

Agenda Session
July 15, 2015 4:55 p.m.

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

Roll call was taken. PRESENT –Alan Grattidge, Philip C. Barrett, Anita Daly, Preston Allen, Jean Raymond, Paul Lent, Arthur Wright, Kevin Tollisen, Paul Sausville, Thomas Richardson Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Peter Martin, Edward D. Kinowski,– 16. ABSENT - Patrick Ziegler, Richard Lucia, Paul Lunde, Daniel Lewza, Preston L. Jenkins, Jr., John Lawler, Arthur J. Johnson - 7.

On a motion by Mr. Veitch, seconded by Mr. Martin the minutes of the June 11, 2015 meeting were unanimously approved.

Mr. Hellwig presented the following:

EQUALIZATION & ASSESSMENT

Rejecting a request to delete outstanding real property taxes.

Correcting 2015 Tax bill and authorizing a tax credit.

BUILDINGS & GROUNDS

Amending the 2015 budget under Public Works to appropriate insurance proceeds the County received as a result of the loss of the “Mack Shack” building at the Highway Department.

Authorizing a contract with Clark Patterson Lee in the amount of \$62,340 for engineering services related to the replacement of the “Mack Shack”.

Acceptance of a NYSDOT grant in the amount of \$700,000 for the construction of a six (6) unit T-Hangar at the Saratoga County Airport.

Authorization for an agreement with McFarland Johnson for engineering services associated with the construction and design of that T-Hangar at the Saratoga County Airport.

PERSONNEL & INSURANCE

Amending the standard workday resolution based on recent changes to officials that were either appointed or elected to positions on the County board.

ECONOMIC DEVELOPMENT

Setting a public hearing on proposed amendments to the boundaries of Saratoga County Consolidated Agricultural Districts #1 and #2.

Authorizing an agreement with the Town of Saratoga and the Historic Hudson-Hoosic Rivers Partnership to advance \$200,000 for the design and construction of the Gateway Visitor Center in the Village of Schuylerville.

SOCIAL PROGRAMS

Authorizing a contract with Home Helpers & Direct Link for in-home respite care services which will be covered in its entirety with federal aid.

Accepting \$9,551 in funding from the New York State Office for the Aging (NYSOFA) which will be used for salaries of existing employees in the Department.

Acceptance of additional State Aid for Runaway and Homeless Youth programming and amending the budget in relation thereto.

PUBLIC HEALTH

Approving the consolidation of the Town of Galway and the Village of Galway Vital Registration Districts.

PUBLIC WORKS

Authorizing a supplemental funding agreement to deal with the increased cost of painting the Fenimore Bridge as a result of the low bid being in excess of \$250,000 over the budgeted amount.

PUBLIC SAFETY

Authorization for an agreement with Dr. Jacqueline Bashkoff, Ph.D. which will be increased from a minor contract up to a \$20,000 cap for psychological evaluations.

Authorizing an amendment with the company that's replacing the Spruce Mountain radio shelter roof for additional costs of removing asbestos.

Authorizing a Memorandum of Understanding and license agreement between the Town of Colonie Police Department and the Saratoga County Office of Emergency Services to allow for the installation of additional microwave equipment to improve communications between Saratoga and Albany counties.

Authorizing a Memorandum of Understanding between NYS Division of Homeland Security and Saratoga County for the temporary loan of Interoperable Communications Resources in the event of a crisis across county borders.

LAW & FINANCE

Authorization for the County to become a member of the Empire State Municipal Purchasing Group.

Ratifying an emergency condition and authorizing the Sewer District's Executive Director to purchase necessary goods and services to effect an emergency repair at the wastewater treatment plant in the Town of Halfmoon.

Authorizing the commencement of legal action to recover damages resulting from deficiencies in the design and construction of certain infrastructure included within the 2008-2012 expansion of Saratoga County Sewer District No.1's Wastewater Treatment Plant, and authorizing the retention of Couch White, LLP as special counsel.

On a motion by Mr. Richardson, seconded by Mr. Sausville the agenda was unanimously set for the July 21, 2015 Board Meeting.

Mr. Lent reminded everyone that it's that time of the year. The 174th edition of the Saratoga County Fair begins on Tuesday, July 21st. Next year we're looking forward to the 175th anniversary. We look forward to seeing many of the folks there this year.

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

Respectfully submitted,

Pamela A. Wright, Clerk

REGULAR MEETING
TUESDAY, July 21, 2015
AT 4:00 P.M., E.S.T.

Board called to order by the Chairman.

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

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

On a motion by Mr. Collyer, seconded by Mr. Sausville the minutes of the June 16, 2105 meeting were unanimously approved.

The Clerk presented the following:

Letter from the Ronald McDonald House Charities thanking the Board for their donation in memory of Thomas Miller.

Received and filed.

Correspondence from Jean Chenier regarding responsibilities associated with Fireworks.

Received and filed.

Letter from Mr. Arcangelo, Chairman of the Community Services Board regarding their responsibilities.

Copy to all Supervisors.

Thank you note from Amy DePoy for the Character First Scholarship.

Received and filed.

Correspondence from the Public Service Commission regarding an Environmental Compatibility and Public Need for the Reconstruction of Electric Transmission Facilities.

Received and filed.

Letter from the Public Service Commission regarding the study on the State of Telecommunications in New York State.

Copy to Supervisor Lewza.

On a motion by Mr. Wood, seconded by Mr. Kinowski Resolution numbers 132 through 151 were adopted by a unanimous vote.

RESOLUTION 132 - 2015

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

REJECTING AN APPLICATION FOR A REAL PROPERTY TAX CREDIT

WHEREAS, Section 556 of the Real Property Tax Law imposes an obligation on the Saratoga County Board of Supervisors to entertain applications for refunds or credits of real property taxes and determine whether an applicant is entitled to a refund or credit due to either an unlawful entry on an assessment roll or a tax roll, a clerical error with respect to a tax, or the existence of an error in an essential fact related to the tax; and

WHEREAS, the owners of Tax Parcel #237-1-49.212 in the Town of Charlton have submitted an application pursuant to Real Property Tax Law §556 requesting the deletion of the 2013 County and Town tax bill for Tax Parcel #237.-1-49.212 and the issuance of a tax credit in the amount of the 2013 taxes owed on the basis that the Town Assessor of the Town of Charlton committed a “clerical error” as defined in Real Property Tax Law §550(2)(f) by making a duplicate entry on the assessment roll or on the tax rolls for the parcel; and

WHEREAS, our Director of Real Property Tax Services has issued a report recommending that the landowners’ application be denied for the following reasons: In accordance with a boundary line agreement filed in the Saratoga County Clerk’s Office on September 24, 2012, Tax Parcel #237.-1-49.212 was merged with Tax Parcel #237.-1-50 to create Tax Parcel

#237.-1-77. Taxable status date for the 2012 Final Assessment Roll was March 1, 2012. The 2012 Final Assessment Roll was used to generate the 2013 County and Town tax bills. As the merger of Tax Parcel #237.-1-49.212 and Tax Parcel #237.-1-50.1 happened after taxable status of March 1, 2012, the 2013 County and Town tax bill issued for Tax Parcel #237.1-49.212 was valid. A 2013 County and Town tax bill was not issued for the consolidated parcel, Tax Parcel #237.-1-77; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby determines that no clerical error as defined in Real Property Tax Law §550(2)(f) occurred or exists with respect to the issuance of the 2013 County and Town tax bill for Tax Parcel #237.-1-49.212 in the Town of Charlton; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors rejects the application of Joseph T. Hayes and Linda J. Hayes for the cancellation of the 2013 County and Town tax bill for Tax Parcel #237.-1-49.212 in the Town of Charlton, and for the issuance of a credit for said taxes, and directs the Director of Real Property Tax Services to make a notation of this rejection on said application stating the above determination as the reason for rejection; and, be it further

RESOLVED, that the Director of Real Property Tax Services is directed to mail a copy of the application containing the notation of rejection to Joseph T. Hayes and Linda J. Hayes.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 133 - 2015

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

AUTHORIZING THE DELETION FROM THE TAX ROLLS OF A PARCEL LOCATED IN THE TOWN OF CHARLTON AND AUTHORIZING A TAX CREDIT FOR THE DELETED PARCEL

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls, and Real Property Tax Law §556 authorizes the provision of a credit against outstanding tax owed on a corrected tax bill; and

WHEREAS, Real Property Tax Law §550 (2)(f) defines a “clerical error” as a duplicate entry on an assessment roll or on a tax roll of the description or assessed valuation, or both, of an entire single parcel; and

WHEREAS, the owners of the following property have timely submitted proof of an error in their 2015 tax bill, to wit: In accordance with a boundary line agreement filed in the Saratoga County Clerk’s Office on September 24, 2012, Tax Parcel #237.-1-49.212 was merged with Tax Parcel #237.-1-50.1 on October 12, 2012. In 2014, the Town Assessor reactivated Tax Parcel #237.-1-49.212 in error, thereby generating a 2014-2015 school tax bill, which was relieved onto the 2015 town and county tax bill, and a 2015 town and county tax bill for the nonexistent tax parcel; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected by deleting the 2015 town and county tax bill for Tax Parcel #237.-1-49.212 and authorizing a credit in the amount of the bill together with all penalties and interest through July 31, 2015; now, therefore, be it

RESOLVED, that the application of the following individuals for correction of the 2015 tax rolls be approved, and the tax rolls are so corrected to delete all taxes owed on the Tax Parcel listed below, and to delete the parcel from the 2015 tax rolls:

<u>PROPERTY OWNERS</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Joseph T. Hayes and Linda J. Hayes	Charlton	237.-1-49.212	\$0.00

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in the amount of \$9.50 including penalties and interest through July 31, 2015 to the outstanding 2015 tax bill of the property owners Joseph T. & Linda J. Hayes; and, be it further

RESOLVED, that the Town Assessor of the Town of Charlton is hereby directed to delete Tax Parcel #237.-1-49.212 from the 2014 assessment roll of the Town of Charlton; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward a copy of this Resolution to the Town Assessor of the Town of Charlton and the Saratoga County Treasurer.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 134 - 2015

Introduced by Supervisors Peck, Allen, Lawler, Lewza, Jenkins, Raymond, and Ziegler

AMENDING THE 2015 BUDGET UNDER PUBLIC WORKS TO INCREASE EXPENSES AND REVENUES IN THE PUBLIC WORKS DEPARTMENT BY \$754,262 RELEVANT TO INSURANCE PROCEEDS RECEIVED FOR LOSSES SUSTAINED AND EXPENSES INCURRED RELATIVE TO THE "MACK SHACK" BUILDING FIRE

WHEREAS, in March 2015, a fire caused by a defective electronic computer module in one of the County's dump trucks caused substantial damage to the County Department of Public Works' garage building known as the "Mack Shack", in which the truck was located, resulting in the need to demolish and replace the building, and the loss of various equipment, parts and supplies located within the building; and

WHEREAS, our Department of Public Works submitted a claim to the County's insurance carrier for the damaged building and all lost/damaged equipment, parts, and supplies contained therein; and

WHEREAS, an amendment is needed to the 2015 Saratoga County Budget to transfer the insurance proceeds received in the amount of \$754,262 to the applicable DPW revenue account and to appropriate the expenses; now, therefore, be it

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

DEPARTMENT OF PUBLIC WORKS:

APPROPRIATIONS:

Increase Acct. #3-50-000-7093 Bldg.-Construction Cost	\$671,699
Increase Acct. #3-50-000-8190 Professional Services	\$ 62,340
Increase Acct. #3-50-000-7050 Production Equipment	\$ 14,724
Increase Acct. #3-50-000-8295 Small Power Tools	\$ 1,835
Increase Acct. #3-50-000-8299 Misc. Equip. Supplies	\$ 2,539
Increase Acct. #3-50-000-8291 Equipment Rental 1	<u>\$ 1,125</u>
	\$754,262

REVENUES:

Increase Acct. #3-50-2680 Insurance Recovery	\$754,262
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BUDGET IMPACT STATEMENT: None. The costs associated with the replacement of the property, equipment, and supplies lost in the March 2015 fire will be covered through insurance proceeds.

RESOLUTION 135 - 2015

Introduced by Supervisors Peck, Allen, Lawler, Lewza, Jenkins, Raymond, and Ziegler

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CLARK PATTERSON ENGINEERS, SURVEYOR, ARCHITECTS AND LANDSCAPE ARCHITECT, D.P.C. FOR ENGINEERING SERVICES RELATED TO THE REPLACEMENT OF THE “MACK SHACK” GARAGE BUILDING

WHEREAS, in March 2015, a fire caused by a defective electronic computer module in one of the County’s dump trucks caused substantial damage to the County Department of Public Works’ garage building known as the “Mack Shack” in which the truck was located, resulting in the need to demolish and replace the building; and

WHEREAS, our Department of Public Works is in need of engineering services for the replacement of the Mack Shack building; and

WHEREAS, our Buildings and Grounds Committee and Commissioner of Public Works have recommended that a contract for engineering services for the replacement of the Public Works garage building known as the Mack Shack be awarded to Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C.; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair’s absence, is hereby authorized to execute an agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C. of Rochester, New York, for engineering services associated with the replacement of the Public Works garage building known as the Mack Shack, at a cost not to exceed \$62,340, with the form and content of such agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. The costs associated with these services will be covered through insurance proceeds related to the March 2015 fire.

RESOLUTION 136 - 2015

Introduced by Supervisors Peck, Allen, Lawler, Lewza, Jenkins, Raymond, and Ziegler

AUTHORIZING ACCEPTANCE OF A 2014 AIR ’99 GRANT OFFER FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) FOR WORK AT THE SARATOGA COUNTY AIRPORT DESCRIBED AS: CONSTRUCTION OF A 6 UNIT T-HANGAR TO BE CONSTRUCTED NORTHWEST OF THE 7-UNIT T-HANGAR CONSTRUCTED IN 1992; PIN 1902.16, AND AMENDING THE COUNTY BUDGET IN RELATION THERETO

WHEREAS, our Department of Public Works proposes to construct a 6-Unit T-Hangar (the “Project”) at the Saratoga County Airport to better serve the needs of the users of the Airport’s services and facilities; and

WHEREAS, the County of Saratoga desires to advance the Project by committing funds for the local match, the funding shares being State \$630,000; Local \$70,000; and Total \$700,000; now, therefore, be it

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

RESOLVED, that the Chair of the Board and/or Commissioner of the Saratoga County Department of Public Works of Saratoga County are hereby authorized to execute all necessary Agreements on behalf of the County with NYSDOT in connection with the Project, 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, that this Resolution shall take effect immediately; and, be it further

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

PUBLIC WORKS:**Appropriations:**

Increase Acct.: #1-50-513-7092 Infra-Structure	\$596,000
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Increase Acct.: #1-50-513-7098 Professional Services	<u>\$104,000</u>
	\$700,000

Revenues:

Increase Acct.: #1-50-3592 State Airport (90%)	\$630,000
Increase Acct.: #1-0599.M App. Fund Balance (10%)	<u>\$ 70,000</u>
	\$700,000

BUDGET IMPACT STATEMENT: The 10% Local Share of this grant will require an appropriation of \$70,000 from Fund Balance.

RESOLUTION 137 - 2015

Introduced by Supervisors Peck, Allen, Lawler, Lewza, Jenkins, Raymond, and Ziegler

AUTHORIZING AN AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR ENGINEERING SERVICES ASSOCIATED WITH THE DESIGN AND CONSTRUCTION OF A SIX UNIT T-HANGAR AT THE SARATOGA COUNTY AIRPORT

WHEREAS, pursuant to Resolution 136 - 2015, this Board authorized the acceptance of a 2014 AIR'99 New York State Department of Transportation grant for the construction of a six unit T-hangar at the Saratoga County Airport, and appropriated \$70,000 in local match funds for the project; and

WHEREAS, the County is in need of engineering services for the design and construction of the six unit T-hangar; and

WHEREAS, the County's airport consultants, McFarland Johnson, Inc., have submitted a proposal for engineering services associated with the design and construction of the T-hanger; and

WHEREAS, our Buildings and Grounds Committee and Commissioner of Public Works have recommended that the proposal of McFarland Johnson, Inc. be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair's absence, are hereby authorized to execute an agreement with McFarland Johnson, Inc. of Binghamton, New York, for engineering services associated with the design and construction of a six unit T-hangar at the Saratoga County Airport, at a cost not to exceed \$104,000, with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. All associated costs are covered under the NYSDOT 2014 AIR'99 Grant.

RESOLUTION 138 - 2015

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

AMENDING RESOLUTION 181-12, AS LAST AMENDED BY RESOLUTION 17-2015, AND APPROVING A REVISED STANDARD WORKDAY REPORTING RESOLUTION FOR ELECTED AND APPOINTED COUNTY OFFICIALS FOR RETIREMENT PURPOSES

WHEREAS, this Board adopted Resolution 181-12 establishing standard work days for certain elected and appointed County Officials for retirement reporting purposes pursuant to regulations of the New York State and Local Employees' Retirement System; and

WHEREAS, said regulations of the New York State and Local Employees' Retirement System require that municipalities continually update their standard workday resolutions to reflect changes in the employment status of individual employees, and accordingly Resolution 181-12 was last amended by Resolution 17-2015; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby amends Resolution 181-12, as last amended by Resolution 17-2015, and establishes the following as standard work days for the elected and appointed officials named hereafter, and will report the following days to the New York State and Local Employees' Retirement

System based on the time keeping system records or the record of activities maintained and submitted by this official to the Clerk of this body:

District Attorney	Karen Heggen
Director of Personnel	Marcy McNamara
Confidential Secretary/District Attorney	Pamela Hall
Assistant District Attorney	Jesse Ashdown
Assistant District Attorney	Charles Bucca
Assistant District Attorney	Jennifer Buckley
Assistant District Attorney	Patrick Campion
Assistant District Attorney	Matthew Coseo
Assistant District Attorney	Kristin Foust
Assistant District Attorney	Daniel Kopach
Assistant District Attorney	Lyn Murphy
Assistant District Attorney	Alan Moremba
Assistant District Attorney	Laura Robilotta
Assistant District Attorney	Michele Schettino
Assistant District Attorney	Debra Kaelin
Assistant Public Defender	Andrew Proler
Confidential Secretary/Public Defender	Dina Damiano
Deputy County Administrator	Chad Cooke
Director of Public Health	Catherine Duncan
Veteran's Service Officer	Paul Mosseau
Deputy County Treasurer	Cynthia Baker
Deputy County Treasurer	D'Arcy Plummer
Director of Finance	George Martin
Confidential Secretary/Treasurer	Mary Ellen Sweeter
Deputy Elections Commissioner	Carol Turney
Deputy Elections Commissioner	John Marcellus
Commissioner of Public Works	Keith Manz
Confidential Secretary/Public Works	Marie Rutigliano

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 139 - 2015

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

SETTING A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #1 AND SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #2

WHEREAS, New York State Agricultural and Markets Law Article 25-AA allows landowners with viable agricultural lands to petition the County Board of Supervisors to be included in agricultural districts; and

WHEREAS, pursuant to Resolution 176-96, this Board approved the consolidation of Saratoga County Agricultural Districts #1, 3 and 4 into Saratoga County Consolidated Agricultural District #1 within the Towns of Moreau, Northumberland, Saratoga, Stillwater and Wilton; and

WHEREAS, pursuant to Resolution 133-98, this Board of Supervisors approved the consolidation of Saratoga County Agricultural Districts #2, #5 and #6 into Saratoga County Consolidated Agricultural District #2 within the Towns of Ballston, Charlton, Clifton Park, Galway, Malta, and Milton, and the City of Saratoga Springs; and

WHEREAS, this Board of Supervisors received a petition from Charles and Elaine Gerber, landowners in the Town of Wilton, to include within the boundaries of Saratoga County Consolidated Agricultural District #1 approximately 44.06 acres of viable agricultural land on Bullard Lane used for the breeding of Alpacas and the keeping of poultry, swine and horses, identified as and consisting of

Tax Parcel #141-2-6.1 and Tax Parcel #141.-2-7; and

WHEREAS, this Board of Supervisors received a petition from Francis Manning, landowner in the Town of Edinburg, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 32.8 acres of viable agricultural land on Oakes Road used for the raising of horses and chickens and the growing of apple trees, identified as Tax Parcel #93.-1-2.2; and

WHEREAS, this Board of Supervisors received a petition from Andrew and Karen West, landowners in the Town of Edinburg, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 20.87 acres of viable agricultural land along Sinclair Road used for the production of hay and gardening, identified as and consisting of Tax Parcel #93.-1-44.2, Tax Parcel #93.1-1-32, Tax Parcel #93.-1-44.11 and Tax Parcel #93.-1-44.12; and

WHEREAS, this Board of Supervisors received a petition from Thomas Haytman, landowner in the Town of Edinburg, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 26.5 acres of viable agricultural land along Sinclair Road used for pasture and woodlands and the production of produce, identified as Tax Parcel #93.-1-28.1; and

WHEREAS, this Board of Supervisors received a petition from Leland Robinson, landowner in the Town of Edinburg, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 123 acres of viable agricultural land along Sinclair Road and White Birch Road used for the production of hay, the pasturing of horses, and the maintenance of woodlands, identified as Tax Parcel #80.-3-42; and

WHEREAS, this Board of Supervisors received a petition from Paul Cameron, II, landowner in the Town of Edinburg, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 29.37 acres of viable agricultural land along Oakes Road used for pasturing barns and the maintenance of woodlands, identified as Tax Parcel #93.-1-2.1; and

WHEREAS, this Board of Supervisors received a petition from Andre Garand, landowner in the Town of Edinburg, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 10.71 acres of viable agricultural land along Sinclair Road used for the production of blueberries, orchard fruits and firewood, identified as Tax Parcel #106.-1-3.2; and

WHEREAS, this Board of Supervisors received a petition from Lee Orr, landowner in the Town of Edinburg, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 18.45 acres of viable agricultural land along Oakes Road used for woodlands and the pasturing of livestock, identified as Tax Parcel #93.-1-111; and

WHEREAS, this Board of Supervisors received a petition from Ruby Hupkes, landowner in the Town of Edinburg, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 138.66 acres of viable agricultural land along Sinclair Road and Oakes Road used for the raising of livestock, poultry and horses, the growing of hay and the maintenance of woodlands and pasture, consisting of and identified as Tax Parcel #93.1-1-45.1, Tax Parcel #93.1-1-45.2, and Tax Parcel #93.-1-1.112; and

WHEREAS, the Saratoga County Agricultural and Farmland Protection Board has submitted a report to the Board of Supervisors recommending: 1) the inclusion of the lands of Charles and Elaine Gerber within the boundaries of Saratoga County Consolidated Agricultural District #1; and 2) the inclusion of lands of Francis Manning; Andrew and Karen West; Thomas Haytman; Leland Robinson; Paul Cameron II; Andre Garand; Lee Orr; and Ruby Hupkes within the boundaries of Saratoga County Consolidated Agricultural District #2; and

WHEREAS, pursuant to Agriculture and Markets Law §303-b(3), this Board of Supervisors is required to hold a public hearing to consider the requests for inclusion and the recommendations of the Saratoga County Agricultural and Farmland Protection Board; now, therefore, be it

RESOLVED, that this Board of Supervisors shall hold a public hearing on August 12, 2015 at 4:25 p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York, on: 1) the request of Charles and Elaine Gerber for the inclusion of their lands in the Town of Wilton within the boundaries of Saratoga County Consolidated Agricultural District #1; and 2) on the requests of Francis Manning, Andrew and Karen West, Thomas Haytman, Leland Robinson, Paul Cameron II, Andre Garand, Lee Orr and Ruby Hupkes for the inclusion of their lands in the Town of Edinburg within the boundaries of Saratoga County Consolidated Agricultural District #2; and be it further

RESOLVED, that the Clerk of the Board shall publish a notice of this hearing in the official County newspapers, and shall mail said notice of public hearing to the Supervisor of the Town of Wilton, the Supervisor of the Town of Edinburg and the New York Commissioner of Agriculture and Markets.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 140 - 2015

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

AUTHORIZING A COOPERATIVE AGREEMENT WITH THE TOWN OF SARATOGA AND THE HISTORIC HUDSON-HOOSIC RIVERS PARTNERSHIP ADVANCING LOCAL SPONSOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE GATEWAY VISITOR CENTER IN THE VILLAGE OF SCHUYLerville, AND AMENDING THE COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Environmental Conservation Law (“ECL”) §42-0103, the Historic Hudson-Hoosic Rivers Partnership (the “Partnership”) was established to preserve, enhance and develop the historic, agricultural, scenic, natural and recreational resources and the significant waterways of the communities surrounding the Hudson and Hoosic Rivers in Saratoga, Rensselaer and Washington Counties; and

WHEREAS, pursuant to ECL §42-0105, the area encompassed within the municipal boundaries in the towns of Saratoga, Stillwater, Northumberland, Easton, Fort Edward, Waterford, Halfmoon, Moreau, Schaghticoke, Cambridge, White Creek, Pittstown, Hoosick, Kingsbury, Corinth and Greenwich; the villages of South Glens Falls, Cambridge, Hudson Falls, Valley Falls, Schaghticoke, Corinth and Hudson Falls; and the City of Mechanicville are designated as the Historic Hudson-Hoosic Rivers Partnership Reserve (the “Reserve”); and

WHEREAS, the Partnership works to fulfill its mission by fostering collaborative projects with pertinent non-profit and governmental entities with an emphasis on agricultural and open space protection, economic and tourism development, and the protection and interpretation of our natural and cultural heritage; and

WHEREAS, the Partnership is pursuing plans to construct a visitor center on a two acre parcel of land owned by the Town of Saratoga in Fort Hardy Park in the Village of Schuylerville; and

WHEREAS, the visitor center will be known as the Gateway Visitor Center, and will be a multi-story building with exhibits showcasing the natural, cultural, and historic attractions in the area, and space for group meetings and educational demonstrations; and

WHEREAS, the Partnership has been awarded State grants totaling \$767,000 through the New York State Office of Parks, Recreation and Historic Preservation (the “State”) for the design and construction of the Gateway Visitor Center, including the installation of exhibits and purchase of equipment and furniture, which grant monies are to be in the form of reimbursement for previously paid expenditures; and

WHEREAS, pursuant to ECL §42-0107, the Partnership has the authority to enter into contracts necessary or convenient for the exercise of its powers and functions under Article 42 of the Environmental Conservation Law, including contracts for professional and technical assistance and advice; and

WHEREAS, the Partnership does not have a source of funding which to pay in the first instance the architects, engineers and contractors that the Partnership desires to retain to design and construct the Gateway Visitors Center; and

WHEREAS, pursuant to ECL §42-0111, in order to effectuate the purposes of ECL Article 42, the local legislative bodies of the towns, villages and city within the Reserve and the Counties of Saratoga, Washington and Rensselaer may appropriate and pay over to the Partnership moneys to be expended by the Partnership to carry out the Partnership’s authorized functions under ECL Article 42; and

WHEREAS, pursuant to ECL §42-0103, every state agency and public corporation having jurisdiction of land within municipalities located within the Reserve shall, to the fullest extent practicable, cooperate and assist the Partnership in carrying out the provision of ECL Article 42; and

WHEREAS, the Town of Saratoga (the “Town”) and the Partnership have entered into a cooperative agreement dated March 14, 2014 wherein: 1) the Town granted a license to the Partnership to construct the Gateway Visitor Center on a two acre parcel owned by the Town in Fort Hardy Park; and 2) the Town has agreed to act as the Assigned Payee under a grant agreement entered into between the Partnership and the State to facilitate the payment of the grant funds by making the Town responsible for paying the contractors and vendors designing and constructing the Gateway Visitor Center, subject to the Town being reimbursed by the State out of the grant funds for the project; and

WHEREAS, for the purpose of assisting and enabling the Town and the Partnership to fulfill their administrative responsibilities under the State grants, the Town and the Partnership have requested that the County advance the sum of \$200,000 to the Town for the purpose of the Town paying the retained contractors

and vendors, after which the Town shall submit claims for reimbursement to the State to be paid out of the grant funds, and then fully reimburse the County for all monies advanced by the County; and

WHEREAS, our Economic Development Committee has recommended that the County enter into a cooperative agreement with the Town and the Partnership authorizing and directing the County to advance the sum of \$200,000 to the Town for the design and construction of the Gateway Visitors Center, subject to the Town’s reimbursement of said sum to the County through the State grant funds awarded to the Partnership for the Gateway Visitor Center project; and

WHEREAS, the Gateway Visitor Center project will promote tourism to Saratoga County and will be an important enhancement to the historic, cultural and educational attractions available in Saratoga County; and

WHEREAS, an amendment to the 2015 Saratoga County Budget is needed for the advancement of the requested funding; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair’s absence, are authorized and directed to execute a cooperative agreement and any necessary related documents with the Town of Saratoga and the Historic Hudson-Hoosic Rivers Partnership to advance the sum of \$200,000 to the Town of Saratoga for the design and construction of the Gateway Visitor Center on property owned by the Town of Saratoga in the Village of Schuylerville, with said sum to be repaid in full by the Town and the Partnership out of grant monies awarded to the Partnership by the New York State Office of Parks, Recreation and Historic Preservation for this project; and, be it further

RESOLVED, that the form and content of said cooperative agreement shall be subject to the approval of the County Attorney; and, be it further

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

GENERAL FUND:

Transfer:

FROM: #1-14-999-9000 Contingency	\$200,000
TO: #1-14-114-7122 GateVisCtr	\$200,000

BUDGET IMPACT STATEMENT: This appropriation will be fully reimbursed through State Aid collected by the Town of Saratoga and the Historic Hudson-Hoosic Rivers Partnership.

RESOLUTION 141 - 2015

Introduced by Supervisors Lucia, Allen, Jenkins, Martin, Richardson, Tollisen and Wood

AUTHORIZING AN AGREEMENT WITH HHDL, INC., D/B/A HOME HELPERS & DIRECT LINK, FOR IN-HOME RESPITE CARE SERVICES

WHEREAS, pursuant to Resolution 227-2014, this Board authorized a contract with Home Instead for the provision of in-home respite care services for caregivers of elderly or disabled County residents who wish to remain at home and avoid placement in an institutional setting; and

WHEREAS, Home Instead has notified our Office for the Aging that it no longer wishes to accept new client referrals; and

WHEREAS, our Social Programs Committee and the Director of the Office for the Aging have recommended that the County enter into an agreement with HHDL, Inc. d/b/a Home Helpers and Direct Link for the provision of in-home respite care services for clients of the Office for the Aging at a cost of \$18.00 per hour; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair’s absence, is hereby authorized to execute an agreement with HHDL, Inc. d/b/a Home Helpers & Direct Link of Saratoga Springs, New York, for the provision of in-home respite care services to clients of the Saratoga County Office of the Aging at a cost of \$18.00 per hour, for a term commencing on August 1, 2015 and terminating on December 31, 2015, with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 142 - 2015

Introduced by Supervisors Lucia, Allen, Jenkins, Martin, Richardson, Tollisen and Wood

AUTHORIZING THE ACCEPTANCE OF DIRECT CARE WORKER PROGRAM FUNDS FROM THE NEW YORK STATE OFFICE FOR THE AGING FOR SALARY AND FRINGE BENEFIT SUPPORT FOR PERSONNEL COSTS OF THE SARATOGA COUNTY OFFICE FOR THE AGING

WHEREAS, the New York State Office for the Aging has awarded the County \$9,551 in Direct Care Worker Program funds for the purpose of reimbursing the County for a 2% salary and related fringe benefit increase for direct care staff and direct support professionals of the Saratoga County Office for the Aging, with said reimbursement to be for those personnel costs incurred between January 1, 2015 and March 31, 2016; and

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

RESOLVED, that the Chair of the Board, or the Vice-Chair in the Chair’s absence, is hereby authorized to execute any and all documents necessary to apply for and accept a Direct Care Worker Program grant in the amount of \$9,551 from the New York State Office for the Aging for salary and fringe benefit support for direct care staff and direct support professionals of the Saratoga County Office for the Aging, for those personnel costs incurred from January 1, 2015 through March 31, 2016; and, be it further

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

BUDGET IMPACT STATEMENT: None. The additional revenue offsets a portion of the staff costs associated with direct care of clients.

RESOLUTION 143 - 2015

Introduced by Supervisors Lucia, Allen, Jenkins, Martin, Richardson, Tollisen and Wood

AMENDING RESOLUTION 115-2015 TO ACCEPT AN ADDITIONAL \$17,170 IN STATE AID FOR RUNAWAY AND HOMELESS YOUTH PROGRAMMING, AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 115-2015, this Board approved the Saratoga County Youth Bureau’s 2015 funding applications and contracts; and

WHEREAS, subsequent to the adoption of Resolution 115-2015, the Youth Bureau received notification from the New York State Office of Children and Family Services (OCFS) that the Youth Bureau had been awarded an additional \$17,170 in funding for the Youth Bureau’s Runaway Homeless Youth Act (RYHA) Program; and

WHEREAS, the application for and acceptance of these OCFS funds requires the authorized signature of the Chair and Clerk of this Board and of our Youth Bureau Director; and

WHEREAS, as a result of the change in OCFS funding for the RHYA Program, it is necessary to amend Resolution 115-2015 and the 2015 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board, the Clerk of this Board and the Youth Bureau Director are hereby authorized to execute any and all documents necessary to apply for and accept additional State OCFS funding in the amount of \$17,170 for the Saratoga County Youth Bureau’s Runaway Homeless Youth Act Program; and, be it further

RESOLVED, that Resolution 115-2015 is hereby amended to authorize the Chair of the Board to execute the following subcontract for the acceptance of the additional RHYA funds by the following agency in the increased amount set forth below:

	2015
<u>AGENCY</u>	<u>RHYA</u>
CAPTAIN/Youth Shelter	\$30,960

and, be it further

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

YOUTH BUREAU

Appropriations:

Increase Acct.: #1-73-000-7734 RHYA \$17,170

Revenues:

Increase Acct.: #1-73-3877 RHYA \$17,170

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 144 - 2015

Introduced by Supervisors Tollisen, Collyer, Kinowski, Lucia, Martin, Richardson and Wood

APPROVING THE CONSOLIDATION OF THE TOWN OF GALWAY AND THE VILLAGE OF GALWAY
VITAL STATISTICS REGISTRATION DISTRICTS

WHEREAS, Public Health Law §4120(1) provides that each city, incorporated village and town in the State of New York shall constitute a separate primary registration district for the purpose of the reporting of vital statistics within their municipal boundaries; and

WHEREAS, in accordance with Public Health Law §4120(1), the Town of Galway and the Village of Galway maintain separate primary registration districts for the reporting of vital statistics; and

WHEREAS, Margaret L. DeFoe serves as Registrar of Vital Statistics for both the Town and Village; and

WHEREAS, the Galway Town Board, the Galway Village Board of Trustees, and the Registrar of Vital Statistics for the Town of Galway and the Village of Galway have requested that Vital Statistics Registration District 4522 of the Village of Galway be consolidated with Vital Statistics Registration District 4556 of the Town of Galway into the singular Vital Statistics Registration District of the Town of Galway in order to facilitate vital statistics registrations in the Town and Village; and

WHEREAS, Public Health Law §4120(2)(a) authorizes the Commissioner of the New York State Department of Health to combine two or more primary registration districts for the reporting of vital statistics into a single primary registration district upon the approval of the legislative body of the county in which each affected district is located; and

WHEREAS, our Public Health Committee has recommended that this Board approve the consolidation of Vital Statistics Registration District 4522 of the Village of Galway and Vital Statistics Registration District 4556 of the Town of Galway into the singular Vital Statistics Registration District of the Town of Galway; now, therefore, be it

RESOLVED, that upon the requests of the Galway Town Board, the Galway Village Board of Trustees, and the Registrar of Vital Statistics for both the Town and the Village of Galway, and pursuant to the authority of Public Health Law §4120(2)(a), this Board of Supervisors hereby approves the consolidation of the Village of Galway Primary Registration District and the Town of Galway Primary Registration District into the singular Town of Galway Primary Registration District; and, be it further

RESOLVED, that the Clerk of this Board of Supervisors is hereby directed to send a certified copy of this resolution to the Commissioner of the New York State Department of Health, the Supervisor of the Town of Galway, the Clerk of the Town of Galway, the Mayor of the Village of Galway, the Clerk of the Village of Galway and the Director of the Saratoga County Public Health Nursing Service.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 145 - 2015

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

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, APPROPRIATING FUNDS THEREFOR, AND AMENDING THE 2015 COUNTY BUDGET IN RELATION THERETO

WHEREAS, a Project CR27 (Bluebird Rd.) 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.

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 and Construction; and

WHEREAS, bids were received by the County for the construction work for the Project, and the low bid received exceeded the authorized funding by \$252,790;

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 County of Saratoga to pay in the first instance 100% of the federal and non-federal share of the cost of Construction for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$669,000.00 was previously appropriated and made available to cover the cost of participation in the Design and Construction phase of the Project; and it is further

RESOLVED, that the additional sum of \$252,790.00 is hereby appropriated from the County's Highway Fund and made available to cover the cost of participation in the construction 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, 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 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; and it is further

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

PUBLIC WORKS;

Appropriations:

Increase Acct. #2-50-510-7502 ContrHwySr \$252,790

Revenues:

Increase Acct. #2-50-3590 State Aid (15%) \$ 37,918

Increase Acct. #2-50-4590 Federal Aid (80%) \$202,232

Increase Acct. #2-0599.M App. Fund Balance (2.5%) \$ 6,320

Increase Acct. #2-50-2770 Unclassified Revenue (2.5%) \$ 6,320 (Washington County Share)
\$252,790

BUDGET IMPACT STATEMENT: The 2.5% County share of the \$252,790 cost is \$6,320 which will require appropriation from Fund #2 Fund Balance.

RESOLUTION 146 - 2015

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

AUTHORIZING AN AGREEMENT WITH JACQUELINE BASHKOFF, PH.D. FOR THE PROVISION OF EXPERT PSYCHOLOGICAL SERVICES TO ASSIST THE PUBLIC DEFENDER'S OFFICE IN THE REPRESENTATION OF THEIR CLIENTS

WHEREAS, Article 18B of the County Law requires counties to supply counsel, investigators, expert and other services to persons charged with a crime or involved in a Family Court proceeding unable to obtain these services; and

WHEREAS, from time to time our Public Defender's Office requires expert psychological services to assist in the representation of persons who are financially unable to obtain these services; and

WHEREAS, the County entered into an existing minor contract with Jacqueline Bashkoff, Ph.D. on October 16, 2013 for the provision of psychological services to assist in the representation of clients of the Public Defender's Office; and

WHEREAS, due to an increased need for Dr. Bashkoff's services in 2015, the cost of services rendered by Dr. Bashkoff this year is anticipated to exceed the minor contract limit of \$10,000 by an additional \$10,000; and

WHEREAS, the Public Defender has negotiated with Dr. Bashkoff a reduction in her hourly rates from \$175 per hour for out-of-court work to \$150 per hour, and from \$225 per hour for in-court services to \$150 per hour, effective July 1, 2015; and

WHEREAS, our Public Safety Committee has recommended that the County enter into an agreement with Jacqueline Bashkoff, Ph.D. for psychological services through December 31, 2015 at a cost not to exceed \$20,000, at the reduced hourly rate of \$150 for both in-court and out-of-court services effective as of July 1, 2015; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair's absence, are authorized to execute an agreement with Jacqueline Bashkoff, Ph.D. of Albany, New York, for the provision of expert psychological services to the Public Defender's Office to assist in the representation of their clients at a cost not to exceed \$20,000, for the term January 1, 2015 through December 31, 2015, subject to annual renewal, at the reduced hourly rate of \$150 for both in-court and out-of-court services effective as of July 1, 2015; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 147 - 2015

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

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH TECTA AMERICA WEATHERGUARD, LLC TO INCLUDE ASBESTOS REMOVAL WORK AS PART OF THE ROOF REPLACEMENT PROJECT AT THE COUNTY'S 9-1-1 SHELTER ON SPRUCE MOUNTAIN ROAD

WHEREAS, pursuant to Resolution 123-2015, this Board authorized an agreement with Tecta America Weatherguard, LLC for the replacement of the roof at the County's 9-1-1 shelter on Spruce Mountain Road for a sum not to exceed \$32,753; and

WHEREAS, pre-construction testing disclosed the presence of asbestos-containing materials in the shelter's current roof; and

WHEREAS, New York State law requires that the asbestos be removed before the shelter roof can be replaced; and

WHEREAS, Tecta America Weatherguard, LLC has given our Office of Emergency Services a quote of \$5,292.20 for the removal of the asbestos and all work related thereto; and

WHEREAS, our Public Safety Committee and Director of Emergency Services have recommended the County's agreement with Tecta America Weatherguard, LLC be amended to authorize the provision of asbestos removal work at the additional cost of \$5,292.20; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair's absence, are authorized to execute an amendment to the agreement with Tecta America Weatherguard, LLC of Schenectady, New York, for the provision of asbestos removal work in conjunction with the replacement of the roof at the County's 9-1-1 shelter on Spruce Mountain Road, with said work to be performed at the additional cost of \$5,292.20, bringing the contract total to \$38,045.20; and, be it further

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

BUDGET IMPACT STATEMENT: None. The additional cost can be covered within the approved project budget.

RESOLUTION 148 - 2015

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

AUTHORIZING A MEMORANDUM OF UNDERSTANDING AND LICENSE AGREEMENT WITH THE TOWN OF COLONIE FOR THE INSTALLATION OF MICROWAVE COMMUNICATIONS EQUIPMENT ON THE TOWN'S RADIO TOWER

WHEREAS, our Office of Emergency Services wishes to set up a microwave link between a radio tower owned by the County in the Town of Stillwater and a radio tower owned by the Town of Colonie at 534 Loudon Road, Newtonville, New York, in order to improve public safety communications between Saratoga County and Albany County; and

WHEREAS, our Office of Emergency Services proposes to utilize previously accepted New York State Division of Homeland Security and Emergency Services grant monies to pay for the equipment, labor and professional services needed to establish the microwave link; and

WHEREAS, the Town of Colonie has requested that the County enter into a Memorandum of Understanding and License Agreement with the Town authorizing the establishment of the microwave link, detailing the process for the installation of the necessary equipment, and outlining the respective duties, responsibilities and liabilities of the County and Town; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair's absence, are authorized to execute a Memorandum of Understanding and License Agreement with the Town of Colonie authorizing the installation of necessary communications equipment to establish a microwave link between the County's radio tower in the Town of Stillwater and the Town's radio tower on Loudon Road, for the purpose of improving public safety radio communications between Saratoga County and Albany County; and, be it further

RESOLVED, that the form and content of such Memorandum of Understanding and License Agreement shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. The costs associated with the equipment purchase and installation will be grant funded.

RESOLUTION 149 - 2015

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

AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE TEMPORARY LOAN OF INTEROPERABLE COMMUNICATIONS RESOURCES

WHEREAS, the New York State Department of Homeland Security and Emergency Services ("DHSES") has acquired the hardware, software and Mutualink Edge Subscription Service for Mutualink Interoperability

platforms and wishes to temporarily loan such equipment at no cost to New York State counties for communications purposes;

WHEREAS, the use of the equipment, software and Mutualink Edge Subscription Service will allow counties to communicate on a common platform for emergency management and public safety planning and response services; and

WHEREAS, DHSES requires each county desiring to utilize the equipment, software and Mutualink Subscription Service to enter into a Memorandum of Agreement with DHSES establishing the responsibilities, guidelines and procedures for the deployment and use of said equipment, software and user subscriptions provided to the county by DHSES; and

WHEREAS, our Public Safety Committee and the Director of Emergency Services have recommended that the County accept the loan of equipment, software, and Mutualink Edge Subscription Service from DHSES in order to improve emergency management planning and services in Saratoga County; and

WHEREAS, DHSES is not charging a fee for the use of its equipment, software and the subscription service, but the County will be responsible for all peripheral costs associated with the use of the equipment, including internet and mobile data access, in addition to preparing, packing and transporting the equipment for return to DHSES; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair's absence, are hereby authorized to execute a Memorandum of Agreement with the New York State Division of Homeland Security and Emergency Services for the temporary loan of interoperable communications resources that will allow Saratoga County to communicate with other New York State counties on a common platform for emergency management and public safety planning and response services; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 150 - 2015

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

AUTHORIZING A COOPERATIVE PURCHASING AGREEMENT WITH THE EMPIRE STATE MUNICIPAL PURCHASING GROUP FOR THE PURCHASE OF GOODS AND SERVICES

WHEREAS, the Empire State Municipal Purchasing Group ("ESMPG") is a purchasing cooperative that serves participating New York State local governments and certain not-for-profit organizations through the issuance of cooperative bids, and the operation and maintenance of a statewide Bid Notification and E-Procurement System, and which provides assistance to its members in complying with State bidding requirements, identifying qualified vendors of commodities, goods and services, and realizing various potential economics, including administrative cost savings; and

WHEREAS, our Director of Purchasing believes that Saratoga County can achieve significant savings by entering into a Cooperative Purchasing Agreement with ESMPG wherein commodity and service needs can be combined with other participating members to offer prospective vendors high volume opportunities at lower cost; and

WHEREAS, an additional benefit to entering into a Cooperative Purchasing Agreement with ESMPG is the use of BidNet, a mechanism for the release of bid information and documentation to prospective vendors from a secure online location, and for the electronic distribution of addenda, bid tabulations and awards; and

WHEREAS, there is no cost to the County to join ESMPG or to use BidNet; and

WHEREAS, it is in the best interests of Saratoga County taxpayers for the County of Saratoga to obtain quality goods and services at the most economical prices; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair in the Chair's absence, is hereby authorized to enter into a Cooperative Purchasing Agreement with the Empire State Municipal Purchasing Group at no cost to the County of Saratoga, with the form and content of such Agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 151 - 2015

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

RATIFYING AN EMERGENCY CONDITION AND AUTHORIZING THE SEWER DISTRICT'S EXECUTIVE DIRECTOR TO PROCURE THOSE PROFESSIONAL SERVICES NECESSARY FOR THE DESIGN OF A REPAIR TO AERATION TANK NO. 7 AND THE DESIGN AND CONSTRUCTION OF A DEWATERING SYSTEM AT THE SEWER DISTRICT'S WASTEWATER TREATMENT PLANT

WHEREAS, pursuant to Resolution 73-08, the Saratoga County Board of Supervisors approved the planned expansion and related improvement to Saratoga County Sewer District's No. 1's Wastewater Treatment Plant; and

WHEREAS, aeration tank no. 7, which was installed as part of the Treatment Plant upgrade, experienced a structural failure of the tank floor in October, 2014 following draining of the tank; and

WHEREAS, aeration tank no. 7, as well as adjacent aeration tank nos. 5,6 and 8, all share a groundwater relief system which allows ground water to enter in the individual tanks once the water level in the tank drops below the level of the flapper valves installed in the tank walls near the bottom of the tank; and

WHEREAS, it was discovered that the installing contractor, Jett Industries, Inc., failed to remove plugs from the flapper valves that aid in the draining of groundwater surrounding the tanks; and

WHEREAS, aeration tank no. 7 is an integral component of the wastewater treatment process allowing the Treatment Plant to maintain permit compliance; and

WHEREAS, engaging professional engineering services at this time to design a repair to aeration tank no. 7 is necessary in order to restore the operating capacity of the Treatment Plant, to maintain permit compliance, and to achieve high water quality standards for the Treatment Plant's effluent; and

WHEREAS, the design and construction of a dewatering system must be completed prior to completion of repairs to aeration tank no.7, and prior to the Sewer District completing necessary routine maintenance on tank nos. 5, 6 and 8 such that these tanks may be placed back in service to address capacity concerns at the Treatment Plant; and

WHEREAS, pursuant to General Municipal Law §103(4), the design of the repairs needed to aeration tank no. 7, and the interrelated design and construction of a dewatering system needed to effect such repairs, create a public emergency in need of immediate remedial action, thereby obviating any requirement to engage in the competitive bidding process to procure the necessary goods and services needed to design the critical repairs to aeration tank no. 7, and for the design and construction of the dewatering system needed to effect such repairs; and

WHEREAS, the actual costs of designing a repair to aeration tank no. 7, and of designing and constructing a dewatering system, will be determined as the work progresses, but the Sewer District's consulting engineer presently estimates the cost of the necessary engineering services to be in an amount not to exceed \$150,000, and the cost of construction services for the dewatering system to be in an amount not to exceed \$700,000; and

WHEREAS, the Saratoga County Sewer District Commission has determined that it is in the public interest that the Executive Director, or Acting Executive Director, of Saratoga County Sewer District No. 1 be authorized to procure those professional services needed to design a repair of aeration tank no. 7 and the design and construction of a dewatering system, in consultation with the Sewer District Commission's Engineering Committee; now, therefore, be it

RESOLVED, that the Saratoga County Sewer District Commission does hereby acknowledge, confirm and ratify the determination of the Saratoga County Sewer District Commission that a public emergency exists as a result of the structural failure of the tank floor of aeration tank no. 7 at Saratoga County Sewer District No. 1's Wastewater Treatment Plant, thereby obviating any requirement to solicit formal bids for goods and services needed to design a repair to aeration tank no. 7 and to design and construct an interrelated dewatering system for the tank; and, be it further

RESOLVED, that the Sewer District's Executive Director, or Acting Executive Director, is hereby authorized and directed to procure, upon consultation with the Sewer District Commission's Engineering Committee, those goods and services necessary to design a repair to aeration tank no. 7 and to design and construct a dewatering system for aeration tanks 5, 6, 7 and 8, at a cost not to exceed \$850,000.

BUDGET IMPACT STATEMENT: None. The costs associated with the repairs will be covered by savings in other capital projects.

RESOLUTION 152 - 2015

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

AUTHORIZING THE COMMENCEMENT OF LEGAL ACTION TO RECOVER DAMAGES RESULTING FROM DEFICIENCIES IN THE DESIGN AND CONSTRUCTION OF CERTAIN INFRASTRUCTURE INCLUDED WITHIN THE 2008-2012 EXPANSION OF THE SEWER DISTRICT'S WASTEWATER TREATMENT PLANT, AND AUTHORIZING THE RETENTION OF SPECIAL COUNSEL

WHEREAS, pursuant to Resolution 240-06, the Saratoga County Board of Supervisors authorized an agreement with Delaware Engineering, P.C. for engineering services relative to the planned expansion of the Saratoga County Sewer District No. 1's Wastewater Treatment Plant; and

WHEREAS, pursuant to Resolution 139-08, the Board of Supervisors authorized an agreement with Jett Industries, Inc. for general construction services relative to the expansion of Saratoga County Sewer District No. 1's Wastewater Treatment Plant; and

WHEREAS, two main sewage pumps designed and installed as part of the Treatment Plant Expansion have been deficient in their operation, undergone multiple repairs, and must be replaced; and

WHEREAS, the concrete floor of an aeration tank installed as part of the Expansion has buckled and heaved upward, necessitating additional engineering services and the need for a costly repair; and

WHEREAS, Delaware Engineering, P.C. and Jett Industries, Inc. have failed to repair and/or replace said defective infrastructure, and it is now necessary to pursue legal remedies to enforce the County's contractual rights; and

WHEREAS, the County Attorney has recommended that the law firm of Couch White, LLP be retained to serve as special counsel to represent the County in any legal action to be commenced against Delaware Engineering, P.C., Jett Industries, Inc. and any other necessary parties; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the commencement of legal action against Delaware Engineering, P.C., Jett Industries, Inc., and any other necessary parties, including, but not limited to the individual engineers and/or construction services staff employed by Delaware Engineering, P.C. and Jett Industries, Inc., for the recovery of damages resulting from deficiencies in the design and construction of certain infrastructure included within the 2008-2012 expansion of Saratoga County Sewer District No. 1's Wastewater Treatment Plant; and, be it further

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair's absence, are hereby authorized to execute a retainer agreement with Couch White, LLP of Albany, New York, to serve as special counsel with respect to the initiation and prosecution of the legal action authorized herein.

BUDGET IMPACT STATEMENT: Litigation services will be paid for out of the Sewer District Fund. Damages sought to be recovered by the County in the litigation will include the expenses of the litigation and attorneys' fees.

Mr. Veitch reminded everyone that today is the opening day of the Saratoga County Fair which runs through Sunday, July 26th. The Press event was held Monday evening which he and Supervisors Raymond and Lewza attended and saw all the great things that will be happening this year.

Mr. Veitch reported on the National Association of Counties conference that was held in Charlotte. The County's full delegation attended. A video was shown.

Mr. Veitch said that the resolutions today mentioned that the Chair or Vice Chair will be authorized to sign contracts over the next several weeks. He said he works at Verizon as an Engineering Specialist and are in the midst of a contract negotiation with the work force. The contract will expire on August 2nd. He is not a union member and his job will be to cover the company if the work force goes on strike. There is a potential he will

not be at next month's meetings if there is a strike. As a precaution the step has been taken so contracts can go forward and be signed in his absence.

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

Respectfully submitted,

Pamela A. Wright, Clerk