

Agenda Session
February 11, 2015 5:15 p.m.

Vice Chairman Wright called the meeting to order and welcomed everyone to the meeting.

Roll call was taken. PRESENT – Patrick Ziegler, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Preston Allen, Jean Raymond, Paul Lunde, Arthur Wright, Kevin Tollisen, Paul Sausville, Daniel Lewza, Preston L. Jenkins, Jr., Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, John Lawler, Arthur J. Johnson – 19. ABSENT - Paul Lent, Thomas Richardson, Peter Martin, Edward D. Kinowski, - 4.

On a motion by Mr. Lucia, seconded by Mr. Lunde the minutes of the January 14, 2015 meeting were unanimously approved.

Mr. Hellwig presented the following:

PERSONNEL & INSURANCE

Appointing Cathi Duncan as the Director of Public Health. The County has received approval from DOH contingent upon Ms. Duncan obtaining her Master's Degree within the next 2 years.

Amending the 2015 Compensation Plan to change the title of the "Personnel Officer" to "Director of Personnel" and the title of "Deputy Personnel Officer" to "Deputy Director of Personnel".

Authorization to purchase a professional liability policy to provide tail coverage for the medical liability coverages for two year to cover any claims that may occur over the next two years that are related to the County's operations for the previous two years leading up to the transfer of ownership of Maplewood Manor.

ECONOMIC DEVELOPMENT

Authorization for a contract with Greenman-Pedersen, Inc. to provide a variety of services in an effort to have the County better prepared to apply for and hopefully obtain outside funding for the extension of the Zim Smith Trail from Coons Crossing to the City of Mechanicville.

LEGISLATIVE & RESEARCH

Adopting the 2015 Saratoga County State Legislative Program.

Adopting the 2015 Saratoga County Federal Legislative Program.

Requesting home rule legislation to amend the occupancy tax law to revise not only the funding distribution but the composition of the Board that will be making recommendations to the Board of Supervisors on decision relating to the distribution of that occupancy tax.

PUBLIC SAFETY

Authorizing a five-year agreement with the Development Authority of the North Country (DANC) to install a fiber optic communication line at the Lake Luzerne tower site which will be done at no cost to the County and is anticipated to not only provide better communications through that site but reduce the County's cost for the associated T-1 lines that are currently in place by about \$62,000.

Amending the 2015 Budget under Emergency Services to re-appropriate funds that were placed in last year's budget to cover the cost associated with upgrading the phone system at 152 West High Street.

PUBLIC WORKS

Authorizing the implementation and funding in the first instance 100% of the Federal-aid State "Marchiselli" Program-aid eligible costs of a transportation federal-aid project for the CR45 (Northline Road) Bridge over the Kayaderosseras Creek.

Authorizing an amendment to the Greenman-Pedersen consulting agreement to provide construction support and inspection services related to the rehabilitation of CR45 (Northline Road) Bridge over the Kayaderosseras Creek.

EQUALIZATION & ASSESSMENT

Authorizing a correction to the 2015 tax roll in the Town of Wilton that was related to a clerical error which had 14 sewer units being billed to a parcel that only contained one.

Disapproving the September 18, 2012 auction sale of a tax parcel in the Town of Greenfield as a result of some information that the County Attorney's Office received relative to the buyer's willingness to cover some additional costs related to delinquent taxes on that parcel.

Authorizing the conveyance of tax acquired land to the Town of Waterford Capital Resource Corporation to further economic goals of that organization within that town.

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

CHAIRMANS ITEM

Appointing Cristina Connelly to the Saratoga Lake Improvement and Protection District (SLIPID) to fill a vacancy created by a retirement and her term will extend through December of 2017.

LAW & FINANCE

Amending the 2015 budget to re-appropriate \$4,206,576.05 in expenses and revenues to complete the balance of work related to capital projects of the Saratoga County Sewer District.

Authorizing the settlement of all claims filed by two residents, in the Town of Clifton Park, that were related to an unanticipated back up in the sewer system. The Sewer Commission has recommended reimbursing the homeowners of the two (2) properties in return for them withdrawing or filing of any future claims against the County or the Sewer District as a result of their losses. (There will be two resolutions; one for each residence.)

Authorizing the sale of Fund 9 accounts receivable to Zenith Health Care.

On a motion by Mr. Veitch, seconded by Mr. Wood the agenda was unanimously set for the February 24, 2105 Board Meeting.

Mr. Wright reminded the Board members that due to the Association of Towns Conference the February Board Meeting will be held the last Tuesday of the month on February 24th.

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

Respectfully submitted,

Pamela Wright, Clerk

REGULAR MEETING
TUESDAY, FEBRUARY 24, 2015
AT 4:00 P.M., E.S.T.

Board called to order by the Vice Chairman.

Roll call was taken. PRESENT – Patrick Ziegler, Philip C. Barrett, Anita Daly, Richard Lucia, Preston Allen, Paul Lent, Paul Lunde, Arthur M. Wright, Kevin Tollisen, Paul Sausville, Thomas Richardson, Willard H. Peck, John Collyer, Thomas N. Wood, III, Peter Martin, John Lawler – 17. ABSENT – Alan Grattidge, Jean Raymond, Daniel Lewza, Preston L. Jenkins, Jr., Matthew E. Veitch, Edward D. Kinowski, Arthur J. Johnson - 6.

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

PUBLIC INPUT:

Jane Bouchard, 166 Denton Road, Saratoga Springs, spoke regarding ticks. Ms. Bouchard distributed copies of a newspaper articles about mice being a super host for ticks. She read a couple of paragraphs from this article and spoke of the problems associated with ticks and Lyme disease.

On a motion by Mr. Lunde, seconded by Mr. Lucia the minutes of the January 20, 2015 meeting were unanimously approved.

The Clerk presented the following:

Correspondence from the IDA notifying the County of a Public Hearing.

Received and filed.

Letter from the NYS Department of Health regarding the order of consolidation for the Village/Town of Corinth's single primary regulation district.

Copy to Supervisor Lucia.

Letter from Joel Reed of the Saratoga Arts Council thanking the Board for supporting their event.

Received and filed.

Email communication from Darlene McGraw regarding the Local Law on sparklers.

Received and filed.

Letter from the Department of Labor approving additional funding for Workforce Investment.

Copy to Supervisor Johnson and WIA Director.

Letter from Assemblywoman Woerner inquiring about state mandate information on county property tax bills.

Received and filed.

Letter from NYS DEC regarding the Freshwater Wetland Act.

Copy to Supervisor Wood and County Planner.

REPORTS:

2014 Annual Report from Saratoga County Real Property.
Received and filed.

2014 Annual Report from Probation.
Received and filed.

Report No. 3 - 2014 Yearly Balance Sheet – County Clerk

Fee charged or received for recording & cert. thereof	\$1,558,541.00
Fee charged or received for official services	\$1,405,321.07
Fee received for Motor Vehicle Registrations	\$2,716,574.01
Sales Tax Motor Vehicle	\$ 29,363.01
Real Estate Transfer Tax	\$ 6,115.67
Money refunded for errors & duplication services	-0-
Fee charged for RP-5217's	\$ 868,259.00
Fee charged for Education Fees	\$ 591,379.75
EZPass	\$ 7,175.00
Public Copiers	<u>\$ 3,118.55</u>
TOTAL:	\$7,185,847.06

RECEIPTS

Amount received as shown	\$ 7,185,847.06
DMV Sales Tax & Fees	\$51,544,012.31
Amount of Mtg Tax Unapportioned as of Jan. 1, 2014	\$ 208,429.50
Amount of Mtg Tax received in 2014	\$15,076,610.34
Transfer Tax	<u>\$ 4,781,876.59</u>
TOTAL:	\$78,796,775.80

DISBURSEMENTS

Amount paid to County Treasurer	\$4,697,618.31
Amount paid to NYS Education Dept.	\$ 591,379.75
Amount paid to RP-5217 Account	\$ 814,727.00
Amount paid State of New York for Court Fees	\$1,029,042.00
Amount of Mtg Tax paid County Treasurer	\$7,952,380.02
Amount of Mtg Tax paid Capital Dist. Tran. Authority	\$3,809,083.93
Amount paid to State of NY Mtg Tax Agency	\$3,399,056.92
Amount of Mtg Tax paid to other counties & expenses	\$ 118,692.99
Amount of Mtg Tax unapportioned Dec. 31, 2014	\$ 5,693.00
Amount paid to County Clerk ½ of Int. of Mtg Acct	\$ 122.98
Amount paid to State for Notaries	\$ 53,080.00
Amount paid to NYS RETT	\$4,775,533.09
Amount paid to Co. Treasurer for RETT	\$ 6,343.50
Amount paid to NYS Sales Tax-for DMV	\$32,235,946.21
Amount paid to NYS DMV for fees	<u>\$19,308,066.10</u>
TOTAL:	\$78,796,775.80

On a motion by Mr. Collyer, seconded by Mr. Lent resolutions 31 through 50 were adopted by a unanimous vote.

RESOLUTION 31 - 2015

Introduced by Supervisors Daly, Grattidge, Johnson, Lucia, Peck, Sausville and Wright

APPOINTING CATHERINE S. DUNCAN AS DIRECTOR OF PUBLIC HEALTH

WHEREAS, by reason of the resignation of Karen A. Levison a vacancy was created in the position of Director of Public Health; and

WHEREAS, Catherine S. Duncan has been serving in the positions of Acting Director of Public Health and Director of Patient Services at the Saratoga County Public Health Nursing Service; and

WHEREAS, appointments to the position of Director of Public Health require the approval of the New York State Commissioner of Health pursuant to 10 NYCRR 11.182; and

WHEREAS, the Acting Commissioner of Health has approved the requested appointment of Catherine Duncan as Director of Public Health for a term of two years, with the approval of the renewal of such appointment contingent upon Ms. Duncan obtaining a Master's Degree in Public Health; and

WHEREAS, our Personnel and Insurance Committee has recommended that Catherine S. Duncan be appointed to the position of Director of Public Health, conditioned upon Ms. Duncan providing a memo to the Director of Personnel at the conclusion of each semester of her Master's Degree program advising as to her progress in obtaining a Master's Degree in Public Health; now, therefore, be it

RESOLVED, that Catherine S. Duncan be and she is hereby appointed to the position of Director of Public Health at the base salary of Salary Grade 20, effective February 27, 2015; and, be it further

RESOLVED, that Catherine S. Duncan shall provide a memo to the Saratoga County Director of Personnel at the conclusion of each semester of her Master's Degree program advising as to her progress in obtaining a Master's Degree in Public Health; and, be it further

RESOLVED, that pursuant to Public Health Law §351, this appointment shall be for a term of six (6) years to expire on February 26, 2021, subject to the State Commissioner of Health approving a renewal of Ms. Duncan's appointment for an additional four years beyond the two year term initially approved by the Commissioner.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 32 - 2015

Introduced by Supervisors Daly, Grattidge, Johnson, Lucia, Peck, Sausville and Wright

AMENDING THE 2015 COMPENSATION SCHEDULE UNDER PERSONNEL DEPARTMENT

WHEREAS, be reason of the retirement of John Kalinkewicz, a vacancy exists in the position of Personnel Officer; and

WHEREAS, after reviewing the job specifications for the positions of Personnel Officer and Deputy Personnel Officer, our Personnel and Insurance Committee has recommended that the 2015 Saratoga County Compensation Schedule be amended to change the title of the position of "Personnel Officer" to "Director of Personnel", and to change the title of the position of "Deputy Personnel Officer" to "Deputy Director of Personnel"; now, therefore, be it

RESOLVED, that the 2015 Saratoga County Compensation Schedule is amended as follows:

UNDER PERSONNEL DEPARTMENT:

RETITLE : position of Personnel Officer to Director of Personnel

RETITLE : position of Deputy Personnel Officer to Deputy Director of Personnel

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 33 - 2015

Introduced by Supervisors Daly, Grattidge, Johnson, Lucia, Peck, Sausville and Wright

AUTHORIZING THE PURCHASE OF PROFESSIONAL LIABILITY TAIL COVERAGE FOR THE FORMER MAPLEWOOD MANOR NURSING HOME

WHEREAS, the County sold the business operation of the Maplewood Manor nursing home to Saratoga Center for Care, LLC effective as of 7:00 a.m. on February 1, 2015; and

WHEREAS, the County also conveyed the three parcels comprising the Maplewood Manor nursing home to the Maplewood Manor Local Development Corporation effective as of 7:00 a.m. on February 1, 2015; and

WHEREAS, as a result of the foregoing transfers, the County cancelled its medical professional, excess medical professional, property, equipment and automobile insurance policies covering Maplewood Manor effective as of 7:00 a.m. on February 1, 2015; and

WHEREAS, the medical professional and excess medical professional policies that were cancelled were “claims made” policies that only provided medical malpractice coverage for claims filed during the period such coverage was in effect, that is, prior to 7:00 a.m. on February 1, 2015; and

WHEREAS, the County’s insurance broker, COOL Insuring Agency, Inc. has recommended that the County obtain medical professional and excess medical professional “tail coverage” that will provide the County with medical professional and excess medical professional coverage for claims made subsequent to 7:00 a.m. on February 1, 2015 relative to alleged incidents that occurred at Maplewood Manor during the prior two years from February 1, 2013 through February 1, 2015; and

WHEREAS, COOL Insuring obtained quotations for the recommended tail coverage from NYMIR and CNA, the carriers who respectively provided the previous medical professional and excess medical professional coverage for Maplewood Manor; and

WHEREAS, our Personnel and Insurance Committee has recommended that the quotations received from NYMIR and CNA, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board accept the proposal of COOL Insuring Agency, Inc. for the provision of medical professional and excess medical professional tail coverage for the former Maplewood Manor nursing home for a term of two years by the carriers listed below at a cost not to exceed \$91,806.71:

Coverage	Company	Limits	Deductible	Premium
Infirmary – Primary	NYMIR	\$1M/\$3M	None	\$32,970.71
Infirmary - Excess	CNA	\$5,000,000	\$10,000 (SIR)	<u>\$58,836.00</u>
TOTAL				\$91,806.71

BUDGET IMPACT STATEMENT: None. These expenses will be paid with funds remaining in the Infirmiry Fund.

RESOLUTION 34 - 2015

Introduced by Supervisors Johnson, Daly, Kinowski, Lewza, Lunde, Richardson and Sausville

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH GREENMAN-PEDERSEN, INC. FOR ENGINEERING SERVICES FOR THE EXTENSION OF THE ZIM SMITH TRAIL FROM COONS CROSSING TO THE CITY OF MECHANICVILLE

WHEREAS, pursuant to Resolution 168-11, this Board of Supervisors approved the proposed project to extend the Zim Smith Trail from Coons Crossing in the Town of Halfmoon to the Intermodel Facility in the City of Mechanicville; and

WHEREAS, it is necessary to retain engineering services to perform survey work and provide design, permitting and right of way acquisition services for the Zim Smith Trail extension that will result in the development of final plan documents that will enable the County to seek federal and state funding for the project; and

WHEREAS, after consultation with and at the direction of the New York State Department of Transportation (NYSDOT) Region 1, the Saratoga County Planning Department issued a Request for Qualifications (RFQ) for this project to the fifteen (15) designated NYSDOT Locally Administered Federal Aid Firms in Region 1; and

WHEREAS, five firms submitted their RFQs for the project, which RFQs were reviewed by a selection committee comprised of representatives of the County Planning Department, County Department of Public Works and the Chair of our Trails Committee; and

WHEREAS, based upon the recommendation of the selection committee, our Economic Development Committee and our Trails Committee have recommended that a contract for engineering services for the design, survey work, permitting and rights of way acquisition for the proposed extension of the Zim Smith Trail be awarded to Greenman-Pedersen, Inc.; now, therefore, it is

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Greenman-Pedersen, Inc. of Albany, New York to provide engineering services for the design, survey work, permitting and rights of way acquisition for the proposed extension of the Zim Smith Trail from Coons Crossing to the City of Mechanicville, at a cost not to exceed \$275,000, with the form and substance of the agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. Funding for this agreement is available in the Zim Smith Capital Fund.

RESOLUTION 35 - 2015

Introduced by Supervisors Raymond, Barrett, Grattidge, Lunde, Richardson, Wright and Ziegler

ADOPTING 2015 SARATOGA COUNTY STATE LEGISLATIVE PROGRAM

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

WHEREAS, we wish to continue the reforms of non-productive state laws and policies, obtain greater flexibility in resource allocation for local governments, seek relief from unfunded State mandates, and promote economic development in Saratoga County; now, therefore, be it

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

Saratoga County 2015 State Legislative Program

1. Calling on the Governor and State Legislature to Fully Restore VLT Host Benefits to their Pre-2009 Level. The 2015-16 Executive Budget reduces VLT aid to Saratoga County and Saratoga Springs back to 2013-14 levels, eliminating aid increases from the 2014-15 Enacted Budget. This reduction represents a \$166,114 cut for Saratoga County, and a \$498,341 reduction for the City of Saratoga Springs. We have previously supported legislation to fully restore host benefits to their initial level. The additional funding would protect Saratoga County and Saratoga Springs taxpayers by offsetting the cost of unfunded state mandates and costs associated with hosting a video lottery gaming facility. Albany cannot continue to expect counties to rein in spending, while at the same time cutting aid without corresponding mandate relief.
2. Urging a Full State Takeover of All Local Costs of the Medicaid Program. Medicaid is the largest unfunded mandate imposed by New York State. This year, Saratoga County budgeted \$27.2 million – over 51% of our property tax levy – to cover this single mandate. We supported legislation introduced in 2011 that would have implemented an 8-year state takeover of county Medicaid costs, placing responsibility for this program in the hands of state leaders where it belongs. Governor Cuomo's 2015-16 Executive Budget maintains the "hard cap" on Medicaid growth in 2014, but a full State takeover is the only real solution to this burdensome mandate.
3. Supporting a Constitutional Amendment Banning New Unfunded State Mandates and Additional Measures to Provide Mandate Relief. In 2015, the estimated net cost of unfunded mandates equals more than 119% of Saratoga County's property tax levy. Yet, new unfunded mandates are still proposed regularly in State legislation. The County urges the Legislature to immediately begin the process of passing a constitutional amendment banning new unfunded mandates, as well as a statutory ban that would provide protection until such an amendment may be ratified. We also urge the Governor and State Legislature to create a new Mandate Relief Council, the original Council's authorization having expired January 1, 2015. County officials must be represented on the new Council, and in the model of the Medicaid Redesign Team, the Council should establish specific targets quantifying mandate relief that must be delivered to counties.

4. Voicing Concern Regarding the Change of the STAR Rebate to a Personal Income Tax (PIT) Credit. We have concerns about the accessibility of this benefit, especially for seniors, if it is converted to a PIT credit. The Governor's proposal allows a senior who is currently receiving the Enhanced STAR to continue doing so as long as they continue to reside at their current residence. However, if they should move, only the PIT credit would apply to them. Although the proposal also has a provision for qualified taxpayers who do not file a tax return, which would apply to many seniors, those seniors would still have to file a claim with the NYS Tax and Finance Department in order to obtain the credit. If they fail to renew, they lose the credit. We are concerned that this proposal will lead to confusion and cause the most vulnerable taxpayers to lose their benefit.
5. Supporting the Extension of Design-Build Contracting to Local Governments and Urging the Repeal of the Wicks Law. Governor Cuomo's 2015-16 Executive Budget proposes expanding the scope of State entities eligible for design-build contract authorization, but omits extending such authorization to counties as was in a similar 2014-15 proposal. We support the inclusion of counties in this proposal. We also support a lower threshold for eligible projects and we continue to support the repeal of the Wicks Law, thereby allowing counties to utilize a more cost-effective approach to executing public projects.
6. Urging the Governor and State Legislature to Allow Counties to Determine their Own Local Sales Tax Rates. With passage of the property tax cap and the State's failure to enact complimentary mandate relief that would enable counties to reduce their expenses, counties are in need of alternative revenue sources that will allow them to meet their legal obligations without compromising essential services. The 2013-14 Executive Budget proposed to give counties with local sales tax rates above 3% the ability to extend their higher rates, but this language was ultimately omitted from the Enacted Budget. This language would have done nothing, however, to empower the three counties whose rates remain at 3%. As a matter of equity, we support reforms that will give any one county access to the local sales tax rate that is available to any other county.
7. Opposing the Governor's Effort to Undermine Local Control of Economic Development by Giving his Economic Development Commissioner Authority that is Currently Granted to Industrial Development Agencies. Governor Cuomo's 2015-16 Executive Budget would require IDAs to obtain the approval of the Commissioner of Economic Development in order to grant or increase state sales tax exemptions for local economic development projects. The proposal also subjects IDAs and IDA awards to new burdensome regulations that could result in IDAs being suspended from providing state tax exemption benefits, and project operators having to repay previously granted benefits. We strongly oppose this measure, which serves only to increase the power of State bureaucracy while reducing the ability of local governments to grow their own economies. This proposal will result in slower growth and fewer job opportunities for our residents.
8. Requesting the Governor to Extend Funding for the Veterans Peer-to-Peer Program and Allow the County to Keep Any Previously Unexpended Funds. Over the past two years, the County has implemented a robust veteran peer-to-peer outreach and mentorship program using funds provided by the State. In addition to the program itself, these funds have allowed us to provide various entertainment offerings to veterans; both as means to connect with their peers, and as a thank you for their service. Such events include concerts, family fun picnics and a Comedy Warrior event. We encourage the State to continue support of this program (the current funding round of \$185,000 ends in June 2015) and allow the County to keep any unspent funds from previous awards to continue support of our veterans.
9. Supporting the Additional \$1.5 Billion in the Upstate Revitalization Fund, but Opposing the Nature of the Funding Allocation. We commend the Governor for providing \$1.5 billion in funding to help Upstate communities with vital infrastructure projects, but take issue with the deployment methodology of such funds. The Executive Budget proposes this funding be split into three \$500 million prizes that will be competitively bid upon by seven regions, with three regions winning funding and the four remaining getting no funding. We propose that each region receive some of the funding, at appropriate levels as determined by a competitive process. Each area surely has projects that are in great need of this funding and to exclude more than half of the applicants based upon a flawed methodology is myopic and unfair. Furthermore, we believe more of the \$5 billion windfall the State received from fines and settlements from the financial

industry should be made available to local governments for infrastructure improvements. Many of the Governor's proposed uses for the remaining \$3.5 billion, including Statewide broadband access, are laudable, but more should be provided to localities and usable at their discretion. Local leaders are in the best position to judge which projects are of the highest priority in their communities.

10. Urging the Governor to Provide Additional Environmental Protection Fund (EPF) Support For Clean Farm Water. The County echoes the NYS Farm Bureau's support for funding of EPF programs that provide cost-sharing of critical farm water quality and farmland protection projects that allow farms to reinvest in their business. While the Governor's Executive Budget provides an increase of \$10 million to the EPF for a total of \$172 million, this is far below the proposed 2011 levels of \$300 million. Furthermore, as noted above, we request that additional funding be made available through the Governor's Upstate Revitalization Fund for critical clean water infrastructure improvements.
11. Urging the Governor to Seek Local Input on Matters Related to Raising the Age of Juvenile Jurisdiction. The County requests the Governor ensure that local officials, law enforcement and social service entities have proper input in the development of guidelines regarding this issue. Of concern is the possibility of over-burdensome caseloads for probation officers and the shifting of costs from the State to local Social Services for the housing of juveniles aged out with this legislation. Though this bill provides for full State Aid for such expenses, it is imperative that such funding be made readily and perpetually available. Furthermore, we request the State ensure there is equitable distribution of funding for Family Support Centers for at-risk youths and that such funding allocations are not regionally or economically biased.
12. Support the Increase of County Share of Department of Motor Vehicles Revenue. Across New York State, fifty-two counties operate motor vehicle offices. Many process "dealer" work, such as registrations, and share those proceeds with New York State. Currently only 12.7% of that revenue is kept locally to help offset county property taxes and run these DMVs. This shared service with NYS receiving 87.3% of the revenue despite local DMVs doing the majority of the work was negotiated over 15 years ago. We strongly support a substantial increase in the county share of Department of Motor Vehicle revenue.
13. Supporting the Renewal of a Driver's License Photo Every Eight (8) Years. New York State is currently one of two states along with Nevada, that do not require a new driver's license photo be taken upon the renewal of a license. We support state legislation that would require a new photo be taken with the renewal of a driver's license every eight years. This will help prevent fraud and identity theft while increasing overall public safety.

and; be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward a copy of this Resolution to our local state legislators.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 36 - 2015

Introduced by Supervisors Raymond, Barrett, Grattidge, Lunde, Richardson, Wright and Ziegler

ADOPTING 2015 SARATOGA COUNTY FEDERAL LEGISLATIVE PROGRAM

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

WHEREAS, we wish to advocate for the reforms of non-productive federal laws and policies, support proper federal funding of local farm and agriculture businesses, request the enactment of a long-term plan funding the construction and improvement of local roads and bridges, and preserve adequate federal funding of state and local homeland security programs, among other legislative priorities; now, therefore, be it

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

Saratoga County 2015 Federal Legislative Program

1. Urging Congress to Reauthorize and Establish a Multi-Year Extension for the Farm Bill. The Farm Bill is omnibus legislation providing a broad range of rural development programs that are imperative to local communities and businesses. The 2008 Farm Bill expired on September 30, 2012. The new Farm Bill was authorized by Congress and signed by the President on February 7, 2014 and is in effect until 2018. The two years in which the Farm Bill was expired saw a patchwork of legislation that funded some agricultural support measures while letting others languish, causing great uncertainty for local governments, businesses and communities. We urge the Congress to take whatever measures are necessary to make sure this lapse in coverage does not happen again.
2. Urging Congress to Maintain USDA Rural Development Funds at 2014 Levels. Last year \$2.4 billion was allocated for the support of local farm and agricultural priorities. These grants provide much needed support for basic rural infrastructure and support local farm and agriculture businesses by providing loans to rural businesses and industries. These funds support a wide breadth of initiatives, including financing for water infrastructure, community facilities, broadband, electric, telephone, housing and renewable energy. These programs are important to Saratoga County communities, providing necessary aid and support for developing a strong rural business and community infrastructure.
3. Urging Congress to Enact a Five Year Transportation Bill. The current extension of the Federal transportation funding bill, MAP-21, is set to expire in May 2015. This is only one of many stop-gap measures that have been authorized since 2012. We urge Congress to enact a stable five year plan committing road and bridge funding to municipalities. Counties own 45 percent of all public roads, 39 percent of the nation's bridges, and are involved with a third of the nation's transit systems and airports, making them a critical component of the national transportation infrastructure.
4. Urging Congress to Maintain Sustainable Levels of Homeland Security Funding. We support ongoing efforts in Congress to provide \$39.7 billion in homeland security funding, which would support the U.S. Department of Homeland Security (DHS) for the remainder of FFY2015. This would represent an increase of \$400 million from FFY2014 levels and would provide critical support for State and local homeland security programs including Emergency Management Performance Grants, Pre-Disaster Mitigation, State Homeland Security Grants and Assistance to Firefighters.
5. Urging Congress to Support "Blue Water" Navy Vietnam Veterans and Benefits for Agent Orange-Related Illnesses. Last year the County passed Resolutions 44-14 and 45-14 in support of two bills regarding this issue. The first, HR 543 would open up benefits to these Veterans, granting presumptive Agent Orange exposure status to sailors whose ships operated in the "blue water" off the coast. Currently, they do not receive the same designation as Vietnam veterans who stepped foot on land or who operated in inland waterways or "brown water". The second bill we supported was HR 1494, which requires the Navy to verify the records of ships that operated in the waters around Vietnam to identify where they sailed and docked, to help determine which sailors meet the criteria for presumption of exposure to Agent Orange.
6. Urging Congress to Ensure the Rollout of the Affordable Care Act (ACA) Does Not Negatively Impact Local Governments. As the ACA comes online, we urge our Federal Representatives to investigate opportunities to amend and improve the Act. We must ensure that local property tax payers do not have to shoulder heavy financial burdens that could result from the Act's effects on municipalities. As it currently stands, local governments are exposed to administrative burdens and financial threats including heavy fines related to compliance, large fees including the "Cadillac Tax," and other financial burdens including reinsurance fees that prop up the Health Exchanges.

and; be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward a copy of this Resolution to our local federal legislators.

BUDGET IMPACT STATEMENT: No budget impact.

Introduced by Supervisors Raymond, Barrett, Grattidge, Lunde, Richardson, Wright and Ziegler

REQUESTING HOME RULE LEGISLATION TO AMEND TAX LAW §1202-g TO REVISE THE MANNER IN WHICH THE BOARD OF SUPERVISORS ALLOCATES ROOM OCCUPANCY TAX REVENUES AND TO REVISE THE MEMBERSHIP COMPOSITION OF THE COMMITTEE APPOINTED BY THE BOARD OF SUPERVISORS ON ROOM OCCUPANCY TAX MATTERS

WHEREAS, pursuant to Resolution No. 55 of 1977 the Saratoga County Board of Supervisors requested that the New York State Legislature enact state legislation authorizing the Board to enact a Room Occupancy Tax for use in the advancement and promotion of tourism within Saratoga County; and

WHEREAS, pursuant to the Board's home rule request the State Legislature passed and the Governor signed into law Chapter 501 of the Laws of 1977 enacting Tax Law §1202-g authorizing the County of Saratoga to adopt and amend local laws imposing a Room Occupancy Tax on tourist home, hotel and motel rooms in the County; and

WHEREAS, pursuant to the authority granted it by Tax Law §1202-g, the Saratoga County Board of Supervisors enacted Local Law No. 7 of 1977 imposing a tax upon certain rentals of tourist home, hotel and motel rooms in Saratoga County; and

WHEREAS, subdivision nine of Tax Law §1202-g currently provides that revenues resulting from the imposition of the room occupancy tax shall be credited to and deposited to the general fund of the County, with the net collections therefrom to be allocated by the Saratoga County Board of Supervisors only for the promotion of tourism and conventions, with the exception of net collections designated by Tax Law §1202-g to be paid to the City of Saratoga Springs general fund, the City of Saratoga Springs convention and tourism bureau, and the Saratoga Springs City Center; and

WHEREAS, in accordance subdivision nine of Tax Law §1202-g, Section 12 of Local Law No. 7 of 1977 provides that the net collections derived from the room occupancy tax, after payment to the County for administration and collection costs, shall be allocated by the Board of Supervisors only for the promotion of tourism and conventions; and

WHEREAS, in accordance with the foregoing provisions of Tax Law §1202-g and Local Law No. 7 of 1977, the Board of Supervisors has allocated the net collections from the room occupancy tax to various organizations involved in the promotion of tourism and conventions, such as the Saratoga Convention and Tourism Bureau and the Saratoga County Chamber of Commerce; and

WHEREAS, subdivision nine of Tax Law §1202-g and Section 12 of Local Law No. 7 of 1977 further require that the Saratoga County Board of Supervisors appoint a committee of nine persons, four of whom shall be members of the Board of Supervisors and five of whom shall be owners, managers or, if such facility be owned by a corporation or partnership, partners or officers, of facilities paying such tax, to advise and recommend expenditures made by the County for the promotion of tourism and conventions in Saratoga County; and

WHEREAS, pursuant to Resolution 65-2014, this Board of Supervisors adopted the Saratoga County Economic Development Strategic Plan; and

WHEREAS, the Saratoga County Economic Development Strategic Plan identifies Saratoga County's economy as being built on three pillars: tourism, agriculture, and business and industry; and

WHEREAS, the first goal of the Saratoga County Economic Development Strategic Plan is to identify and support strategic investment in high-impact projects categorized as "Catalyst Projects"; and

WHEREAS, one such Catalyst Project identified in the Strategic Plan is an initiative to build a more connected sports and recreation cluster, utilizing and building upon such existing assets as historic spas, rowing regattas, horse riding, cycling, snowmobiling, whitewater paddling and trails; and

WHEREAS, in accordance with a recommendation made in the Saratoga County Economic Development Strategic Plan, this Board of Supervisors authorized and directed pursuant to Resolution 106-2014 the formation of the Saratoga County Prosperity Partnership, Inc., a local development corporation organized pursuant to Not-For-Profit Corporation Law §1411, to undertake certain projects and initiatives for the economic benefit of Saratoga County; and

WHEREAS, one of the projects the Saratoga County Prosperity Partnership, Inc. will be reviewing in 2015 is a funding request by a prominent local sports club to provide financial assistance in the construction of a sports facility that will assist in the hosting of larger competitions that will greatly impact tourism in the County

by bringing competing teams and their families to the County where they will stay at local hotels and patronize local businesses; and

WHEREAS, since the enactment of Tax Law §1202-g and Local Law No. 7 of 1977, prominent tourism promotion entities have been formed in Saratoga County such as the Saratoga Springs City Center Authority in 1982 and the Saratoga Convention and Tourism Bureau in 1985, which entities have played a critical role in the local economy by promoting and marketing Saratoga County and the City of Saratoga Springs as a world-class destination for meetings, conventions, and groups; and

WHEREAS, it is appropriate that such key tourism promotion organizations such as the Saratoga County Tourism and Convention Bureau, the Saratoga Springs City Center Authority, and the Saratoga County Chamber of Commerce have a voice in advising this Board of Supervisors as to how room occupancy tax revenues should be expended in the promotion of tourism and conventions in Saratoga County; and

WHEREAS, our Legislative and Research Committee has recommended that Tax Law §1202-g, subdivision nine, be amended to: 1) authorize the Saratoga County Board of Supervisors to allocate the net collections received from the County's Room Occupancy Tax (excluding those amounts designated by Tax Law §1202-g to be paid to the City of Saratoga Springs general fund, the City of Saratoga Springs convention and tourism bureau, and the Saratoga Springs City Center) fifty percent (50%) for the promotion of tourism and conventions and fifty percent (50%) to the Saratoga County Prosperity Partnership, Inc. for the promotion of tourism and other economic development-related purposes; and 2) to revise the membership composition of the nine member committee appointed by the Board of Supervisors to advise the Board on expenditures made by the County for the promotion of tourism and conventions to consist of four members of the Board of Supervisors who shall include the Chair of the Board of Supervisors, the Chair of the Board's Economic Development Committee, the Chair of the Board's Law and Finance Committee, and one member of the Board of Supervisors who also serves as a Director of the Saratoga County Prosperity Partnership, Inc.; one representative from Saratoga County Chamber of Commerce, one representative from the Chamber of Southern Saratoga County, one representative from the Saratoga Convention and Tourism Bureau, one representative from the Saratoga Springs City Center Authority and the Saratoga County Treasurer; and

WHEREAS, in order to amend Tax Law §1202-g accordingly, home rule legislation is required; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Saratoga requests enactment of state legislation amending Tax law §1202-g, subdivision nine, to: 1) authorize the Saratoga County Board of Supervisors to allocate the net collections received from the County's Room Occupancy Tax (excluding those amounts designated by Tax Law §1202-g to be paid to the City of Saratoga Springs general fund, the City of Saratoga Springs convention and tourism bureau, and the Saratoga Springs City Center) fifty percent (50%) for the promotion of tourism and conventions and fifty percent (50%) to the Saratoga County Prosperity Partnership, Inc. for the promotion of tourism and other economic development-related purposes; and 2) revise the membership composition of the nine member committee appointed by the Board of Supervisors to advise the Board on expenditures made by the County for the promotion of tourism and conventions to consist of four members of the Board of Supervisors who shall include the Chair of the Board of Supervisors, the Chair of the Board's Economic Development Committee, the Chair of the Board's Law and Finance Committee, and one member of the Board of Supervisors who also serves as a Director of the Saratoga County Prosperity Partnership, Inc.; one representative from Saratoga County Chamber of Commerce, one representative from the Chamber of Southern Saratoga County, one representative from the Saratoga Convention and Tourism Bureau, one representative from the Saratoga Springs City Center Authority, and the Saratoga County Treasurer; and, be it further

RESOLVED, that the Clerk of the Board forward certified copies of this Resolution to our local state legislators.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 38 - 2015

Introduced by Supervisors Barrett, Allen, Johnson, Lent, Peck, Wright and Ziegler

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY FOR THE INSTALLATION OF AND ACCESS TO A FIBER

OPTIC COMMUNICATIONS LINE TO THE COUNTY'S EMERGENCY COMMUNICATIONS TOWER IN THE TOWN OF LAKE LUZERNE

WHEREAS, the County's Emergency Radio System includes a radio tower owned by the County on land located in and owned by the Town of Lake Luzerne in Warren County; and

WHEREAS, the Development Authority of the North Country (DANC) is a New York State chartered public benefit corporation created to address the infrastructure needs of, and to promote economic development in, North Country counties in New York State; and

WHEREAS, DANC has been awarded a New York State North Country Public Emergency Grant to construct a high-speed broadband emergency services network connecting 911 centers and public emergency locations across northern New York State counties; and

WHEREAS, DANC proposes to utilize \$260,000 of said grant funds to install a fiber optic line to the County's emergency radio tower site in Lake Luzerne; and

WHEREAS, the proposed fiber optic communications line to the Lake Luzerne tower would replace an antiquated T-1 line at the site, and will provide a more effective and reliable telecommunications system, in addition to allowing the County to pursue wireless providers who could provide wireless communications coverage in the area, potentially generating revenue to the County; and

WHEREAS, it is necessary for the County to participate in the acceptance of the North Country Public Emergency Grant funds that will be utilized by DANC to install the fiber optic line to the Lake Luzerne tower; and

WHEREAS, it is necessary for the County to enter into an agreement with DANC for a term of five years for the acceptance of said grant funds and for access to the fiber optic line once installed at the Lake Luzerne tower site, which access shall be at no cost to the County for the first three years of the agreement, and at a cost of \$700.00 per month for the fourth and fifth years of the agreement; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with the Development Authority of the North Country (DANC), located in Watertown, New York, for a term of five years, for: 1) the acceptance of a New York State North Country Public Emergency Grant that will be utilized to by DANC to install a fiber optic communications line to the County's emergency radio tower in the Town of Lake Luzerne; and 2) for the provision of the County's access to said fiber optic line at no cost for the first three years of the agreement and at a cost of \$700.00 per month for the fourth and fifth years of the agreement; 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: None. Installation of this fiber line will be 100% grant funded, and the County will also realize savings in the Emergency Services operating budget as a result of deactivating the current T-1 line.

RESOLUTION 39 - 2015

Introduced by Supervisors Barrett, Allen, Johnson, Lent, Peck, Wright and Ziegler

AMENDING THE 2015 COUNTY BUDGET TO REAPPROPRIATE \$66,625 IN EXPENSES AND REVENUES UNDER THE OFFICE FOR THE AGING FOR THE INSTALLATION OF NEW PHONE SYSTEM IN THE SERVICES BUILDING

WHEREAS, \$66,625 in unexpended funds from a 2015 Balancing Initiative Program Grant for the installation of the new phone system in the Services Building at 152 West High Street, Ballston Spa, need to be reappropriated to the 2015 County Budget; and

WHEREAS, an amendment to the 2015 Saratoga County Budget is needed to reappropriate said unexpended funds; now, therefore, be it

RESOLVED, that the 2015 County Budget is amended as follows:

OFFICE FOR THE AGING:**Appropriations:**

Increase Acct.: #1-76-000-8170.I Inter-Dept Mgt Services	\$66,625
<u>Revenues:</u>	
Increase Acct.: #1-76-3774 NY Connects	\$66,625
<u>TRANSFER:</u>	
From:	
Decrease Acct.: #1-76-000-8170.I Inter-Dept Mgt Services	\$66,625
To:	
Increase Acct.: #1-36-361-7051 Communications Equipment	\$66,625

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 40 - 2015

Introduced by Supervisors Grattidge, Allen, Barrett, Lent, Raymond, Sausville and Wood

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 for the B.I.N. 3304460, CR45 Northline Road over Kayderosseras Creek P.I.N. 1757.09 (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, ROW and Construction.

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 the to pay in the first instance 100% of the federal and non-federal share of the cost of Design, ROW and construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$271,468 has already been appropriated from the Saratoga County General Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the additional sum of \$1,034,269 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 the 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 be and is 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% local share of the \$1,034,269 is \$51,714 and is included in the 2015 Adopted Budget.

RESOLUTION 41 - 2015

Introduced by Supervisors Grattidge, Allen, Barrett, Lent, Raymond, Sausville and Wood

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH GREENMAN-PEDERSEN, INC. FOR CONSTRUCTION SUPPORT AND INSPECTION SERVICES RELATED TO THE REHABILITATION OF THE CR45 (NORTHLINE ROAD) BRIDGE OVER THE KAYDEROSSERAS CREEK IN THE TOWN OF MALTA

WHEREAS, pursuant to Resolutions 230-09, 124-11 and 133-13 this Board appropriated County Highway Funds for engineering and design work related initially to the replacement and later to the rehabilitation of the CR45 (Northline Road) Bridge over the Kayderosseras Creek in the Town of Malta; and

WHEREAS, the County has an existing contract with Greenman-Pedersen, Inc. to provide engineering and design services for this project; and

WHEREAS, pursuant to Resolution 40 - 2015, this Board appropriated additional County Highway Funds for the next phase of this project, construction and construction inspection services; and

WHEREAS, our Public Works Committee and the County Commissioner of Public Works have recommended that the County's agreement with Greenman-Pedersen, Inc. be amended to authorize Greenman-Pedersen, Inc. to provide construction inspection and support services required in connection with the rehabilitation of the CR45 (Northline Road) Bridge over the Kayderosseras Creek at a cost not to exceed \$162,955; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the agreement with Greenman-Pedersen, Inc. of Albany, New York, for construction inspection and support services related to the rehabilitation of the CR45 (Northline Road) Bridge over the Kayderosseras Creek in the Town of Malta, at an additional cost not to exceed \$162,955, with the form and content of said amended agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact, the required funds are included in the 2015 Adopted Budget.

RESOLUTION 42 - 2015

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

CORRECTING 2015 TAX BILL ON A PARCEL IN THE TOWN OF WILTON

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

WHEREAS, due to clerical error, the 2015 tax bill for Tax Parcel #127.11-3-8 in the Town of Wilton included an error that mistakenly charged the parcel for 14 sewer units instead of the 1 sewer unit that should have been charged; and

WHEREAS, the owner of the foregoing parcel has timely submitted proof of such clerical error in the 2015 tax bill for said parcel; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a new tax bill be generated charging for the one sewer unit required by Saratoga County Sewer District No. 1's 2015 scale of sewer charges; now, therefore, be it

RESOLVED, that the application of the following owner for correction of the 2015 tax rolls be approved, and the 2015 tax rolls are hereby corrected as follows:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Ryan Z. Smalley Laura B. Carroll 17 Waverly Place Wilton, NY 12831	Wilton	127.11-3-8	\$1,578

and, be it further

RESOLVED, that the property owner shall have eight (8) days from the date a corrected tax bill is mailed to pay the Corrected Tax without interest and penalties.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 43 - 2015

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

DISAPPROVING THE SEPTEMBER 18, 2012 AUCTION SALE OF TAX PARCEL #150.17-1-25 IN THE TOWN OF GREENFIELD AND DIRECTING THE COUNTY TREASURER TO REFUND THE DEPOSIT OF THE HIGHEST BIDDER

WHEREAS, pursuant to Resolution 166-96, this Board, by its Equalization and Assessment Committee, did offer on September 18, 2012 at auction sale certain parcels of land in several Towns within the County, which parcels included Tax Parcel #150.17-1-25 in the Town of Greenfield; and

WHEREAS, subsequent to the auction sale, the former owners of Tax Parcel #150.17-1-25 obtained orders of the Supreme Court of the State of New York and the Saratoga County Court staying the County from taking any action relative to the parcel; and

WHEREAS, the actions commenced by the former owners against the County have been dismissed, and the court ordered stays preventing this Board from taking any action relative to the auction sale of the parcel have been vacated; and

WHEREAS, the Terms and Conditions of the September 18, 2012 auction sale included the following:

- 7) Auction parcels are conveyed SUBJECT TO ALL TAXES, CHARGES, FEES, INTEREST & PENALTIES, ETC. LEVIED ON OR AFTER June 1, 2012. This includes 2012/2013 school taxes, 2013 town & county taxes, 2012/2013 village taxes and releived water & sewer taxes, if any. These taxes will be the responsibility of the purchaser.

WHEREAS, Kathleen Bieganski was the highest responsible bidder for Tax Parcel #150.17-1-25 at the September 18, 2012 auction; and

WHEREAS, Kathleen Bieganski, through her attorney, objected to accepting the conveyance of Tax Parcel #150.17-1-25 subject to all taxes, charges, fees, interest and penalties levied on or after June 1, 2012, and threatened litigation against the County if the County does not cancel all tax liens accruing on the property subsequent to June 1, 2012; and

WHEREAS, the Terms and Conditions of the September 18, 2012 auction sale must be enforced against all bidders equally, and it would be improper to cancel any existing tax liens on a parcel for the benefit of a single bidder; and

WHEREAS, the Terms and Conditions of all Saratoga County Real Property Tax Auctions, including the September 18, 2012 auction, state that each sale is subject to the approval of the Saratoga County Board of Supervisors; and

WHEREAS, our Equalization and Assessment Committee met on February 11, 2015 and recommended that: 1) that the auction sale of Tax Parcel #150.17-1-25 to Kathleen Bieganski be disapproved; 2) that the Saratoga County Treasurers refund to Kathleen Bieganski the deposit she paid for the parcel in the amount of \$11,300.00; and 3) that Tax Parcel #150.17-1-25 in the Town of Greenfield be placed on the list of properties to be sold at the County's next Real Property Tax Auction scheduled for March 17, 2015; and 4) that any pull of Tax Parcel #150.17-1-25 from the March 17, 2105 auction be prohibited; and

WHEREAS, our Law and Finance Committee met on February 11, 2015 and accepted and approved the foregoing recommendation of the Equalization and Assessment Committee; and

WHEREAS, upon learning of the foregoing recommendations of the Equalization and Assessment Committee and the Law and Finance Committee, Kathleen Bieganski abruptly changed her position and through her attorney stated a willingness to pay all taxes, charges, fees, interest and penalties levied on or after June 1, 2012; and

WHEREAS, Kathleen Bieganski’s impromptu offer to pay the taxes, charges, fees, interest and penalties levied on or after June 1, 2012 is untimely, and unreliable in that she could again change her mind and commence litigation challenging payment of said delinquent taxes if this Board were to approve the sale of Tax Parcel #150.17-1-25 to her; now, therefore, be it

RESOLVED, that the bid of Kathleen Bieganski made at the September 18, 2012 Saratoga County Real Property Tax Auction for Tax Parcel #150.17-1-25 is hereby disapproved; and, be it further

RESOLVED, that the Saratoga County Treasurer is hereby authorized and directed to refund to Kathleen Bieganski her deposit for Tax Parcel #150.17-1-25 in the amount of \$11,300; and, be it further

RESOLVED, that Tax Parcel #150.17-1-25 in the Town of Greenfield be sold at auction in the County’s next Real Property Tax Auction scheduled for March 17, 2015; and, be it further

RESOLVED, any pull of Tax Parcel #150.17-1-25 from the list of properties to be auctioned at the March 17, 2015 Saratoga County Real Property Tax Auction is prohibited, with the exception that the Tax Parcel may be removed from the Auction in the event the Treasurer’s Office receives a proper repurchase offer from the former owners by no later than 12:00 p.m. on the day of the Auction; and, be it further

RESOLVED, that Kathleen Bieganski shall be permitted to bid on Tax Parcel #150.17-1-25 at the Saratoga County Real Property Tax Auction scheduled for March 17, 2015.

BUDGET IMPACT STATEMENT: None. This parcel will be added to the March 17, 2015 auction.

RESOLUTION 44 - 2015

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

AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE TOWN OF WATERFORD CAPITAL RESOURCE CORPORATION

WHEREAS, unpaid taxes resulted in the County’s acquisition of Tax Parcel #291.71-3-30 in the Town of Waterford pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, Tax Parcel #291.71-3-30 was scheduled to be sold at the County auction of tax acquired properties on March 17, 2015; and

WHEREAS, the Town of Waterford Capital Resource Corporation has requested pursuant to Resolution Number 1 of the year 2015 to purchase Tax Parcel #291.71-3-30 for corporate purposes to include, but not be limited to, attracting new business/industry to the Town, relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities and such other purposes geared toward bettering the economic environment in the Town and the County; and

WHEREAS, the Town of Waterford Capital Resource Corporation has duly notified the previous owner of Tax Parcel #291.71.-3-30 of the Town of Waterford Capital Resource Corporation’s offer to purchase the parcel, and the former owner has failed to submit a repurchase offer for the property; and

WHEREAS, Board policy and the Real Property Tax Law allow the sale of tax acquired land to a not-for-profit corporation or local development corporation under these circumstances for the amount of the delinquent taxes, penalties and interest; and

WHEREAS, our Equalization and Assessment Committee recommends the acceptance and approval of the offer of the Town of Waterford Capital Resource Corporation to purchase Tax Parcel #291.71-3-30 for the amount of the delinquent taxes, penalties and interest; now, therefore, be it

RESOLVED, that the Chair of the Board execute and cause to be delivered a quit claim deed to the Town of Waterford Capital Resource Corporation conveying the following lands to Town of Waterford Capital Resource Corporation upon payment of all delinquent taxes, penalties and interest in the amount set forth below:

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Town of Waterford Capital Resource Corporation Waterford Town Hall 2014 65 Broad Street Waterford, NY 12188	2012, 2013,	291.71-3-30	\$23,999.43

; and, be it further

RESOLVED, that this conveyance is subject to all current 2015 taxes due and owing on the property, the payment of which taxes shall be the responsibility of the Town of Waterford Capital Resource Corporation.

BUDGET IMPACT STATEMENT: This amount includes all delinquent taxes, penalties and interest.

RESOLUTION 45 - 2015

Introduced by Supervisors Collyer, Jenkins, Lent, Lunde, Martin, 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 party or its designee, the lands set opposite its name, upon payment of the indicated amount, which includes penalties, interest and charges:

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Michelle Sorensen 185 Second Street, Apt. 2 Troy, New York 12180	2012, 2013 & 2014	Stillwater	206.17-3-22	\$6,385.56
Estate of Robert Williamsen 285 Middletown Road Waterford, NY 12188	2012 and 2014	Waterford	285.-1-5	\$577.41

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

RESOLUTION 46 - 2015

Introduced by Chairman Veitch

APPOINTING A COMMISSIONER OF SARATOGA LAKE PROTECTION AND IMPROVEMENT DISTRICT

WHEREAS, pursuant to Chapter 460 of the Laws of 1986, the five Commissioners of the Saratoga Lake Protection and Improvement District are appointed by the Board of Supervisors; and

WHEREAS, Alan McCauley has resigned as a Commissioner of the Saratoga Lake Protection and Improvement District effective as of December 31, 2014; now, therefore, be it

RESOLVED, that the following individual be appointed as a Commissioner of the Saratoga Lake Protection and Improvement District for the stated term:

<u>Name</u>	<u>Municipality</u>	<u>Prior Resolution</u>	<u>Term Expires</u>
Cristina Connolly 36 Stockholm Road Saratoga Springs, NY 12866	Saratoga Springs	None	12/31/17

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 47 - 2015

Introduced by Supervisors Wright, Collyer, Daly, Kinowski, Lewza, Sausville and Tollisen

AMENDING THE 2015 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO CAPITAL AND OTHER 2014 SARATOGA COUNTY SEWER DISTRICT NO. 1 PROJECTS

WHEREAS, unexpended 2014 funds for Saratoga County Sewer District No. 1’s capital and other 2014 projects in the amounts of \$4,206,576 need to be reappropriated to the 2015 budget in order to complete the balance of work related to said projects in 2015; now, therefore, be it

RESOLVED, that the 2015 Saratoga County Budget is amended as follows:

SEWER DISTRICT:

Appropriations:

Increase Acct.: #7-81-812-7092 Infrastructure	\$3,010,185
Increase Acct.: #7-81-812-7098 Professional Services	\$ 87,331
Increase Acct.: #7-81-813-7095 Capital Equipment	\$ 990,665
Increase Acct.: #7-81-813-7098 Professional Services	<u>\$ 118,395</u>
	\$4,206,576

Revenues:

Increase Acct.: #7-0599.M Appropriated Fund Balance	\$4,206,576
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BUDGET IMPACT STATEMENT: The budget amendment will reduce the Sewer District’s unappropriated fund balance by \$4,206,576.

RESOLUTION 48 - 2015

Introduced by Supervisors Wright, Collyer, Daly, Kinowski, Lewza, Sausville and Tollisen

AUTHORIZING THE SETTLEMENT OF ALL CLAIMS OF MICHAEL J. DEBRINO, III AND KRISTEN M. KUHN RESULTING FROM A SEWER FLOW BACKUP INTO THEIR PREMISES AT 58 BLUE JAY WAY IN THE TOWN OF CLIFTON PARK

WHEREAS, on January 16, 2015 a pump station owned and operated by Saratoga County Sewer District No. 1 in the Town of Clifton Park malfunctioned, causing a backup of sewer flow into the basement of a residence owned by Michael J. Debrino, III and Kristen M. Kuhn at 58 Blue Jay Way; and

WHEREAS, said homeowners sustained damage to their basement and its contents, causing the homeowners to incur expenses for cleanup work and restoration of the premises in the total amount of \$3,148.43; and

WHEREAS, the Saratoga County Sewer District Commission and the County Attorney have recommended that Michael J. Debrino, III and Kristen M. Kuhn be reimbursed in the amount of \$3,148.43 for their costs incurred in cleaning and restoring their property at 58 Blue Jay Way, contingent upon the County’s receipt of: 1) an executed release from the homeowners to the County of Saratoga and Saratoga County Sewer District No. 1 for any and all claims resulting from said sewage backup; and 2) copies of all invoices and receipts received for repair work and cleaning services performed at their premises in connection with the sewage backup; now, therefore, be it

RESOLVED, that this Board of Supervisors authorizes the settlement of all claims and demands of Michael J. Debrino, III and Kristen M. Kuhn against the County of Saratoga and Saratoga County Sewer District No. 1 for damages sustained to their residence at 58 Blue Jay Way in the Town of Clifton Park (Rexford), New York, resulting from a backup of sewer flow into their residence on January 16, 2015, in an amount not to exceed \$3,148.43, contingent upon the County’s receipt of: 1) a release approved by the County Attorney and executed by Michael J. Debrino, III and Kristen M. Kuhn to the County of Saratoga and Saratoga County Sewer District No. 1 for all claims and demands resulting from said sewage backup into their residence on January 16,

2015; and 2) copies of all invoices and receipts documenting the amounts charged and/or paid for repair work and cleaning services performed at the premises in connection with the sewage backup.

BUDGET IMPACT STATEMENT: None. Funding is available in the Sewer District's 2015 budget.

RESOLUTION 49 - 2015

Introduced by Supervisors Wright, Collyer, Daly, Kinowski, Lewza, Sausville and Tollisen

AUTHORIZING THE SETTLEMENT OF ALL CLAIMS OF MICHAEL J. AND JENNIFER HALKOVITCH RESULTING FROM A SEWER LINE BLOCKAGE AT THEIR PREMISES AT 63 BLUE JAY WAY IN THE TOWN OF CLIFTON PARK

WHEREAS, on January 16, 2015 a pump station owned and operated by Saratoga County Sewer District No. 1 in the Town of Clifton Park malfunctioned, causing a backup of sewage in the sewer line servicing a residence owned by Michael J. and Jennifer Halkovitch at 63 Blue Jay Way; and

WHEREAS, the backup caused the homeowners to retain the services of a plumber to inspect the sewer line at a cost to the homeowners in the amount of \$416.18; and

WHEREAS, the Saratoga County Sewer District Commission and the County Attorney have recommended that Michael J. and Jennifer Halkovitch be reimbursed in the amount of \$416.18 for their costs incurred in inspecting the sewer line to their residence at 63 Blue Jay Way, contingent upon the County's receipt of: 1) an executed release from the homeowners to the County of Saratoga and Saratoga County Sewer District No. 1 for any and all claims resulting from said sewer line backup; and 2) copies of all invoices and receipts received for all plumbing services performed at their premises in connection with the sewer line backup; now, therefore, be it

RESOLVED, that this Board of Supervisors authorizes the settlement of all claims and demands of Michael J. and Jennifer Halkovitch against the County of Saratoga and Saratoga County Sewer District No. 1 for all costs incurred in connection with the backup of sewage in the sewer line to their residence at 63 Blue Jay Way in the Town of Clifton Park (Rexford), New York, on January 16, 2015, in an amount not to exceed \$416.18, contingent upon the County's receipt of: 1) a release approved by the County Attorney and executed by Michael J. and Jennifer Halkovitch to the County of Saratoga and Saratoga County Sewer District No. 1 for all claims and demands resulting from said backup of sewage in the sewer line to their residence on January 16, 2015; and 2) copies of all invoices and receipts documenting the amounts charged and/or paid for the plumbing services performed at the premises in connection with the backup of sewage in their sewer line.

BUDGET IMPACT STATEMENT: None. Funding is available in the Sewer District's 2015 budget.

RESOLUTION 50 - 2015

Introduced by Supervisors Wright, Collyer, Daly, Kinowski, Lewza, Sausville and Tollisen

AUTHORIZING THE SALE OF MAPLEWOOD MANOR'S ACCOUNTS RECEIVABLE THROUGH FEBRUARY 1, 2015 TO SARATOGA BALL, LLC FOR THE SUM OF \$1,400,000

WHEREAS, the County sold the business operation of its Maplewood Manor nursing home effective as of 7:00 a.m. on February 1, 2015, hereinafter referred to as the "Cut Off Date"; and

WHEREAS, the County is the owner of all Accounts Receivable for services provided at Maplewood Manor through the Cut Off Date; and

WHEREAS, as a result of the transfer of its business operations to the new licensed operator, the County lacks the staffing and resources needed to collect Maplewood Manor's outstanding Accounts Receivable, of which \$1,800,000 are estimated to be reasonably collectible; and

WHEREAS, Saratoga Ball, LLC has offered to purchase from the County all of the County's rights, title and interest in and to the Accounts Receivable for the sum of \$1,400,000, exclusive of three accounts for which the County has already commenced litigation to collect; and

WHEREAS, our Law and Finance Committee has recommended that the offer of Saratoga Ball, LLC to purchase the Accounts Receivable of Maplewood Manor through the Cut Off Date for the sum of \$1,400,000 be accepted; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby authorizes and directs the sale to Saratoga Ball, LLC of all of the County's rights, title and interest in and to the Accounts Receivable relating to services provided at the Maplewood Manor nursing home through 7:00 a.m. on February 1, 2015 for the purchase price of \$1,400,000; and, be it further

RESOLVED, that the three accounts receivable for which the County has commenced litigation to collect are excluded from the Accounts Receivable being sold to Saratoga Ball, LLC; and, be it further

RESOLVED, in accordance with generally accepted accounting principles, all accounts receivable determined to be uncollectible will be adjusted against revenue; and, be it further

RESOLVED, that Saratoga Ball, LLC is hereby appointed as the County's irrevocable attorney-in-fact to collect any and all Accounts Receivable, to submit appeals on the County's behalf and to appear in any action and/or collect any such money, award or payment with respect thereto; and, be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any bills of sale, endorsements, assignments, and other instruments of conveyance needed to transfer, convey, assign and deliver to Saratoga Ball, LLC all the County's rights, title and interest in and to Maplewood Manor's Accounts Receivable and/or needed to assist in the collection or reduction to possession of any or all or such Accounts Receivable; and, be it further

RESOLVED, that all such bills of sale, endorsements, assignments or other instruments required to be signed by the Chair of the Board shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The proceeds of this transaction will be used to cover the legacy costs of the Maplewood Manor facility.

On a motion by Mr. Peck, seconded by Mr. Wood unanimous approval was given to amend the Rules of the Board commencing on March 1, 2015 the Board's agenda meeting shall convene at 4:30 o'clock in the afternoon of the Wednesday preceding the Board's regular meeting.

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

Respectfully submitted,

Pamela A. Wright, Clerk