

SPECIAL SESSION
WEDNESDAY, JUNE 15, 2016
AT 4:40 p.m., E.S.T.

Chairman Wright called the meeting to order.

Roll call was taken. PRESENT – Timothy Szczepaniak, Alan Grattidge, Philip C. Barrett, Jonathan Schopf, Richard Lucia, Preston Allen, Jean Raymond, Paul Lent, Daniel Pemrick, Arthur M. Wright, Kevin Tollisen, Vincent DeLucia, Thomas Richardson, Daniel Lewza, R. Gardner Congdon, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Peter Martin, Edward D. Kinowski, John Lawler– 21. ABSENT - Willard H. Peck, Arthur J. Johnson – 2.

On a motion by Mr. Kinowski seconded by Mr. Veitch the special meeting was ratified by a unanimous vote.

On a motion by Mr. Collyer, seconded by Mr. Richardson, Resolution 143 was adopted by a unanimous vote.

RESOLUTION 143 - 2016

Introduced by Supervisors Johnson, DeLucia, Lawler, Lent, Richardson, Schopf and Wood

REQUESTING HOME RULE LEGISLATION TO AUTHORIZE THE COUNTY OF SARATOGA TO CONVEY A 63.54 ACRE PARCEL OF REFORESTED LANDS ON KINNS ROAD IN THE TOWN OF CLIFTON PARK TO THE TOWN OF CLIFTON PARK

WHEREAS, in 1938 the County acquired title to Tax Parcel #265.-2-9 on Kinns Road in the Town of Clifton Park through the County's tax foreclosure process, by deed recorded in the Saratoga County Clerk's Office in Book 401 of Deeds at Page 495; and

WHEREAS, pursuant to Resolution No. 76 of 1940, the Saratoga County Board of Supervisors approved the recommendation of its Reforestation Committee to dedicate and use the Kinns Road parcel for reforestation purposes; and

WHEREAS, from 1940 through the present date, the County has utilized and managed Tax Parcel #265.-2-9 consistent with the purposes authorized by County Law §219 and General Municipal Law §72-a; and

WHEREAS, pursuant to Resolution No. 264 of 1976, the Saratoga County Board of Supervisors authorized and directed the County's Forestry Department, subject to the approval of the New York State Department of Environmental Conservation, to create a recreational area upon the Kinns Road parcel, with such work to include, but not be limited to, the thinning and pruning of trees, the removal of stumps, wood chipping, the erection and installation of rest rooms and picnic tables, and the building of fireplaces and hiking paths; and

WHEREAS, the County dissolved its Forestry Department around 1980, prior to the commencement of any work by the County to create the planned recreational area on the Kinns Road parcel; and

WHEREAS, over the ensuing decades, the Town of Clifton Park has constructed a series of multi-use trails throughout the 63.54 acre parcel, and has maintained the trail system, a picnic area and a parking lot at the Town's expense; and

WHEREAS, the County's parcel has come to be known as "Kinns Road Park", and is heavily used by walkers, joggers, runners, hikers, cross-country skiers, dog walkers and others; and

WHEREAS, in accordance with the County's Forestry Management Plan for the County's reforested lands, the County planned to harvest selected trees and all dead and diseased trees on the Kinns Road parcel this year pursuant to best forestry management practices; and

WHEREAS, the County's plans to selectively harvest the timber on the Kinns Road parcel met with significant opposition from the residents surrounding the Park, the users of the Park, Clifton Park residents and Town officials; and

WHEREAS, pursuant to Resolution No. 47 of 2016, the Clifton Park Town Board has stated the Town's desire to acquire title to the Kinns Road Park parcel from the County in a manner consistent with state law and regulation; and

WHEREAS, on February 10, 2016 the County and the Town have entered into an intermunicipal agreement authorizing the Town to manage Kinns Road Park pursuant to the Forestry Stewardship Plan prepared by a certified forester retained by the Town, with said intermunicipal agreement to run for a term of the earlier of ten years or the date the County transfers title to the Kinns Road Park parcel to the Town pursuant to lawful authority; and

WHEREAS, while General Municipal Law §72-a authorizes the governing board of a town to acquire for such town tracks of land having forests or tree growth thereon, and to appropriate town monies therefor, County Law §219

limits the potential transferees to which a county can convey title to county reforested lands to only the State of New York; and

WHEREAS, pursuant to Resolution 75-2016, this Board of Supervisors requested home rule legislation authorizing the County of Saratoga to convey Tax Parcel #265.-2-9 to the Town of Clifton Park upon the condition that the Town own and operate the Kinns Road Park parcel as reforested lands in a manner consistent with and subject to the same statutory purposes and land use restrictions imposed on counties as set forth in County Law §219; and

WHEREAS, Senate Bill No. S07761 and Assembly Bill No. A10411 have been introduced in the New York State Legislature, which if enacted into law would authorize the County of Saratoga to transfer and convey County-owned reforested lands on Kinns Road in the town of Clifton Park to the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Saratoga hereby requests the enactment by the New York State Legislature of Senate Bill No. S07761 and Assembly Bill No. A10411 entitled "An Act authorizing the county of Saratoga to transfer and convey reforested lands on Kinns Road to the town of Clifton Park, county of Saratoga"; and, be it further

RESOLVED, that a necessity exists for the enactment of such legislation due to the fact that the Saratoga County Board of Supervisors does not have the power to enact such legislation solely by local law; 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.

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

Respectfully submitted,

Pamela Wright
Clerk of the Board