ENVIRONMENTAL PROTECTION AGENCY, GENERAL ELECTRIC COMPANY, THE STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, THE STATE ATTORNEY GENERAL'S OFFICE AND THE US DEPARTMENT OF THE INTERIOR TO UNDERTAKE A COMPREHENSIVE EVALUATION OF THE FLOOD PLAINS AND BACKWATER AREAS ALONG THE UPPER HUDSON RIVER FOR PCB

## CONTAMINATION AND TO CONDUCT NAVIGATIONAL DREDGING OF THE OLD CHAMPLAIN CANAL AND BARGE CANAL SYSTEM

WHEREAS, in February 2002, the United States Environmental Protection Agency (EPA) issued a Record of Decision for the Hudson River PCBs Superfund Site that called for the targeted environmental dredging of approximately 2.65 million cubic yards of polychlorinated biphenyls (PCBs) – contaminated sediment from a 40 mile section of the Upper Hudson River from Fort Edward to Troy, New York; and

WHEREAS, in accordance with a legal agreement entered into between the EPA and the General Electric Company (GE) in November 2006, GE conducted Phase 1 of the dredging project from May through November 2009 over a six mile stretch of the Upper Hudson River near Hudson Falls, and removed approximately 283,000 cubic yards of PCB-contaminated sediment; and

WHEREAS, Phase 2 of the dredging project was commenced by GE in June 2011, and targets the removal of 2.4 million cubic yards of PCB-contaminated sediment from the Upper Hudson River by the completion of said Phase in November 2015; and

WHEREAS, the EPA's 2002 Record of Decision calls for the evaluation of the floodplains along the Upper Hudson River to determine the risk of the possible exposure of residents and ecological receptors to PCBs in the low-lying shoreline areas of the River; and

WHEREAS, the EPA and GE have conducted, and will continue to conduct, soil sampling along the floodplains of the Hudson as part of a comprehensive Remedial Investigation/Feasibility Study planned for the future that will include an evaluation of human and ecological risks and potential long-term clean-up solutions; and

WHEREAS, the watered section of the Old Champlain Canal between Lock 5 and Fish Creek contains PCB contaminated sediment, and is the principal drainage channel for all stormwater draining from the Villages of Schuylerville and Victory; and

WHEREAS, several recent storms have caused the Canal's channel to fill to overflowing and serious bank erosion has begun in the overflow areas; and

WHEREAS, in the event overflows were to breach the Canal's dyke, disastrous flows of PCB-laden silt would flood the newly installed well fields that supply potable water to the Schuylerville/Victory municipal water system, as well as newly revamped Sanitary Sewer Treatment Plant servicing the Villages, and the recreation fields of Fort Hardy Park that are heavily used by the Schuylerville school system, local sports organizations and the public at large; and

WHEREAS, the Town of Saratoga, the Village of Schuylerville and the Village of Victory are prohibited from removing PCB-contaminated silt from the Old Champlain Canal bed due to their inability to dispose of the contaminated material; and

WHEREAS, at Hudson Crossing Park, north of the Village of Schuylerville, PCBs detected in the soil along the riverbanks forced the closing of the new kayak launch and the posting of signs warning against the digging or disturbing of the soil, thereby impairing the \$5,000,000 in public dollar and local investment used to develop the Park; and

WHEREAS, the presence of PCB-laden sediment along the banks of the Upper Hudson River will prohibitively escalate the costs of future development projects along the waterfront, if not eliminate their potential altogether; and

WHEREAS, it is essential that navigational dredging of the Old Champlain Canal, including the Greenwich Barge Terminal, be conducted to remove PCB-contaminated sediment from the Canal, and to bring the barge canal to the 12 ft. depth mandated by the New York State Constitution, before the Dewatering Facility supporting the environmental dredging project in Hudson Falls is shut down next year; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby urges the Environmental Protection Agency, General Electric Company, the New York State Department of Environmental Conservation, the New York State Attorney General's Office and the United States Department of the Interior to undertake a comprehensive and timely evaluation of the flood plains and backwater areas of the Upper Hudson River, including the Old Champlain Canal in the Villages of Schuylerville and Victory, and to take appropriate remedial action to eliminate the exposure of County residents and individuals to PCB-contaminated sediment; and, be it further

RESOLVED, that this Board of Supervisors further urges the Environmental Protection Agency, General Electric, the New York State Department of Environmental Conservation, State Attorney General's Office and United States Department of the Interior to conduct and complete navigational dredging of the Old Champlain Canal and the barge canal system to remove PCB-contaminated sediment, and to bring the barge canal system to the 12 ft. depth mandated by the New York State Constitution before the Dewatering Facility in Hudson Falls is shut down; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward certified copies of this resolution to the Administrator of the Environmental Protection Agency, the General Electric Company, the Commissioner of the New York State Department of Environmental Conservation, the New York State Attorney General, the Secretary of the United States Department of the Interior, State Senator Kathleen Marchione, Congressman Bill Owens, the Village Clerk of the Village of Schuylerville, and the Village Clerk of the Village of Victory, and the Town Clerk of the Town of Saratoga.



BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 150 - 2014

Introduced by Supervisors Collyer, Jenkins, Lent, Lunde, Richardson, Wood and Ziegler

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>
Lawrence J. Ruggles Patricia Ruggles 23 James Avenue PO Box 371 Round Lake, NY 12151	2011, 2012 2013 & 2014	Clifton Park	259.-2-80	\$25,171.38
Bott, Inc. 33 School Street P.O. Box 888 Broadalbin, NY 12025	2011, 2012 2013 & 2014	Milton	188.15-1-11	\$27,123.76

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

RESOLUTION 151 - 2014

Introduced by Supervisors Collyer, Jenkins, Lent, Lunde, Richardson, Wood and Ziegler

APPROVING 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 18, 2014, at auction sale, certain parcels of land in several Towns within the County, which parcels are more particularly described below; and

WHEREAS, pursuant to Resolution 87-2014, this Board authorized conveyance of certain lands to the highest bidders of said auction; and

WHEREAS, the highest bidder on the parcel listed below failed to complete the purchase of parcel within the time allotted by the rules promulgated by the Board; and

WHEREAS, the underbidder at the auction sale desires to purchase said parcel of land; and

WHEREAS, our Equalization and Assessment Committee finds that the return of this property 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, due to the failure of the first bidder on the parcel listed below to complete his purchase, pursuant to County auction rules, the approval for the conveyance of the following parcel pursuant to Resolution 87-2014 is revoked, and it is further

RESOLVED, that the proposed conveyance of the following County lands to the underbidder at the auction of March 18, 2014 is approved; and, be it further

RESOLVED, that the Chair of the Board or, if appropriate, the Commissioner of Social Services, convey the following lands to the following party, or his designee, upon his payment of the indicated amount and certain administrative fees to the County Treasurer:

<u>UNDER BIDDER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>FORMER OWNER</u>	<u>AMOUNT</u>
Robert Van Liew 26 Stony Point Road Ballston Spa, NY 12020	Waterford V/Waterford	291.79-2-14	William Harris	\$23,000.00

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 152 - 2014

Introduced by Supervisors Raymond, Allen, Lent, Lewza, Peck, Richardson and Tollisen

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR

WHEREAS, a Project CR 27 (Bluebird Road.) over Hudson River, BIN 3368290, Town of Moreau, Saratoga County P.I.N. 1759.72 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design work for the Project;

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

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

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes to pay in the first instance 100% of the federal and non-federal share of the costs of Design for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$25,000.00 hereby appropriated from the County's Highway Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceed the amount appropriated above, the Saratoga County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairman of the Saratoga County Board of Supervisors and/or the Saratoga County Commissioner of Public Works be and are hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

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

RESOLVED, this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The local share for this project will be split with Washington County and will require a \$2,500 appropriation from the General Fund contingency account.

RESOLUTION 153 - 2014

Introduced by Supervisors Raymond, Allen, Lent, Lewza, Peck, Richardson and Tollisen

AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH WASHINGTON COUNTY FOR COSTS ASSOCIATED WITH THE PAINTING OF CR 27 (BLUEBIRD ROAD) OVER THE HUDSON RIVER (A.K.A FENIMORE BRIDGE)

WHEREAS, the Fenimore Bridge (County Road 27) over the Hudson River connects the Town of Moreau in Saratoga County with the Village of Hudson Falls in Washington County; and

WHEREAS, the Fenimore Bridge is jointly owned and maintained by the County of Saratoga and the County of Washington; and

WHEREAS, pursuant to Highway Law §131-e, the Counties of Saratoga and Washington are jointly responsible for the care, maintenance and repair of the Fenimore Bridge; and

WHEREAS, the Fenimore Bridge is in need of painting; and

WHEREAS, the County of Washington has agreed to pay for half of the local share of the costs of preliminary and final design services for the painting of the Fenimore Bridge, not to exceed \$2,500, for this federal and state-aided project; and

WHEREAS, it is appropriate that the County of Saratoga enter into an intermunicipal agreement with the County of Washington to effect the necessary painting of the Fenimore Bridge and to share equally the costs of said preliminary and final design services for said painting; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Intermunicipal Agreement with the County of Washington to effect the necessary painting of the Fenimore Bridge and to share equally the costs of preliminary and final design services for said painting, with Saratoga County's share not to exceed \$2,500; and the form and content of said Agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: This agreement will reduce the local share for Saratoga County by 50%.

RESOLUTION 154 - 2014

Introduced by Supervisors Raymond, Allen, Lent, Lewza, Peck, Richardson and Tollisen

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CREIGHTON MANNING ENGINEERING, LLP FOR PRELIMINARY AND FINAL DESIGN SERVICES FOR THE PAINTING OF THE CR27 FENIMORE BRIDGE IN THE TOWN OF MOREAU AND AMENDING THE 2014 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 152 - 2014, this Board approved the proposed project to paint the CR27 Fenimore Bridge over the Hudson River in the Town of Moreau; and

WHEREAS, the County may contract with any of the consultants designated by the New York State Department of Transportation (NYSDOT) to provide services for locally administered federal and/or state-aided municipal highway, bridge, and related projects that require architectural/engineering/surveying services in NYSDOT Region 1; and

WHEREAS, the Saratoga County Department of Public works has evaluated and ranked all firms on NYSDOT's Region 1 Local Design Service Agreement List, and has selected Creighton Manning Engineering, LLP to provide preliminary and final design work for the painting of the Fenimore Bridge; and

WHEREAS, our Public Works Committee and the Commissioner of the County Department of Public Works have recommended that a contract for the preliminary and final design work for the painting of the Fenimore Bridge be awarded to Creighton Manning Engineering, LLP; and

WHEREAS, an amendment to the 2014 County Budget is necessary to make funding available for this contract; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Creighton Manning Engineering, LLP of Albany, New York, for preliminary and final design services for the painting of the CR 27 Fenimore Bridge in the Town of Moreau, at a cost not to exceed \$25,000, with the form and content of such agreement being subject to the approval of the County Attorney; and, be it further

RESOLVED, that the 2014 Saratoga County Budget is amended as follows:

GENERAL FUND:

Appropriations:

Decrease #1-14-999-9000 Unallocated Amount	\$2,500
Increase #1-90-920-9902 Transfer to Hwy Fund	\$2,500

HIGHWAY FUND:

Appropriations:

Increase #2-50-510-8130 Architects/Engineers	\$25,000
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Revenues:

Increase #2-50-2770 Unclassified Revenues	\$2,500
Increase #2-50-5031 Transfer from General Fund	\$2,500
Increase #2-50-4590 Marchiselli Federal Aid	\$20,000

BUDGET IMPACT STATEMENT: Saratoga County's \$2,500 portion of the local share for this project will reduce the balance in the General Fund contingency account to \$334,493.

## RESOLUTION 155 - 2014

Introduced by Supervisors Raymond, Allen, Lent, Lewza, Peck, Richardson and Tollisen

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR**

WHEREAS, a Project CR 24 (Spier Falls Road) from Potter Road to U.S. 9, Town of Moreau, Saratoga County P.I.N. 1759.73 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design work for the Project;

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

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

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$57,757.00 is hereby appropriated from the County's Highway fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Saratoga County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Chairman of the Saratoga County Board of Supervisors and/or the Saratoga County Commissioner of Public Works be and are hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

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

RESOLVED, this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The 5% County share for this project will require a \$2,888 appropriation from the General Fund contingency account.

## RESOLUTION 156 - 2014

Introduced by Supervisors Raymond, Allen, Lent, Lewza, Peck, Richardson and Tollisen

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH GREENMAN-PEDERSEN, INC. FOR PRELIMINARY AND FINAL DESIGN SERVICES FOR THE PRESERVATION OF COUNTY ROAD 24 AND AMENDING THE 2014 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, pursuant to Resolution 155 - 2014, this Board approved the proposed project to preserve and resurface County Road 24 from Potter Road to U.S. Route 9; and

WHEREAS, the County may contract with any of the consultants designated by the New York State Department of Transportation (NYSDOT) to provide services for locally administered federal and/or state-aided municipal highway, bridge, and related projects that require architectural/engineering/surveying services in NYSDOT Region 1; and

WHEREAS, the Saratoga County Department of Public Works has evaluated and ranked all firms on NYSDOT's Region 1 Local Design Services Agreement List, and has selected Greenman-Pedersen, Inc. to provide preliminary and final design services for the preservation and resurfacing of County Road 24; and

WHEREAS, our Public Works Committee and the Commissioner of the County Department of Public Works have recommended that a contract for the preliminary and final design work for the preservation and resurfacing of County Road 24 be awarded to Greenman-Pedersen, Inc.; and

WHEREAS, an amendment to the 2014 County Budget is necessary to make funding available for this contract; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Greenman-Pedersen, Inc. of Albany, New York, for preliminary and final design services for the preservation and resurfacing of County Road 24 from Potter Road to U.S. Route 9, at a cost not to exceed \$55,757; with the form and content of such agreement being subject to the approval of the County Attorney; and, be it further

RESOLVED, that the 2014 Saratoga County Budget is amended as follows:

GENERAL FUND

Appropriations:

Decrease #1-14-999-9000 Unallocated Amount	\$2,888
Increase #1-90-920-9902 Transfer to Hwy Fund	\$2,888

HIGHWAY FUND:

Appropriations:

Increase #2-50-510-8130 Architects/Engineers	\$57,757
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Revenues:

Increase #2-50-5031 Transfer from General Fund	\$2,888
Increase #2-50-3590 Marchiselli State Aid	\$8,664
Increase #2-50-4590 Marchiselli Federal Aid	\$46,205

BUDGET IMPACT STATEMENT: Saratoga County's \$2,888 share of the project cost will reduce the balance in the General Fund contingency account to \$331,605.

RESOLUTION 157 - 2014

Introduced by Supervisors Veitch, Collyer, Daly, Grattidge, Kinowski, Lewza and Wright

**AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH DELAWARE ENGINEERING, P.C., FOR THE REHABILITATION OF THE SEWER DISTRICT'S SLUDGE INCINERATOR TO PROVIDE FOR ADDITIONAL CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES**

WHEREAS, Resolution 73-11 authorized a contract with Delaware Engineering, P.C. for engineering services relative to the rehabilitation of the sludge incinerator at Saratoga County Sewer District No. 1's Wastewater Treatment Plant at a cost not to exceed \$164,500; and

WHEREAS, subsequent inspections and testing of the sludge incinerator determined that the incinerator's heat exchanger needed to be replaced and that the shell of the incinerator had deteriorated to the point where it was in need of substantial repairs; and

WHEREAS, pursuant to Resolution 175-11, this Board authorized an amendment to the contract with Delaware Engineering, P.C. to provide design, contract administration and inspection services for the replacement of the heat exchanger to the sludge incinerator, and for structural repairs to the incinerator's shell, at a cost not to exceed \$112,000 for said services, and increased the overall contract to an amount not to exceed \$290,875, which amount was inclusive of a previous Change Order in the amount of \$14,375 for services to obtain compliance with a recent EPA/NYSDEC mandate on air emissions; and

WHEREAS, one of the sludge thickeners which thicken sludge in preparation for incineration in the sludge incinerator broke down in late 2012; and

WHEREAS, due to the marginal conditions of the sludge thickeners at the Sewer District's Wastewater Treatment Plant and the long lead time associated with their replacement, this Board authorized a second amendment to the contract with Delaware Engineering, P.C., pursuant to Resolution 49-13, to provide additional design services for the replacement of the sludge thickeners at a cost not to exceed \$83,600, thereby increasing the contract to an amount not to exceed \$374,475; and

WHEREAS, due to additional equipment replacements during construction that were unanticipated, which equipment included sludge transfer pumps, chemical feed systems and sludge conveyors, and a longer than originally estimated construction schedule, Delaware Engineering, P.C. has requested an amendment to its contract for the provision of an additional 250 hours of inspection time and construction administration services at a cost of \$21,250; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have determined that Delaware Engineering, P.C.'s request is warranted, and have recommended to this Board that the contract with Delaware Engineering, P.C. be amended to increase the contract amount by \$21,250 to cover an additional 250 hours of inspection time and construction administration services; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute an amendment to the contract with Delaware Engineering, P.C. of 28 Madison Avenue Extension, Albany, New York, for the provision of an additional 250 hours of construction inspection time and construction administration services in connection with the rehabilitation of the sludge incinerator and related components at Saratoga County Sewer District No. 1's Wastewater Treatment Plant, at a cost not to exceed \$21,250, and increasing the contract to a total amount not to exceed \$395,725; with the form and content of such amendment being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: This additional cost can be covered by savings in other capital projects.

#### RESOLUTION 158 - 2014

Introduced by Supervisors Veitch, Collyer, Daly, Grattidge, Kinowski, Lewza and Wright

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH J. SQUARED CONSTRUCTION CORP. FOR GENERAL CONSTRUCTION SERVICES FOR UPGRADES TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S MILTON PUMP STATION**

WHEREAS, the 2014 Capital Budget approved by this Board for Saratoga County Sewer District No. 1 includes planned upgrades to the Sewer District's Milton Pump Station; and

WHEREAS, these planned upgrades include replacing existing aging infrastructure and installing new septage receiving equipment; and

WHEREAS, the Saratoga County Sewer District Commission solicited and received competitive bids for general construction services for the foregoing Milton Pump Station upgrades; and

WHEREAS, the Sewer District Commission and the Sewer District's Executive Director have recommended that a contract for the general construction services for the Sewer District's Milton Pump Station upgrades be awarded to J. Squared Construction Corp. of Voorheesville, New York, the lowest bidder on the contract; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with J. Squared Construction Corp. of Voorheesville, New York, for general construction services for planned upgrades to the Saratoga County Sewer District No. 1 Milton Pump Station included in the Sewer District's 2014 Capital Budget, at a cost not to exceed \$1,738,000, with the form and content of such agreement being subject to the approval of the County Attorney

BUDGET IMPACT STATEMENT: No budget impact. Funding is available within the 2014 adopted budget for the District.

#### RESOLUTION 159 - 2014

Introduced by Supervisors Veitch, Collyer, Daly, Grattidge, Kinowski, Lewza and Wright

**AUTHORIZING THE CHAIR TO EXECUTE A RELEASE TO THE SARATOGA COUNTY WATER AUTHORITY RELATIVE TO THE AUTHORITY'S UNINTENTIONAL ENTRY UPON COUNTY REFORESTED LAND, AND AUTHORIZING THE TAKING OF APPROPRIATE ACTION TO OBTAIN A LOT LINE ADJUSTMENT RELATIVE TO LANDS OF THE COUNTY AND THE WATER AUTHORITY**

WHEREAS, pursuant to Chapter 439 of 2006 of the Laws of the State of New York, and Resolution 128-07 of the Saratoga County Board of Supervisors, the County conveyed to the Saratoga County Water Authority (SCWA) a 21.86 acre parcel of County owned reforested land on Butler Road in the Town of Moreau for the construction of a water treatment plant to service a County Water System to be owned and operated by SCWA; and

WHEREAS, due to the fact the County was conveying the 21.86 acre reforested parcel to SCWA for a purpose other than reforestation or a purpose otherwise authorized by County Law §219, it was necessary for the County to obtain home rule legislation in the form of Chapter 439 of 2006 of the laws of the State of New York to authorize the conveyance, which conveyance was conditioned upon the County creating an equivalent sized parcel of County-owned reforested land in the Town of Providence; and

WHEREAS, the County conveyed said 21.86 acre parcel to SCWA by deed recorded in the Saratoga County Clerk's Office on March 24, 2008 as Instrument #2008010290, which parcel is currently identified on the Saratoga County tax maps as Tax Parcel #62.-1-12.2; and

WHEREAS, SCWA constructed a water treatment plant and necessary appurtenances on Tax Parcel #62.-1-12.2; and

WHEREAS, in the course of designing needed improvements and upgrades to its water treatment plant, SCWA recently discovered that portions of its water treatment facility, as constructed, enter onto the adjoining reforested lands of the County (Tax Parcel #62.-1-12.1); and

WHEREAS, County and SCWA propose to remedy SCWA's entry onto the County's reforested lands by a lot line adjustment that: 1) extends the westerly boundary of SCWA's parcel by 180 ft. x 1234 ft., consisting of a total of 5 acres of land currently owned by the County, and being a portion of Tax Parcel #62.-1-12.1; and 2) shortens the southerly boundary of SCWA's parcel by 370 ft. x 600 ft., consisting of a total of 5 acres of land currently owned by SCWA, and being a portion of Tax Parcel #62.-1-12.2, which will be restored to the ownership of the County and re-designated as County reforested land; and

WHEREAS, the additional acreage to be added through the extension of the westerly boundary of SCWA's parcel is necessary to the improvement of the water treatment plant's efficiency and operations; and

WHEREAS, the proposed lot line adjustment will require the enactment into law of home rule legislation that will amend the boundary lines of SCWA's parcel, as described in Chapter 439 of 2006 of the Laws of the State of New York, when the New York State Legislature reconvenes in 2015; and

WHEREAS, the foregoing remedial action proposed by the County and SCWA is acceptable to this Board of Supervisors, and this Board has no desire or intention to commence an action at law or in equity against SCWA to recover damages or to seek equitable relief as a result of SCWA's unintentional entry onto the County's reforested lands; and

WHEREAS, this Board desires to release any and all claims it may against the SCWA resulting from SCWA's entry across the easterly boundary of County's reforested lands bearing Tax Parcel #62.-1-12.1, and to further hold SCWA harmless for any future actions taken by SCWA on the entered-upon section of County reforested land, pending the approval of the proposed lot line adjustment and amendment of Chapter 439 of 2006 of the laws of the State of New York via the enactment into law of home rule legislation in 2015; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a release and hold harmless agreement to the Saratoga County Water Authority relative to any claims the County may have against the Water Authority at law or in equity, now or in the future, resulting from the Water Authority's unintentional entry across the easterly boundary of County's reforested lands bearing Tax Parcel #62.-1-12.1; with the form and content of such release and hold harmless agreement being subject to the approval of the County Attorney; and, be it further

RESOLVED, that this Board of Supervisors hereby approves and authorizes the County, its officers and employees, to take any and all necessary action in conjunction with the Water Authority to seek and obtain authorization to adjust the boundaries of Tax Parcel #62.-1-12.1 owned by the County and Tax Parcel #62.-1-12.2 owned by the Water Authority, via lot line adjustment, to extend the westerly boundary of the Water Authority's parcel to include five acres of reforested land currently owned by the County, and to shorten the southerly boundaries of the Water Authority's parcel to restore five acres of land to the County's ownership, which land shall be re-designated as County reforested land; and be it further

RESOLVED, that the proposed lot line adjustment shall be subject to appropriate authorization to be sought by the County via home rule legislation in 2015, which the County will use its best efforts to obtain, to be enacted into law by the New York State Legislature and the Governor; and, be it further

RESOLVED, that the Service Agreement executed by the County and the Water Authority, dated as of September 1, 2008, and all County and Water Authority obligations thereunder, shall remain in full force and effect and is not affected by any of the foregoing.

BUDGET IMPACT STATEMENT: No budget impact.

Introduced by Supervisors Veitch, Collyer, Daly, Grattidge, Kinowski, Lewza and Wright

AMENDING THE COUNTY'S PURCHASING PROCEDURES AS SET FORTH IN THE POLICIES AND PROCEDURES MANUAL

WHEREAS, Resolution 330 of 1982 adopted a Manual of Policies and Procedures for the conduct of the government of Saratoga County; and

WHEREAS, since its adoption, Boards of Supervisors have enacted several amendments to the Manual; and

WHEREAS, pursuant to Resolution 142-2014, this Board of Supervisors adopted Local Law 2 of 2014, thereby authorizing the County to make awards of certain purchase contracts and contracts for service work based upon best value methodology; and

WHEREAS, Section 5, Subdivision D, of Local Law No. 2 of 2014 directs the County's Purchasing Director to develop procedures governing the award of contracts upon the basis of best value methodology, and requires that such procedures shall be subject to this Board's approval; and

WHEREAS, Section 5, Subdivision D, of Local Law No. 2 of 2014 further requires that said procedures, once approved by this Board, shall be incorporated into the County's Purchasing Procedures; and

WHEREAS, Chapter 2, Section C, of the County's Policies and Procedures Manual sets forth the County's Purchasing Procedures; and

WHEREAS, in accordance with Local Law No. 2 of 2014, the County's Purchasing Director has developed amendments to the County's Purchasing Procedures that incorporate new procedures governing the award of contracts upon the basis of best value methodology, which amendments have been submitted to this Board for approval and incorporation into the County's Purchasing Procedures; and

WHEREAS, the amendments drafted by the Purchasing Director to the County's Purchasing Procedures also update the Purchasing Procedures to include the authorization for the County to procure goods and services by "piggy-backing" through other federal, state and local government contracts; and

WHEREAS, the proposed amendments to the County's Purchasing Procedures as set forth in Chapter 2, Section C, of the County's Policies and Procedures Manual require our approval; now, therefore, be it

RESOLVED, that Section C of Chapter 2, of the County's Policies and Procedures Manual, entitled "Purchasing Procedures", is hereby amended to read as follows:

PURCHASING PROCEDURES

The Saratoga County Purchasing Department is charged with the responsibility of purchasing for all County Departments.

If a department requires material, supplies, or equipment and that department has funds available in the appropriate budget account, a Purchase Requisition (From GSP-1) shall be submitted to the Purchasing Coordinator.

For purchases exceeding \$500, the Purchasing Coordinator shall solicit at least three price quotations from competent and responsible vendors. The only exceptions will be "sole source" items, "Emergencies" as defined in Subdivision (4) of General Municipal Law §103, items to be procured under State contract, contracts for professional services, purchases subject to competitive bidding, or by "piggy backing" on government contracts awarded in the manner described hereinafter.

Saratoga County may award purchase contracts and service contracts that have been procured pursuant to competitive bidding under General Municipal Law §103 by either lowest responsible bidder or by best value methodology (Local Law 2 of 2014). The determination of the award will be made in cooperation between the requesting department and the Purchasing Director. The criteria to be used will be determined in advance and clearly stated in the bid solicitation.

Purchases of goods subject to competitive bidding involve expenditures of more than \$20,000.00 and Public Works contracts for services involving an expenditure of more than \$35,000.00, but exclude purchase contracts necessary for the completion of a Public Works contract pursuant to Article 8 of the State Labor Law and excluding any other contract that may in the future be excluded under state law from the best value option. If the dollar thresholds of General Municipal Law § 103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.



Goods and services procured and awarded on the basis of "best value" are those that Saratoga County determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objective, quantifiable, clearly described, and documented criteria, which may include, but shall not be limited to any or all of the following:

1. cost of maintenance for good(s) or service(s);
2. features of the offered product or services set forth in detailed specification for the product offered;
3. warranties and/or maintenance to be provided with the product or service;
4. product life of good(s) or service(s);
5. references, past performance and reliability or durability of the product offered and current or past experience with the provision of similar goods or services;
6. organization, staffing (both members of staff and particular abilities and experiences), and ability to undertake the type and complexity of the work;
7. financial capability; or
8. record of compliance with all federal, state, and local laws, rules, licensing requirements, where applicable, and executive orders, including but not limited to compliance with existing labor standards and prevailing wage laws.

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value and the final calculations used shall be thoroughly and accurately documented and made part of the procurement record.

Saratoga County, at its discretion and following the guidelines set forth in General Municipal Law § 103, may procure goods (including apparatus, materials, equipment and supplies) and services by "piggy backing" through contracts let by the United States, or any agency thereof, any state or any political subdivision or district therein, if such a contract was let in a manner consistent with competitive bidding or "best value" methodology and made available for use by other government agencies.

The following items do not require a Purchase Requisition or Order:

- \* Books and Periodicals
- \* Central Store Items (requires Central Stores Requisitions; all office supplies will be purchased through Central Stores)
- \* Expense Accounts
- \* Insurance (quotes are processed by the Personnel & Insurance Committee)
- \* Minor Repairs (office equipment, machinery, etc.)
- \* Postage
- \* Purchases totaling less than \$200
- \* Reproduction Items (all printing jobs will be processed through the Printing Department)
- \* Service Agreements (office equipment)
- \* Subscriptions, including periodicals, online legal research services
- \* Utilities

and, be it further

RESOLVED, that the Personnel Department shall distribute copies of these amendments to the County's Purchasing Procedures to all appropriate County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.

Chairman Sausville announced the following appointments:

Hudson River Community Advisory Group

Kevin Tollisen  
Term to expire 12/31/2014

Workforce Investment Board

Shelby Schneider  
Term to expire 12/31/2015

Saratoga Gaming & Raceway Foundation

Paul Sausville  
Term to expire 12/31/2014

Chairman Sausville introduced Dr. Prezioso who thanked the Board for the opportunity.

Mr. Peck reminded everyone of the upcoming Racing Season and also of the Saratoga County Fair.

Mr. Lawler thanked the Board for the support of the appointments made today to the Saratoga County Prosperity Partnership. He spoke of those who were appointed.

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

Respectfully submitted,

Pamela A. Wright, Clerk