

AGENDA SESSION  
August 10, 2016 4:30pm  
Meeting Minutes

Vice Chairman Kinowski called the meeting to order and welcomed those in attendance.

PRESENT – Timothy Szczepaniak, Alan Grattidge, Philip C. Barrett, Jonathan Schopf, Preston Allen, Jean Raymond, Paul Lent, Arthur M. Wright, Kevin Tollisen, Vincent DeLucia, Thomas Richardson, Daniel Lewza, Gardner Congdon, Willard H. Peck, John Collyer, Thomas N. Wood, III, Matthew E. Veitch, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 20. ABSENT Richard Lucia, Daniel Pemrick, Peter Martin – 3.

**On a motion by Mr. Szczepaniak, seconded by Mr. Allen the minutes of the July 13, 2016 meeting were unanimously approved.**

Mr. Hellwig presented the following:

ECONOMIC DEVELOPMENT

Accept and administer a New York State snowmobile grant from the office of State Parks and Recreation.

Rescind Resolution 104-2016 due to the Historic Hudson-Hoosic Rivers Partnership's decision to purchase timber for the Gateway Visitors Center. The County Board had approved an agreement where the County would take care of some of the initial steps and the associated costs for which the Partnership would reimburse the County. With their decision to pursue another option, they have indicated they will reimburse the County for all of the costs associated with the initial work that was done. There is no impact from a budget standpoint.

EQUALIZATION & ASSESSMENT

Authorizing conveyance of a tax acquired parcel in the Town of Providence (\$7,966.21).

PUBLIC HEALTH

Authorize acceptance of additional State aid from the NYS Office of Alcohol and Substance Abuse in the amount of \$786 for computer equipment and a 2% COLA for direct care and clinical staff. This funding will be passed along to three agencies: Franklin Community Center, Albany Diocesan School and Transitional Services.

Authorize acceptance of additional State aid in the form of COLA for Children with Special Health Care Needs in the amount of \$2,327 for education and outreach material.

Authorize acceptance of additional State aid in the form of COLA for the Immunization Action Plan in the amount of \$9,048 for the purchase of a TV and wall mount, advertising and educational and promotional materials. This funding will be used for infectious disease awareness.

Authorize an agreement with the Health Research Foundation for SUNY in the amount of \$18,116 for the production of a Public Health live webcast. This will be available to health care providers across the County.

PUBLIC SAFETY

Authorize acceptance of an Aid to Prosecution Grant from the NYS Division of Criminal Justice Services in the amount of \$20,650. This funding is for a six month extension at which time the County will receive another extension on the funds that were approved in this year's State budget.

BUILDINGS & GROUNDS

Amending the 2016 Budget under Public Works to increase expenses and revenues by \$540,594 relevant to insurance proceeds for losses sustained and expenses increased associated with the "Mack Shack" Building fire.

Authorize Contract with Munter Enterprises Inc., (\$700,264), Collett Mechanical (\$184,763), Family Danz Mechanical (\$194,828), and ARCON Construction and Management Services (\$177,550) for a total of \$1,257,405 relative to the construction of the Mack Shack.

Mr. Hellwig said that due to the cost associated with replacing the DPW garage that burned last March, an additional \$540,000 is needed to cover the costs associated with the bids that were received. The total replacement cost is now \$1,259,033.

LEGISLATIVE & RESEARCH

Urging Governor Cuomo to sign into law the Public Defense Mandate Relief Act. This will essentially require New York State to reimburse County's the costs associated with Indigent Defense costs in the Public Defender's Office.

Opposing the closure of the Nelson Avenue Extension Bridge over the Northway which connects the City of Saratoga Springs with the Town of Malta.

**On a motion by Mr. Grattidge, seconded by Mr. Richardson the agenda was set for the July 19, 2016 Board of Supervisors meeting.**

Mr. Veitch said that he attended the National Association of Counties annual conference in Long Beach, California from July 22 until July 25, 2016. He gave a report on his participation at the conference and thanked the Board Chairman for allowing him to represent Saratoga County.

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

Respectfully Submitted,

Pamela Wright, Clerk

REGULAR SESSION  
TUESDAY, AUGUST 16, 2016  
AT 4:00 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, Jean Raymond, Paul Lent, Daniel Pemrick, Arthur M. Wright, Kevin Tollisen, Vincent DeLucia, Thomas Richardson, Daniel Lewza, John Collyer, Thomas N. Wood, III, Peter Martin, Matthew E. Veitch, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 20. ABSENT - Preston Allen, Gardner Congdon, R., Willard H. Peck - 3.

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

PUBLIC INPUT: Susan Balet-Haight spoke on the proposed closure of the Nelsen Avenue Extension Bridge. Ms. Balet-Haight said she is a business owner on Nelson Avenue Extension. She has eleven employees and hundreds of customers who use this bridge every day. She said this is a very important bridge and would like it saved. She asked the Board to consider passing a resolution opposing the closure of this bridge.

Mr. Wright told Ms. Balet-Haight that there is a resolution on the agenda today to oppose the tearing down of that bridge. He said that she does have friends here on this Board.

PRESENTATION: County Historian Lauren Roberts said as many may have noticed there is a large piece of parchment that hangs behind the Chairman and is only uncovered during Board meetings. This patent is over 300 years old and is the single oldest document in the County's possession. It is the original Kayderosseras patent granted by Queen Ann of England in 1708. She gave a brief history of the land grant. Mrs. Roberts explained the work that was done to the patent and thanked Spencer Hellwig, Chairman Wright and the Supervisors for their support of this project. She also thanked Donia Conn for all of her work restoring the document and Peter Pade of Pade Productions who took high resolution digital images. Mrs. Roberts thanked the Buildings and Grounds Department especially Jim Cutler and Dave Holbrook on their framing work.

On a motion by Mr. Grattidge, seconded by Mr. Barrett the minutes of the July 19, 2016 meeting were unanimously approved.

The Clerk presented the following:

Letter from the NYS Department of Transportation regarding the status of Second Quarter Payments.

Received and Filed.

Letter from Cynthia Hollowood, Operator/General Manager of the Holiday Inn Saratoga Springs, regarding occupancy tax deals with Airbnb.

Received and Filed.

Mr. Barrett reminded everyone that the Veterans Concert will be held on Monday, September 5<sup>th</sup> at SPAC. If you would like to volunteer let him or Mr. McClement know. If you are in need of tickets, please let him, Mrs. Wright or Mr. McClement know and more will be provided to you. Tickets are also available at the Stewarts Shops around the County.

Mr. Barrett introduced Stephen Lapage who won a contest to be Supervisor for a day. He said every year for past 12 years Clifton Park has held a National Night Out event. He spoke briefly about this event and said this was the first year the Supervisor for a Day contest was added.

On a motion by Mr. Richardson, seconded by Mr. DeLucia Resolution No.'s 183 through 194 were adopted by a unanimous vote.

#### RESOLUTION 183 - 2016

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

AUTHORIZING THE CHAIR TO ENTER INTO THE NECESSARY AGREEMENTS TO APPLY FOR, ACCEPT AND ADMINISTER A NEW YORK STATE SNOWMOBILE GRANT-IN-AID PROGRAM GRANT, AND AUTHORIZING THE ISSUANCE OF A NEGATIVE DECLARATION UNDER SEQRA

WHEREAS, on an annual basis since 1994, this Board has authorized acceptance of State aid for the maintenance of snowmobile trails and the administration of such aid by the Saratoga County Association of Snowmobile Clubs (Association); and

WHEREAS, the Association has requested that Saratoga County apply for a 2016/2017 New York State Snowmobile Grant-In-Aid Program Grant in an amount up to \$89,000, and to serve as a conduit between the State and the Association for the distribution of grant funds; and

WHEREAS, the Association has submitted to our Economic Development Committee a list of the 2016/2017 trail mileage planned for each snowmobile club within the County and the Committee has approved said list; and

WHEREAS, the approved trail mileage includes a new trail designated as part of Trail S83 in the Town of Edinburg through the 1000 Acre Swamp, and a reroute of Trail S84A in the Town of Greenfield; and

WHEREAS, the proposed modifications to the snowmobile trail system in the County (the "Project") are a Type II Action subject to the requirements of the State Environmental Quality Review Act ("SEQRA") pursuant to 6 NYCRR Part 617; now, therefore, be it

RESOLVED, that the Chair of the Board execute all appropriate documents for application for, acceptance and receipt of a 2016/2017 State Snowmobile Grant-In-Aid Program Grant not to exceed \$89,000 and for its administration by the Saratoga County Association of Snowmobile Clubs; and it is further

RESOLVED, that, the County Auditor is authorized to approve payment of the actual grant funds to the Association for use in the development of locally maintained snowmobile trails throughout the County; and it is further

RESOLVED, that the expenditure of grant funds is subject to receipt of Certificates of Insurance from each participating snowmobile club in the appropriate form and content as required by the County; and be it further

RESOLVED, that based upon the Project as proposed and the responses set forth in Parts 1 and 2 of the Short Environmental Assessment form prepared for the Project, the Saratoga County Board of Supervisors hereby determines that the Project will not have a significant impact upon the environment; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby issues a Negative Declaration for this Type II Action pursuant to 6 NYCRR Part 617; and be it further

RESOLVED, that the Chair of the Board be, and hereby is, authorized and directed to execute the Environmental Assessment form (a copy of which is attached hereto), indicating the proposed action will not result in any significant adverse environmental impact, and be it further

RESOLVED, that the Clerk of the Board is directed to cause a negative declaration to be filed in accordance with the requirements set forth in the applicable administrative and procedural regulations of SEQRA.

BUDGET IMPACT STATEMENT: None. The program is grant funded, and all funding is passed through to the Snowmobile Clubs.

#### RESOLUTION 184 - 2016

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

RESCINDING RESOLUTION 104 - 2016

WHEREAS, pursuant to Resolution 104 – 2016, this Board authorized the Chair of the Board to execute a cooperative agreement with the Historic Hudson-Hoosic Rivers Partnership (the “Partnership”) providing for Saratoga County’s donation of timber, in a species quantity to be determined by the Timber Frame Guild, to the Partnership for the construction of the Gateway Visitor Center in the Village of Schuylerville, subject to the Partnership reimbursing the County for all costs incurred in marking, cutting, loading and transporting the timber to mill; and

WHEREAS, Resolution 104-2016 further authorized the Chair to execute an agreement with Saratoga Land Management Corp. for the marking, cutting, loading and transporting of the timber being donated for the construction of the Gateway Visitor Center; and

WHEREAS, subsequent to the adoption of Resolution 104-2016 on April 19, 2016, the Partnership opted to purchase the timber needed for the construction of the Gateway Visitor Center from the Timber Frame Guild; and

WHEREAS, as the Partnership no longer needs the previously authorized donation of timber from the County, it is appropriate to rescind Resolution 104-2016, and thereby cancel the timber donation and the contracts authorized with the Historic Hudson-Hoosic Rivers Partnership and Saratoga Land Management Corp.; now, therefore, be it

RESOLVED, that for the reasons stated herein, Resolution 104-2016 is hereby rescinded.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 185 - 2016

Introduced by Supervisors Collyer, Congdon, DeLucia, Raymond, Richardson, Szczepaniak and Veitch

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

WHEREAS, unpaid taxes resulted in the County's acquisition of certain lands in various towns; and

WHEREAS, certain former owners have requested the pre-auction conveyance of one or more of the said parcels in consideration of the payment of an amount equal to the unpaid taxes, penalties, interests and charges; and

WHEREAS, our Equalization and Assessment Committee recommends approval of these requests; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors convey by quitclaim deed to the following parties or their designee, the lands described below, 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>
Frederick L. Green, Jr. Margaret A. Green 26 Fourth Street Corinth, NY 12822	2013 & 2014	Corinth	74.37-2-3	\$2,995.01
The Estate of Debra L. Elwell 131 Union Mills Road Galway, NY 12074	2013, 2014, 2015 & 2016	Providence	158.-1-44	\$7,966.21

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

RESOLUTION 186 - 2016

Introduced by Supervisors Grattidge, Collyer, Congdon, Martin, Pemrick, Szczepaniak and Tollisen

**AUTHORIZING AMENDMENTS TO MENTAL HEALTH CONTRACTS AUTHORIZED BY RESOLUTION 235-2015 AND RESOLUTION 80-2016 TO ACCEPT ADDITIONAL STATE FUNDS AND AMENDING THE 2016 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, Resolution 235-2015 authorized ongoing contracts for mental health services, subject to State appropriations therefor; and

WHEREAS, effective as of April 1, 2016, additional funds became available from the New York State Office of Alcohol and Substance Abuse Services (NYS OASAS) in the amounts of: 1) \$304 for Franklin Community Center’s purchase of computer equipment and web-based technology tools for the expansion of prevention programs in the County’s elementary schools, and 2) \$76 for a 2% cost of living increase for the Franklin Community Center’s direct care staff and clinical staff; and

WHEREAS, effective as of April 1, 2016, additional funds became available from NYS OASAS in the amount of \$365 for a 2% cost of living increase for direct care staff and clinical staff of Transitional Services Association; and

WHEREAS, effective as of April 1, 2016 additional funds became available from NYS OASAS in the amount of \$41 for a 2% cost of living increase to the federal SAPT grant funds accepted pursuant to Resolution 80-2016, which grant funds are to be passed through to the Albany Diocesan School Board for drug and violence prevention education in Saratoga County’s Catholic schools; and

WHEREAS, amendments to the current contracts authorized by Resolution 235-2015, as previously amended in part by Resolution 79-2016, Resolution 126-2016, Resolution 156-2016 and Resolution 173-2016, and to the contract with the Albany Diocesan School Board authorized by Resolution 80-2016, in addition to amendments to the 2016 County Budget are needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board and/or Director of Community Mental Health Services are hereby authorized to execute any agreements and documents needed to accept additional funding from NYS OASAS in the total amount of \$786; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute an amended contract with the following agencies to provide for an increase in funding for their services to the indicated amounts:

<u>ORGANIZATION</u>	<u>TOTAL</u>	<u>FUNDING LINE</u>
Albany Diocesan School Board	\$ 27,041	NYS OASAS - \$27,041
Franklin Community Center, Inc.	\$ 65,652	NYS OASAS - \$65,652
Transitional Services Association, Inc.	\$1,401,945	NYS OMH - \$1,158,513 NYS OASAS - \$243,432;

and, be it further

RESOLVED, that the 2016 County Budget is amended as follows:

MENTAL HEALTH:

Appropriations:

Increase Acct. #1-43-443-8650.013 (CathcSchl)	\$ 41
Increase Acct. #1-43-443-8735.013 (FnlnCommCt)	\$ 380
Increase Acct. #1-43-443-8726.013 (Trans SrASA)	\$ 365
	\$ 786

Revenues:

Increase Acct. #1-43-4481 (CthlcSAPT)	\$ 41
Increase Acct. #1-43-4477 (OASASFRCOM)	\$ 380
Increase Acct. #1-43-3489 (SA OASAS)	\$ 365
	\$ 786

and, be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 187 - 2016

Introduced by Supervisors Grattidge, Collyer, Congdon, Martin, Pemrick, Szczepaniak and Tollisen

AUTHORIZING THE CHAIR TO ACCEPT ADDITIONAL AID FROM THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM AND AMENDING THE 2016 BUDGET IN RELATION THERETO

WHEREAS, our Public Health Nursing Service administers various public health programs which include the Children With Special Health Care Needs, Lead Poisoning Prevention, Rabies and Immunization Action Plan Programs; and

WHEREAS, additional federal funding for a cost of living increase covering the program period April 1, 2016 through March 31, 2017 is available in the amount of \$2,327 through the New York State Department of Health for the Children With Special Health Care Needs (“CSHCN”) Program for the purchase of program supplies and materials to cover education and outreach for the CSHCN Program; and

WHEREAS, Public Health Services would like to accept this cost of living increase and appropriate the total COLA funds in the amount of \$2,327 into its 2016 budget for the aforementioned purposes; and

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

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute all documents necessary to apply for and accept additional aid through the New York State Department of Health in the form of a cost of living increase totaling \$2,327 for the County Public Health Services’ Children With Special Health Care Needs Program; and be it further

RESOLVED, that the 2016 County Budget is amended as follows:

PUBLIC HEALTH

Appropriations:

Increase Acct. #1-40-411-8200 Dept. Supplies	\$ 1,632
Increase Acct. #1-40-411-8514 Publications	\$ 345
Increase Acct. #1-40-411-8550.I Central Stores	<u>\$ 350</u>
	\$ 2,327

Revenues:

Increase Acct.: #1-40-4483.CSHCN EIA/CSHCN	\$ 2,327
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 188 - 2016

Introduced by Supervisors Grattidge, Collyer, Congdon, Martin, Pemrick, Szczepaniak and Tollisen

AUTHORIZING THE CHAIR TO ACCEPT ADDITIONAL AID FROM THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE IMMUNIZATION ACTION PLAN PROGRAM AND AMENDING THE 2016 BUDGET IN RELATION THERETO

WHEREAS, our Public Health Nursing Service administers various public health programs which include the Children With Special Health Care Needs, Lead Poisoning Prevention, Rabies and Immunization Action Plan Programs; and

WHEREAS, additional federal funding for a cost of living increase is available in the amount of \$9,048 through the New York State Department of Health for the Immunization Action Plan program for the purchase of various equipment and materials to educate the public with regard to the benefits of being immunized and to promote the Public Health Services’ Immunization Action Plan program, which equipment and materials would include but not be limited to: a Smart TV to display educational information regarding immunizations in the waiting area of the Public Health Services building; promotional note pads, tote bags, and lunch coolers in Spanish; and billboards and posters promoting immunizations to be displayed on and inside public buses and at public bus stops; and

WHEREAS, Public Health Services would like to accept this cost of living increase for the program period April 1, 2016 through March 31, 2017, and appropriate the total COLA funds in the amount of \$9,048 into its 2016 budget for the aforementioned purposes; and

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

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute all documents necessary to apply for and accept additional aid through the New York State Department of Health in the form of a cost of living increase totaling \$9,048 for the County Public Health Services' Immunization Action Plan program; and be it further

RESOLVED, that the 2016 County Budget is amended as follows:

PUBLIC HEALTH

Appropriations:

Increase Acct. #1-40-413-8410 Advertising	\$6,650.00
Increase Acct. #1-40-413-8200 Departmental Supplies	\$2,146.00
Increase Acct. #1-40-413-8540 Minor Office Furn & Equip	<u>\$ 252.00</u>
	\$9,048.00

Revenues:

Increase Acct.: #1-40-4411 Immunization Program FedA	\$9,048.00
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 189 - 2016

Introduced by Supervisors Grattidge, Collyer, Congdon, Martin, Pemrick, Szczepaniak and Tollisen

AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH THE RESEARCH FOUNDATION FOR SUNY FOR THE PRODUCTION AND DISTRIBUTION OF A WEBCAST PROVIDING EDUCATIONAL INFORMATION REGARDING EMERGING INFECTIOUS DISEASES, INCLUDING THE EBOLA AND ZIKA VIRUSES

WHEREAS, *Public Health Live!* is an award winning and nationally recognized monthly webcast series designed to provide continuing education opportunities on current and important public health issues; and

WHEREAS, The Research Foundation for SUNY sells webcast time to people and organizations desiring to create and broadcast via the internet educational public health programming on the *Public Health Live!* webcast; and

WHEREAS, the *Public Health Live!* webcast is produced and distributed by the personnel of the Center for Public Health Continuing Education at the State University at Albany School of Public Health, using the studio production facilities of public broadcast station WMHT; and

WHEREAS, pursuant to Resolution 117-2015, this Board accepted a Public Health Emergency Preparedness grant from the Center for Disease Prevention and Control in the amount of \$200,000 for Ebola preparedness and response activities by our Saratoga County Public Health Services; and

WHEREAS, our Director of Public Health Services proposes to utilize \$18,116 of said Public Health Emergency Preparedness grant funds to create and webcast on *Public Health Live!* a continuing education presentation about emerging infectious diseases, including the Ebola and Zika Viruses, and reviewing the protocols, requirements and means to report infectious diseases to the New York State Department of Health and local health departments; and

WHEREAS, our Public Health Committee has recommended that the County enter into an agreement with the Research Foundation for SUNY for the production and webcast of a continuing education program on emerging infectious diseases on *Public Health Live!* at a cost of \$18,116 for the term from July 1, 2016 through December 31, 2016; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with The Research Foundation for SUNY for the production and distribution of a continuing education presentation on emerging infectious diseases, including the Ebola and Zika Viruses, to be webcast on the *Public Health Live!* webcast

series, at a cost of \$18,116 for the term July 1, 2016 through December 31, 2016; with the form and content of such agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

#### RESOLUTION 190 - 2016

Introduced by Supervisors Lent, Allen, Barrett, Johnson, Lawler, Lucia and Szczepaniak

#### ACCEPTING AN AID TO PROSECUTION GRANT FOR THE DISTRICT ATTORNEY'S OFFICE

WHEREAS, pursuant to Resolution 215-2015, this Board authorized the acceptance of an Aid to Prosecution Grant from the State Division of Criminal Justice Services (DCJS) in the amount of \$41,300 to provide salary support to the Saratoga County District Attorney's Office for the prosecution of violent crimes; and

WHEREAS, the State DCJS has offered additional aid in the form of a six month extension to the previous Aid to Prosecution Grant covering the period April 1, 2016 through September 30, 2016 to provide continued salary support to the District Attorney's Office for the prosecution of violent crimes; and

WHEREAS, the State DCJS requests that the County approve and authorize the acceptance of this grant; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors, or the County Administrator, is hereby authorized, on behalf of the office of the District Attorney, to execute all necessary documents with the State Division of Criminal Justice Services for the acceptance of an Aid to Prosecution Grant in the amount of \$20,650, covering the grant period April 1, 2016 through September 30, 2016, with the form and content of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

#### RESOLUTION 191 - 2016

Introduced by Supervisors Peck, Grattidge, Lewza, Pemrick, Raymond, Richardson and Schopf

#### AMENDING THE 2016 BUDGET UNDER PUBLIC WORKS TO INCREASE EXPENSES AND REVENUES IN THE PUBLIC WORKS DEPARTMENT BY \$540,594 RELEVANT TO ADDITIONAL INSURANCE PROCEEDS RECEIVED TO COVER THE COST OF REPLACEMENT OF THE MACK SHACK 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 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, pursuant to Resolution 134-2015, the 2015 Saratoga County Budget was amended to transfer the insurance proceeds received in the amount of \$754,262 to the applicable DPW revenue account and to appropriate the expenses; and

WHEREAS, the insurance reimbursement received in 2015 was based upon the estimated cost of replacement of the Mack Shack building; and

WHEREAS, the bids received for the plumbing, mechanical, electrical and general construction work for the replacement of the building totaled \$1,257,405, substantially exceeding the insurance proceeds received; and

WHEREAS, as the County’s fire insurance policy reimburses the full replacement cost of a building destroyed by fire, our Department of Public Works submitted a supplemental claim for the full cost of replacement of the Mack Shack building based on the construction bids received; and

WHEREAS, an amendment is needed to the 2016 Saratoga County Budget to transfer the additional insurance proceeds received in the amount of \$540,594 to the applicable DPW revenue account and to appropriate the expenses; now, therefore, be it

RESOLVED, that the 2016 Saratoga County Budget is amended as follows:

DEPARTMENT OF PUBLIC WORKS:

APPROPRIATIONS:

Increase Acct. #3-50-000-7093 Bldg.-Construction Cost \$540,594

REVENUES:

Increase Acct. #3-50-2680 Insurance Recovery \$540,594

BUDGET IMPACT STATEMENT: None. The costs associated with the March 2015 fire of the property, equipment, and supplies lost in the March 2015 fire will be covered through insurance proceeds.

RESOLUTION 192 - 2016

Introduced by Supervisors Peck, Grattidge, Lewza, Pemrick, Raymond, Richardson and Schopf

**AUTHORIZING THE CHAIR TO ENTER INTO CONTRACTS AWARDED FOR THE CONSTRUCTION OF A BUILDING REPLACING THE DEPARTMENT OF PUBLIC WORKS’FORMER MACK SHACK BUILDING**

WHEREAS, Resolution 135-2015 authorized an agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C. to provide engineering services, associated with the replacement of the former Public Works garage building known as the Mack Shack which was destroyed by fire in March 2015; and

WHEREAS, pursuant to specifications prepared by Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C., competitive bids for the plumbing, mechanical, electrical and general construction work for the replacement of the Mack Shack building were solicited and opened in June and July 2016; and

WHEREAS, the County’s engineering consultants and our Buildings and Grounds Committee have recommended the award of the four construction contracts to the lowest complying bidders; and

WHEREAS, such awards require approval of this Board of Supervisors; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute any and all contracts and documents with the following contractors who are hereby awarded contracts for the construction of a building to replace the Public Works garage building formerly known as the Mack Shack, with the form and content of said contracts being subject to the approval of the County Attorney:

<u>DESCRIPTION</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
General Construction	Munter Enterprises, Inc., Middle Grove, NY	\$ 700,264
Plumbing Construction	Collett Mechanical, Inc., Latham, NY	\$ 184,763
Mechanical Construction	Family Danz Mechanical, LLC, Albany, NY	\$ 194,828
Electrical Construction	ARCON Construction & Management, Services, Inc. Albany, NY	<u>\$ 177,550</u> \$1,257,405

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

## RESOLUTION 193 - 2016

Introduced by Supervisors Lewza, Barrett, DeLucia, Johnson, Lawler, Peck and Pemrick

URGING GOVERNOR CUOMO TO SIGN INTO LAW THE PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/ A.10706)

WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of *Gideon vs. Wainwright*, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State, and

WHEREAS, the New York State Senate and Assembly have passed historic legislation entitled the Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing in 2017 and incrementally reaching 100% in 2023 and thereafter, and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the New York State Office of Indigent Legal Services the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832], and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010, and

WHEREAS, New York State has previously entered into an agreement to settle the *Hurrell-Harring vs. State of New York* class action lawsuit, and has begun to expend substantial amounts of State funds to create a more equitable and constitutional system of representation in the five defendant counties, thereby creating an unequal system of justice in the remaining counties of the State, and

WHEREAS, by entering into such agreement and funding additional services in the five settlement counties, the State has acknowledged that it is constitutionally required to fund public defense services for mandated representation, and

WHEREAS, requiring counties subject to a State-imposed tax cap to finance the State's obligation to provide public defense services imposes a significant, uncontrollable financial burden on counties dependent on real property taxes to fund needed services; and

WHEREAS, the enactment into law of the Public Defense Mandate Relief (S.8114/A.10706) will provide much needed fiscal relief to Saratoga County and the counties of New York State, and allow for the appropriate funding and provision of indigent defense legal services throughout New York State; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) and thereby fulfill the State's constitutional obligation to provide counsel to the indigent in criminal prosecutions, and relieve the taxpayers of Saratoga County and the other counties of the State and New York City of having to fund this New York State mandate, and be it further

RESOLVED, that the Clerk of the Board of Supervisors forward a copy of this resolution to Governor Andrew Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Kathleen Marchione, Senator Hugh Farley, Senator Betty Little, Assemblyman James Tedisco, Assemblyman Dan Stec, Assemblywoman Carrie Woerner, Assemblyman John MacDonald, the New York State Office of Indigent Legal Services (ILS), the New York State Defenders Association (NYSDA), the Chief Defenders Association of New York (CDANY), and the New York State Association of Counties (NYSAC).

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 194 - 2016

Introduced by Supervisors Lewza, Barrett, DeLucia, Johnson, Lawler, Peck and Pemrick

OPPOSING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION'S PROPOSED REMOVAL OF THE NELSON AVENUE EXTENSION BRIDGE, AND URGING THAT THE BRIDGE BE REPLACED

WHEREAS, the Nelson Avenue Extension Bridge was constructed over Interstate 87 in the 1960's in order to maintain the existing Nelson Avenue roadway linking the City of Saratoga Springs and the Town of Malta that would have been severed and separated into two dead end roads by the construction of Interstate 87; and

WHEREAS, the Nelson Avenue Extension Bridge is a pre-stressed concrete beam bridge with an asphalt deck that is reaching the end of its useful life; and

WHEREAS, the New York State Department of Transportation ("DOT") is considering plans to remove, and not replace, the Nelson Avenue Extension Bridge due to: 1) the low volume of traffic DOT's traffic study calculates to be using the Bridge each day, and 2) the estimated \$5.5 million cost of replacing the Bridge; and

WHEREAS, the Nelson Avenue Extension Bridge serves as the main thoroughfare to the City of Saratoga Springs, Saratoga Hospital and Saratoga Springs City Schools for Malta residents living east of the Bridge and around Saratoga Lake; and

WHEREAS, the removal and non-replacement of the Bridge would hinder and delay the provision of essential fire, police, emergency, and inter-municipal mutual aid services to individuals located east of the Bridge; and

WHEREAS, the removal of the Nelson Avenue Extension Bridge would divert traffic across the Crescent Avenue Bridge and onto Kaydeross Avenue East, a narrow, unlit road with limited sight distances and a sharp curve that is ill suited to handle a higher volume of traffic; and

WHEREAS, small businesses and farms east of the Bridge would be less accessible to their customers and suppliers if the Bridge were removed and not replaced, and would likely suffer adverse financial impacts; and

WHEREAS, DOT's traffic study fails to account for the number of bicyclists and runners that use the bridge, as well as charitable cycling events that include the Bridge in their cycling route; and

WHEREAS, on behalf of those residents of the Town of Malta who would be adversely affected by DOT's proposed closure of the Nelson Avenue Extension Bridge, the Malta Town Board has adopted Resolution 154 of 2016 requesting DOT to reconsider its plans to close the Bridge; and

WHEREAS, to date, over 1,600 Saratoga County residents have signed a petition to be presented to DOT opposing the closure of the Nelson Avenue Extension Bridge; and

WHEREAS, as Nelson Avenue Extension is a County Road (CR 64), the County has an interest in: 1) preserving this longstanding road as a thoroughfare linking the City of Saratoga Springs and the Town of Malta; and 2) opposing DOT's proposal to sever the roadway into two dead end roads; and

WHEREAS, for the reasons stated herein, it is appropriate that this Board of Supervisors join with the Malta Town Board and oppose DOT's proposal to remove and not replace the Nelson Avenue Extension Bridge; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby strongly opposes the New York State Department of Transportation's proposed removal and non-replacement of the Nelson Avenue Extension Bridge linking the City of Saratoga Springs and the Town of Malta over Interstate 87; and, be it further

RESOLVED, that this Board of Supervisors hereby urges the New York State Department of Transportation to replace the Nelson Avenue Extension Bridge, and to pursue all available options for funding the replacement costs of the Bridge; and, be it further

RESOLVED, that the Clerk of the Board forward copies of this Resolution to the Commissioner of the New York State Department of Transportation, Matthew Driscoll; New York State Department of Transportation Region One Director Samuel Zhou, P.E.; New York State Department of Transportation Project Manager Richard Filkins; our local state legislators, the Town Board of the Town of Malta and the City Council of the City of Saratoga Springs.

BUDGET IMPACT STATEMENT: No budget impact.

Chairman Wright announced the following appointments:

Workforce Development Board

Thomas Marron, Cascade Tissue  
Mike Munter, Munter Enterprises  
Greg Chanese, Schmalz Brewing Company  
Term: August 16, 2016 – December 31, 2018

Mr. Wright reminded everyone the Supervisors 2016 Golf Outing will be held on Friday, September 9<sup>th</sup> at Brookhaven Golf Course in the Town of Greenfield and encouraged everyone to get their foursome together.

Mr. Johnson said Supervisors Day at the Races will be Wednesday, August 31, 2016. He said information had been emailed out and if you are able to attend to let him or Pam know by August 25<sup>th</sup>.

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

Respectfully submitted,

Pamela Wright, Clerk