

REGULAR SESSION
TUESDAY, FEBRUARY 28, 2017
AT 4:00 p.m., E.S.T.

Chairman Kinowski called the meeting to order.

Roll call was taken. PRESENT – Timothy Szczepaniak, Alan Grattidge, Philip C. Barrett, Jonathon Schopf, Richard Lucia, Preston Allen, Jean Raymond, Daniel Pemrick, Arthur M. Wright, Kevin Tollisen, Vincent DeLucia, Daniel Lewza, R. Gardner Congdon, John Collyer, Thomas N. Wood, III, Peter Martin, Edward D. Kinowski, Arthur J. Johnson – 18. ABSENT - Paul Lent, Thomas Richardson, Willard H. Peck, Matthew E. Veitch, John Lawler - 5.

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

PRESENTATION:

Mr. John Arnold, Saratoga Farm Bureau representative and farmer updated the Board on their activities. He presented each Supervisor with a folder of information and thanked the Board for their continued support.

On a motion by Mr. Wood, seconded by Mr. Martin the minutes of the January 17, 2017 meeting were unanimously approved.

The Clerk presented the following:

Letter from the NYS Parks, Recreation and Historic Preservation informing the County the Calvary Episcopal Church has been listed on the National Register of Historic Places.

Received and Filed.

Letter from Harris Beach PLLC regarding the City of Saratoga Springs taking property for a shared use trail on Geyser Road.

Received and Filed.

Letter from Richard Gorman resigning from the Office for the Aging Advisory Council.

Received and Filed.

Letter from Herbert 'Jack' Vaillancourt resigning from the Great Sacandaga Lake Advisory Council.

Received and Filed.

REPORTS:

2016 Annual Report from the Saratoga County Probation Department

Received and Filed.

2016 Annual Report from the Saratoga County Veterans Agency.

Received and Filed.

2016 Annual Report from the Saratoga County Youth Bureau.

Received and Filed.

2016 Annual Report from the Department of Social Services.

Received and Filed.

Report No. 3 - 2016 Yearly Balance Sheet – County Clerk

Fee charged or received for recording & cert. thereof	\$1,793,821.25
Fee charged or received for official services	\$1,283,696.01
Fee received for Motor Vehicle Registrations	\$2,832,711.40
Sales Tax Motor Vehicle	\$ 28,328.55
Real Estate Transfer Tax	\$ 7,041.00
Money refunded for errors & duplication services	-0-
Fee charged for RP-5217's	\$1,021,491.00
Fee charged for Education Fees	\$ 646,950.00
EZPass	\$ 18,325.00
Public Copiers	\$ 3,438.70
TOTAL:	\$7,635,802.91

RECEIPTS

Amount received as shown	\$ 7,635,802.91
DMV Sales Tax & Fees	\$52,624,292.86
Amount of Mtg Tax Unapportioned as of Jan. 1, 2015	\$ 37,632.26
Amount of Mtg Tax received in 2014	\$15,493,040.55
Transfer Tax	\$ 5,753,567.05
TOTAL:	\$81,544,335.63

DISBURSEMENTS

Amount paid to County Treasurer	\$5,081,507.91
Amount paid to NYS Education Dept.	\$ 646,950.00
Amount paid to RP-5217 Account	\$ 957,204.00
Amount paid State of New York for Court Fees	\$ 937,741.00
Amount of Mtg Tax paid County Treasurer	\$8,211,484.24
Amount of Mtg Tax paid Capital Dist. Tran. Authority	\$3,911,776.31
Amount paid to State of NY Mtg Tax Agency	\$3,210,888.07
Amount of Mtg Tax paid to other counties & expenses	\$ 135,003.11
Amount of Mtg Tax unapportioned Dec. 31, 2014	\$ 61,347.25
Amount paid to County Clerk ½ of Int. of Mtg Acct	\$ 173.83
Amount paid to State for Notaries	\$ 12,400.00
Amount paid to NYS RETT	\$5,746,445.05
Amount paid to Co. Treasurer for RETT	\$ 7,122.00
Amount paid to NYS Sales Tax-for DMV	\$20,278,453.50
Amount paid to NYS DMV for fees	\$32,345,839.36
TOTAL:	\$81,544,335.63

Report No. 4 – 2016 Annual Report – Equalization and Assessment Committee

Committee Members: John Collyer, Chairman; Tom Richardson, Vice Chairman; Gardner Congdon, Vince DeLucia, Tim Szczepaniak, Matt Veitch and Jean Raymond.

Department Personnel reporting to the committee were Joanne Bosley and Christine Aldrich from Real Property; Brian O'Connor, County Auditor; Drew Jarosh and Cindy Baker from County Treasurer's Office; and Steve Dorsey, County Attorney. Also attending monthly meetings were Therese Connolly then Legislative Clerk and Chad Cooke, Deputy County Administrator.

During the year, Drew Jarosh and Cindy Baker presented several tender offers from the various towns in the County. Their requests were approved by the Committee. Two successful tax auctions were held in 2016, one in March and the other in September. At the March auction, forty-two (42) parcels were sold for a gross of \$772,150.00 with a net of

\$439,594.26. The September auction often referred to as the clean-up auction, fifteen properties (15) were sold. The gross sales were \$230,325.00 with a net of \$120,451.10.

In March, Auctions International (Professional Auctioneers) Russ Scherrer, Service Auctioneer forwarded to the County Treasurer, Drew Jarosh, a proposal to handle all future County Tax Foreclosed Real Estate. A sub-committee of Chairman Collyer, Tom Richardson and Matt Veitch met to review the proposal. However, after reviewing the proposal we could not recommend further review to the full Committee. However, the full committee met and they felt it was not in the best interest of the County or the bidders that we move forward with any such proposal at this time.

In November, County Attorney, Steve Dorsey received County Court approval to foreclose on all ninety-six (96) parcels delinquent for 2014 tax liens. These properties will be in the March 2017 auction, unless tender offers are made before auction day or a parcel is pulled by a Supervisor or the E & A Committee.

In April, County Attorney Steve Dorsey received Committee approval to enter into a minor contract with Environmental Attorney Gary Bowitch (Law firm of Bowitch and Coffey, LLC) to begin the process of investigating contaminates on the Riketts Dry Cleaning property in Ballston Spa. This business currently owes the County over \$90,000.00 in back taxes. In mid-December, a report was forwarded to Mr. Dorsey for review for questions and answers. Mr. Bowitch, Esq. on behalf of the County is also trying to obtain the appropriate documentation from the EPA Attorney indicating that the EPA will not attempt to place a lien on the property known as the Homestead Infirmary located in the Town of Providence. With this lien release the County can give consideration to taking title of the property with the hope of a future sale. Currently \$49,218.95 is owed in back taxes to the County. The EPA completed removal of all the metal, contaminates and asbestos in July of 2016. They secured the property, but since their departure the property has once again been vandalized. The cost for the recent clean-up was \$1,330,000.00.

During the year, Mrs. Bosley, Director of Real Property sought Committee approval for tax corrections and credits for the Towns of Clifton Park, Waterford and Ballston Spa. The requests were minor adjustments.

Mr. O'Connor, County Auditor, reported corrections of \$6,002.64 and refunds of \$1,997.80 for a total of \$8,000.44 for the first quarter of 2016. The second quarter had a refund of \$168.12. The third quarter had no adjustments. The fourth quarter had a refund of \$518.48 which was mistakenly a deleted STAR exemption. Total corrections for the year were \$6,002.64 and refund totals were \$2,684.40 for a grand total of \$8,687.04 for 2016 in comparison to \$12,482.26 in 2015 and \$8,997.76 in 2014.

Respectfully submitted,
John Collyer, Chairman

On a motion by Mr. Wood, seconded by Mr. Collyer Resolutions 38 – 72 with the exception of Resolution No. 41 were adopted by a unanimous vote.

RESOLUTION 38 - 2017

Introduced by Supervisors DeLucia, Barrett, Lucia, Johnson, Martin, Richardson and Szczepaniak

AUTHORIZING AMENDMENTS TO MENTAL HEALTH CONTRACTS AUTHORIZED BY RESOLUTION 235 - 2015 TO ACCEPT ADDITIONAL STATE FUNDS AND AMENDING THE 2017 COUNTY BUDGET IN RELATION THERETO

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

WHEREAS, additional funds have become available from the New York State Office of Mental Health (NYS OMH) in the amount of \$3,267 for a .2% across the board cost-of-living increase retroactive to April 1, 2016 for those mental health service providers contractually retained pursuant to Resolution 235-2015; and

WHEREAS, amendments to the current contracts authorized by Resolution 235-2015, as previously amended in part by Resolutions 79-2016, 126-2016, 156-2016, 173-2016 and 186-2016, in addition to amendments to the 2017 County Budget are needed to accept these funds; now, therefore, be it

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 amount:

<u>ORGANIZATION</u>	<u>TOTAL</u>	<u>LINE</u>
Burnt Hills – Ballston Lake Community Human Services Corporation	\$ 29,342	NYS OMH - \$29,342
Community, Work and Independence, Inc.	\$ 18,820	NYS OMH - \$8,556 NYS OPWDD - \$0 Saratoga County - \$10,264
Mechanicville Area Community Services Center, Inc.	\$ 11,136	NYS OMH - \$9,665 NYS OASAS - \$1,471
Northeast Parent and Child Society, Inc.	\$ 12,586	NYS OMH - \$12,586
Saratoga Bridges, NYS Association for Retarded Citizens, Inc., Saratoga County Chapter	\$ 260,504	NYS OMH - \$52,490 Saratoga County - \$111,534 NYS OPWDD - \$96,480
Saratoga Center for the Family, Inc.	\$ 18,626	NYS OMH - \$7,541 Saratoga County - \$11,085
The Workshop Inc., T/A Northeast Career Planning	\$ 29,148	NYS OMH - \$29,148
Transitional Services Association, Inc.	\$1,404,046	NYS OMH - \$1,160,614 NYS OASAS - \$243,432
Unlimited Possibilities, Inc. d/b/a Unlimited Potential	\$ 636,217	NYS OMH - \$589,464 NYS OPWDD - \$10,330 Saratoga County - \$36,423

and, be it further

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

RESOLVED, that the 2017 County Budget is amended as follows:

MENTAL HEALTH AND ADDICTIONS SERVICES:

Appropriations:

Increase Acct. #1-43-441-8728.046 (CHS)	\$ 24
Increase Acct. #1-43-441-8728.200 (CHS RIV)	\$ 19
Increase Acct. #1-43-441-8730.200 (CWI RF)	\$ 13
Increase Acct. #1-43-441-8729.001 (Mech Srvc Cntr LA)	\$ 14
Increase Acct. #1-43-441-8729.014 (Mech Srv Cntr CSS)	\$ 1
Increase Acct. #1-43-441-8741.200 (NE Parent & Child Scty)	\$ 19
Increase Acct. #1-43-441-8733.200 (Asso Ret Citizens RF)	\$ 56
Increase Acct. #1-43-441-8733.037 (Asso Ret Citizens ISE)	\$ 23
Increase Acct. #1-43-441-8731.001 (Sara Cntr Family LA)	\$ 11
Increase Acct. #1-43-441-8734.034 (Shelters ICM)	\$ 58
Increase Acct. #1-43-441-8749.037 (NE Career Planning)	\$ 44
Increase Acct. #1-43-441-8726.014 (Trans Srvc CSS)	\$ 5
Increase Acct. #1-43-441-8726.034 (Trans Srvc ICM)	\$ 167

Increase Acct. #1-43-441-8726.039 (Trans. Rehab)	\$ 3
Increase Acct. #1-43-441-8726.078 (Trans. Srvs. SH)	\$ 585
Increase Acct. #1-43-441-8726.200 (TSA RF)	\$1,032
Increase Acct. #1-43-441-8726.570 (TSA Health Homes)	\$ 309
Increase Acct. #1-43-441-8727.014 (UP CSS)	\$ 339
Increase Acct. #1-43-441-8727.037 (ISE)	\$ 65
Increase Acct. #1-43-441-8727.039 (Psych Rehab)	\$ 57
Increase Acct. #1-43-441-8727.040 (Innovative Rehab)	\$ 162
Increase Acct. #1-43-441-8727.200 (UP RF)	<u>\$ 261</u>
	\$3,267

Revenues:

Increase Acct. #1-43-3474 (Family Support)	\$ 24
Increase Acct. #1-43-3469 (MH Reinvestment)	\$1,344
Increase Acct. #1-43-3497 (Contract Agencies LA)	\$ 25
Increase Acct. #1-43-3494 (CSS)	\$ 401
Increase Acct. #1-43-3476 (SA Special Employment)	\$ 192
Increase Acct. #1-43-3495 (ICM)	\$ 225
Increase Acct. #1-43-3491 (Supported Housing)	\$ 585
Increase Acct. #1-43-3470 (MH – Health Homes)	\$ 309
Increase Acct. #1-43-3475 (Innovative Job Rehab)	<u>\$ 162</u>
	\$3,267

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 39 - 2017

Introduced by Supervisors DeLucia, Barrett, Lucia, Johnson, Martin, Richardson and Szczepaniak

AMENDING THE 2017 COUNTY BUDGET TO REAPROPRIATE \$25,000 IN EXPENSES AND REVENUES UNDER MENTAL HEALTH AND ADDICTION SERVICES FOR THE IMPLEMENTATION OF A HOME AND COMMUNITY BASED SERVICES PROGRAM

WHEREAS, \$25,000 in unexpended funds from a New York State Office of Mental Health and New York State Office of Alcohol and Substance Abuse Services grant for the implementation of a Home and Community Based Services program by Saratoga County Mental Health and Addiction Services need to be reappropriated to the 2017 County Budget; and

WHEREAS, an amendment to the 2017 Saratoga County Budget is needed to reappropriate said unexpended funds; now, therefore, be it

RESOLVED, that the 2017 County Budget is amended as follows:

MENTAL HEALTH AND ADDICTION SERVICES:

Appropriations:

Increase Acct.: #1-43-431-9000 Unallocated	\$25,000
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Revenues:

Increase Acct.: #1-43-3483 Alcohol Abuse Program SA	\$25,000
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 40 - 2017

Introduced by Supervisors DeLucia, Barrett, Lucia, Johnson, Martin, Richardson and Szczepaniak

AMENDING THE 2017 COUNTY BUDGET TO REAPPROPRIATE EXPENSES AND REVENUES UNDER PUBLIC HEALTH

WHEREAS, Resolution 117-2015 authorized an agreement with Health Research, Inc. for the acceptance of a 2015 Public Health Emergency Preparedness (PHEP) grant from the Centers for Disease Prevention and Control in the amount of \$200,000 for Ebola Preparedness Response Activities for the period April 1, 2015 through September 30, 2016; and

WHEREAS, pursuant to Resolution 201-2016, this Board authorized an amendment to the agreement with Health Research, Inc. to extend the term of the County’s agreement with Health Research, Inc. for the expenditure of the PHEP grant monies from September 30, 2016 to December 31, 2016 in order to authorize the use of the PHEP grant monies to pay for the cost of a contract authorized by Resolution 189-2016 with The Research Foundation for SUNY for the production and distribution of a continuing education presentation on emerging infectious diseases to be webcast on the Public Health Live! webcast series; and

WHEREAS, pursuant to Resolution 273-2016, this Board authorized an additional amendment to the agreement with Health Research, Inc. to extend the term of the County’s agreement with Health Research, Inc. for the expenditure of the PHEP grant monies from December 31, 2016 through April 30, 2017 in order to allow Public Health Services to pursue its plan to utilize a portion of the PHEP grant monies to purchase an Electronic Medical Records software system; and

WHEREAS, unexpended funds from such PHEP grant in the amount of \$13,384 need to be reappropriated for Public Health Services to the 2017 County budget; now, therefore, be it

RESOLVED, that the 2017 Saratoga County Budget is amended as follows:

PUBLIC HEALTH SERVICES:

Appropriations:

Increase Acct. #1-40-410-8150 Training Services	\$10,884
Increase Acct. #1-40-410-8120 Physicians	\$ 1,500
Increase Acct. #1-40-410-8190 Other Professional Srv	<u>\$ 1,000</u>
	\$13,384

Revenues:

Increase Acct. #1-40-4487.EBO	\$13,384
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

Mr. Martin said there is much merit to the legislative program that is proposed. However there is one item in that program that he cannot support. That is the item is opposing the Governor’s Proposal for Additional Property Tax Relief through Efficiency Plans. Mr. Martin said he thinks there is merit to proposal that is contained in the Governor’s Executive Budget. He said obtaining more efficiency through consolidating services between municipalities in our County is a good goal. He does not support this resolution.

Ms. Raymond said she disagrees with Mr. Martin on this one. She thinks it’s laudable to expect and should expect that levels of government work together for the taxpayers. Some counties are much more capable of doing that than others and have shown the willingness to do that. Ms. Raymond said Saratoga County probably leads that list of counties. I can’t imagine the benefit of forcing counties, towns and cities to get together to attempt to reach some consensus to do something and then have to spend the money to put it on the ballot, not having the ability to say this is what we already do and more especially the Association of Towns has stated that over 65% of the tax bill that people receive is for school taxes not for County/Town taxes. She said this is a voluntary thing that she would encourage people who have the need to do, should do and she would encourage the State to make it easy to do it. Ms. Raymond said this should not be mandatory.

On a motion by Mr. Martin, seconded by Mr. Grattidge Resolution No. 41 was adopted by the following vote: AYES (137,689.5): Timothy Szczepaniak (9,776), Alan Grattidge (4,133), Philip C. Barrett (18,352.5), Richard Lucia (6,531), Preston Allen (856), Jean Raymond (1,214), Daniel Pemrick (7,775), Arthur M. Wright (2,048), Kevin Tollisen (21,535), Vincent DeLucia (14,756), Daniel Lewza (18,575), John Collyer (1,995), Thomas N. Wood, III (5,674), Edward D. Kinowski (8,287), Arthur J. Johnson (16,173).

NOES (63,565): Paul Lent (3,545), R. Gardner Congdon (14,728), Thomas Richardson (5,196), Willard H. Peck (5,087), Peter Martin (13,293), Matthew E. Veitch (13,293), John Lawler (8,423).

ABSTAIN: Jonathon Schopf (18,352.5).

RESOLUTION 41 - 2017

Introduced by Supervisors Johnson, Congdon, Peck, Pemrick, Raymond, Richardson and Schopf

ADOPTING 2017 SARATOGA COUNTY LEGISLATIVE PROGRAM

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

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

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

Saratoga County 2017 Legislative Program
State

1. Opposing the Governor's Proposal for Additional Property Tax Relief through Efficiency Plans until the State Reduces Unfunded Mandates. Saratoga County has a strong track record of efficiently self-governing to keep costs down for local taxpayers. As a result, Saratoga County has one of the lowest property tax rates in the State. For 2017, the County will collect \$56.9M in property tax revenue and all but \$375,000 will be utilized to pay for unfunded State mandates. Saratoga County is the fastest growing County in the State. With growth comes the need for increased services including infrastructure, public safety services, social services and many more. Saratoga County has already reduced its staff levels by over 300 with the privatization of its nursing home, selling the County landfill, and further reduced staff levels recently with the closure of its Certified Home Health Agency. The reality is there is nothing left to give without sacrificing the increasing needs of the Saratoga County taxpayers. As a start, the State needs to address how public education is funded as over 60% of local property taxes are school taxes. The County's property tax amounts to 20% of local taxes and all of that goes to pay unfunded mandates. The County finds that the consolidation plan and referendum are incomplete in their scope and strongly requests that they be rejected. \$Mandate
2. Urging the State to Enact Legislation to Ensure a Fair and Level Playing Field for all Retailers by Addressing Loopholes in Internet Sales Tax Collection Practices. The State has identified significant loopholes in certain internet-based sales tax collection practices and estimates that as much as \$200 million annually in state and local sales taxes are not being collected. Saratoga County supports enacting legislation to provide an easy to use platform for large highly experienced internet transaction facilitators to collect sales tax on behalf of their participating vendors to provide for a more fair and balanced marketplace for local "brick and mortar" retailers in the overall retail market.
3. Supporting a Constitutional Amendment Banning New Unfunded State Mandates and Additional Measures to Provide Mandate Relief. In 2017, the estimated net cost of unfunded mandates equals more than 99% of Saratoga County's property tax levy. Yet, new unfunded mandates are still proposed regularly in State legislation. The County urges the Legislature to immediately begin the process of passing a constitutional amendment banning new unfunded mandates, as well as a statutory ban that would provide protection until such an amendment may be ratified. We also urge the Governor and State Legislature to create a new Mandate Relief Council, the original Council's authorization having expired January 1, 2015. County officials must be represented on the new Council, and in the model of the Medicaid Redesign Team, the Council should establish specific targets quantifying mandate relief that must be delivered to counties. \$Mandate
4. Supporting Increased Voter Participation but Opposing the Proposal for Early Voting and Automatic Voter Registration through DMV. Early voting has been studied and it has not increased voter turnout in the states that permit it. In addition to the difficulty in administering an early voter program, the additional costs associated with staffing polling locations and renting polling space for weekend voting is problematic. Automatic voter registration through DMV will lead to confusion because voters will not know whether or where they are registered to vote. Automatic registration will swell voter rolls with residents who have no intention of voting. The material influx of voters will also require creation of new election districts that will drive the incremental election costs of inspectors,

voting machines and ballot printing. Saratoga County welcomes additional voter participation but the current proposal is incomplete and lacks proper funding language. \$Mandate

5. Urging the Governor to Seek Local Input on Matters Related to Raising the Age of Juvenile Jurisdiction. The County requests the Governor ensure that local officials, law enforcement and social service entities have proper input in the development of guidelines regarding this issue. Of concern is the possibility of over-burdensome caseloads for probation officers and the shifting of costs from the State to local Social Services for the housing of juveniles aged out with this legislation. It is imperative that State reimbursement funding be made readily and perpetually available. The current proposal requires that the County comply with the tax cap and make a case for an economic hardship before the State would authorize funding to reimburse for these expenses. Furthermore, we request the State ensure there is equitable distribution of funding for Family Support Centers for at-risk youths and that such funding allocations are not regionally or economically biased. \$Mandate
6. Supporting the Privatization of NYRA but Urging the Organization of the Board of Directors to Include Local Representation. Every effort should be made to ensure that a full-time year-round resident of Saratoga Springs is appointed to the new Board. We also support efforts to ensure continued collaboration with a reprivatized NYRA via the formation of a Local Racing Advisory Board to be comprised of appointees from NYRA, Saratoga County and the City of Saratoga Springs. We are opposed to language in the Governor's 2017 budget that seeks to unilaterally amend the Franchise Agreement, particularly as this relates to the language that will empower state government to withhold future VLT payments. Like everyone else, we hope that this issue is resolved as soon as possible in 2017 so that we can work together to ensure a successful Saratoga Race Meeting in 2017 and begin to invest in our historic race course. The ultimate goals are to improve the facilities and to attract even more fans to this sport as well as to encourage private investment in our local agricultural sector via the breeding of Thoroughbred horses in Saratoga County.
7. Supporting Legislation to Promote the Full and Expanded Use of Video Conferencing for Court Appearances for Inmates Held at the County Jail. Under current law, video conferencing of inmates for arraignment or other court appearances is permitted in several counties, but is actually not in practice because the law requires the inmate to agree to such an appearance. Many counties have state of the art video conferencing systems which are not used for inmate court appearances, simply because inmates routinely chose to be transported to court rather than make an appearance by video conference. Expanded use of video conferencing for court appearances would save much time and county taxpayer expense by avoiding transporting inmates to court for minor or routine matters, make courtrooms safer, and avoid problems which might happen when inmates are transported by auto or van to a courtroom many miles away from the jail.
8. Opposing Jail-Based Restoration Units for Mentally Ill Felony-Level Defendants While They are Restored to Competency to Await Trial. The 2016-2017 Executive Budget proposal includes establishing jail-based restoration programs for felony-level defendants. Correctional settings are not designed for the treatment or restoration of the incapacitated mentally ill. Staff expertise is essential to restoration and knowledge related to this population is highly specialized. In addition, there is no authority to administer psychotropic medication over objection in correctional settings, an element of treatment often fundamental to the restoration process. \$Mandate
9. Urging State Lawmakers and the Governor to Work to Reform Indigent Legal Services and Fund the County Share of Public Defense. In 2016, the New York State Senate and Assembly passed historic legislation entitled Public Defense mandate Relief Act (S.8114/A.10706) which would have required New York State to reimburse all 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% by 2023. The Governor vetoed this Act indicating that this legislation would unfairly shift this tax burden from the counties to the State. The reality is that the opposite is true as the state has been shifting these federally-mandated costs to the counties since 1965. Saratoga County calls on the Governor to include language in the 2017-2018 State Budget that reforms indigent legal defense services and provides mandate relief. \$Mandate
10. Urging State Lawmakers to Work to Amend Draft NYSDEC Conservation SPDES Permit Language for Municipal Separate Storm Sewer Systems (MS4s). Saratoga County is concerned that this permit tilts more towards larger size MS4s (Rochester) than smaller size MS4s (Round Lake) and ask that NYSDEC keep this context in mind while working to finalize this next generation of the Small MS4 Permit. We are concerned that many of the proposed

permit changes will result in additional unfunded mandates including additional mapping costs associated with the directive to utilize specific GIS software, reviewing all stormwater pollution prevention plans for conformance with NYSDEC permit requirements, and requiring that all existing stormwater management practices be inventoried and inspected again. All of these items come at a cost to the local taxpayer and are recurring costs year after year. Without funding assistance, these items would become additional unfunded State mandates that will squeeze already thin budgets that are expected to follow the tax cap legislation. \$Mandate

11. Supporting an Increase in the County Share of Department of Motor Vehicle's Revenues. Across New York State, 52 counties operate motor vehicle offices. Many process car dealership work such as registrations and share those proceeds with New York State. Currently, Only 12.7% of that revenue is kept locally to help offset county property taxes and operate the DMV offices. The state receives the other 87.3% of the revenue despite the local DMV office completing the majority of the work. The revenue sharing percentages were establish over 17 years ago and Saratoga County requests your strong support of a substantial increase in the county share of this revenue stream.
12. Supporting the Creation of a Funding Program for Infrastructure Improvements for Water Supply, Sanitary Sewer, and Stormwater Projects. The CHIPS Program or Consolidated Highway Improvement Program is a program administered by NYSDOT since 1991 which provides funding to local municipalities for highway improvement projects. The County supports the creation of a similar fund for the purpose of improving locally controlled public utilities including water supply, sanitary sewer and stormwater related projects in order to address aging infrastructure, provide redundancy, and prepare for catastrophic events.

National

1. Calling on New York's Congressional Delegation to Preserve the Federal Tax Exemption for Municipal Bonds. Tax-exempt municipal bonds are the most important tool in the United States for financing investment in schools, roads, water and sewer systems, airports, bridges and other vital infrastructure. Congressional discussions to repeal or cap the municipal bond exemption as part of a comprehensive tax overhaul may ultimately be counterproductive by making future infrastructure projects more expensive and ending the creation, or maintenance, of millions of jobs nationwide. If this exemption had not been in place during the 2003–2012 period, it is estimated the \$1.65 trillion of state and local infrastructure investment would have cost these local governments an additional \$495 billion in interest expense. Saratoga County calls upon the New York Congressional Delegation to preserve this critically important tax exemption.
2. Calling on New York's Congressional Delegation to Support the Enactment of Federal Legislation to Simplify and Ease Sales Tax Collections on Internet-Based Purchases and to Support a Level Playing Field for "Main Street" Retailers. E-commerce has grown from about 1.5 percent of total U.S. retail sales to nearly 9 percent of total U.S. retail sales in the last 12 years and a large number of internet-based retailers do not collect sales taxes on the sale of their goods or services. Counties in New York rely heavily on local sales tax collections to pay for government services such as public health and safety, social services, economic development and quality of life services strongly supported in their communities. Congress and the President have indicated their desire to improve the federal tax code by making it simpler and more fair, while removing obstacles that hinder economic growth and the efficient use of capital, along with modernizing the code to reflect the needs of our nation and economy in the decades to come. Saratoga County calls on the New York Congressional Delegation to support federal legislation that requires online vendors to collect and remit sales taxes owed on purchases made over the internet as part of their federal tax code modernization efforts.
3. Supporting Federal Infrastructure Investment. The President has proposed a \$1 trillion public-private investment in infrastructure over the next 10 years. While the parameters of that spending have not been outlined they are expected to cover all manner of public infrastructure from roads and bridges, to airports, dams, mass transit and rail, energy, water and sewer, and more. The need for rebuilding and improving the nation's (and New York's) public infrastructure is well documented. Counties in New York will look to partner with our federal representatives to ensure local public infrastructure is not overlooked and fully supported in this nationwide investment.
4. Supporting Programs that Assist Counties to Prevent and Reduce Poverty. Saratoga County supports federal investments and strategies that focus on serving those most in need and address the root causes of poverty. Because counties are responsible for maintaining the local social safety net and are mandated to provide indigent

care, Saratoga County supports fully funding programs that assist those most in need and maintaining the maximum amount of efficiency and flexibility possible at the local level. In addition, counties should be afforded a voice in this decision making process. Key federal programs that assist counties in tackling poverty include the Social Services Block Grant, the Community Services Block Grant, the Temporary Assistance for Needy Families programs, and the Safety Net Program. Currently, the Safety Net Program is funded through a 71% local share and a 29% State share which equates to a \$387,830 cost to Saratoga County tax payers for 2017.

and; be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 42 - 2017

Introduced by Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak and Wright

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2017, ENTITLED "A LOCAL LAW REPEALING LOCAL LAW 4-96 AND RECODIFYING THE ADMINISTRATIVE RULES FOR THE SARATOGA COUNTY WORKERS' COMPENSATION PLAN" AND SETTING A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, Workers' Compensation Law §64 provides that a board of supervisors shall provide for the administration of a county's self-insurance administration plan by local law; and

WHEREAS, pursuant to Resolution 116-96, the Saratoga County Board of Supervisors adopted Local Law 4-96 codifying the current administrative rules for Saratoga County's Self-Insurance Plan; and

WHEREAS, pursuant to Resolution 259-2016, this Board approved a change in the name of the Saratoga County Self-Insurance Plan to the Saratoga County Workers' Compensation Plan in order to update the Plan's name to conform with the commonly accepted term used today to identify such plans and to eliminate any confusion as to the Plan's purpose and responsibilities; and

WHEREAS, our Human Resources and Insurance Committee, the Director of Human Resources and the County's Workers' Compensation Specialist have proposed updating the Saratoga County Self-Insurance Plan enacted by Local Law 4-96 by repealing Local Law 4-96 and adopting a new Local Law establishing the Saratoga County Workers' Compensation Plan, which Plan incorporates and reflects current Workers' Compensation standards and practices ; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 1 of 2017, Print No. 1 of 2017, entitled "A LOCAL LAW REPEALING LOCAL LAW 4-96 AND RECODIFYING THE ADMINISTRATIVE RULES FOR THE SARATOGA COUNTY WORKERS' COMPENSATION PLAN", which is attached hereto as Schedule A, is hereby introduced before the Saratoga County Board of Supervisors, and the Board of Supervisors shall hold a Public Hearing on March 15, 2017 at 4:20 p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of this Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A - INTRODUCTORY NO. 1 - PRINT NO.1 OF 2017

INTRODUCED BY: Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak, and Wright

COUNTY OF SARATOGA - LOCAL LAW NO. of 2017

A LOCAL LAW REPEALING LOCAL LAW 4-96 AND RECODIFYING THE ADMINISTRATIVE RULES FOR THE SARATOGA COUNTY WORKERS' COMPENSATION PLAN.

BE IT ENACTED by the Saratoga County Board of Supervisors as follows:

SECTION 1. Local Law 4-96 entitled “Recodifying Administrative Rules For Saratoga County Self-Insurance Plan” is hereby repealed.

SECTION 2. The following Administrative Rules for the Saratoga County Workers’ Compensation Plan (hereinafter referred to as “the Plan”) are hereby promulgated:

A. Participation.

Participation in the Plan is available to all municipalities, volunteer ambulance corps, volunteer firefighters, youth commissions and public benefit corporations within Saratoga County.

B. Entry and Withdrawal.

New participants may be admitted following the Plan’s receipt of an application for participation. A certified copy of a resolution of the governing body of the applicant must accompany the application. The Administrator will compute the premium upon a pro-rated basis for any remainder of the initial calendar year.

A participant may withdraw from the Plan effective at the end of the year by filing notice of withdrawal with the Workers’ Compensation Administrator (hereinafter referred to as “Administrator”) by July 1st. The Administrator shall determine the pending claims and total liability of such participant. Thereafter, the Administrator shall bill those former participants for the total annual costs relative to those pending cases.

C. Apportionment of Costs.

The annual estimate of costs shall be apportioned among participants as follows:

- a. Sixty (60%) percent shall be apportioned according to a computer formula experience rating based on the three (3) consecutive calendar years immediately preceding the year in which said estimate is presented and approved.
- b. Twenty (20%) percent shall be apportioned in the proportion that the full valuation of each participant bears to the aggregate full valuation of all participants.
- c. Twenty (20%) percent shall be apportioned in the proportion that the payroll of each participant bears to the aggregate payroll of all participants.
- d. The apportionment of costs for volunteer ambulance corps shall be computed on a three-year retrospective experience rating added to a basic charge of \$600.00 per corps.
- e. The apportionment of costs for participants who have no property base will be computed on a basis of payroll and experience. The formula, proposed by the Administrator, shall be subject to approval of the Human Resources and Insurance Committee or its successor.

D. Payments of Participants.

The amounts due from all participants shall be paid within thirty (30) days of the beginning of their fiscal years.

E. Reserve.

A loss reserve is authorized for the Plan.

F. “In House” Stop Loss.

Any participant with a “single occurrence” (which occurrence could involve one or several individuals), the cost of which exceeds \$50,000 in a single year, shall be charged the initial \$50,000 plus fifty (50%) percent of the excess expenses.

G. Reports by Participants.

Each participant shall maintain records of all injuries/incidents incurred by employees in the manner required by §110 of the Workers’ Compensation Law and §42 of the Volunteer Ambulance Workers’ Benefit Law or the Volunteer Firefighters’ Benefit Law. All required reports shall be filed promptly with the Third Party Administrator.

A current list of active members for each volunteer ambulance corps and each volunteer fire company/district shall be provided annually, and any changes to the list of active members should be sent immediately to the Administrator. All insured individuals shall maintain completed Personal Health and Physical Release forms with the insured entity. Other reports and information may be requested by the Administrator and shall be filed promptly by participants.

H. Safety Programs.

Each participant shall develop and enforce a safety program or programs designed for the reasonable and adequate protection of the lives, health and safety of employees, and shall provide for use by employees of appliances and devices designed to minimize the possibility of injury or impairment of health

I. Cooperation by Participants.

Participants shall promptly file all required reports, and furnish any additional aid or information requested by the Administrator to carry out the provisions and the intent of the Workers’ Compensation Law.

J. Penalties.

The Board of Supervisors may, by resolution, expel a participant for failure to comply with these Rules or for any violation of the Workers' Compensation Law; provided, however, that a participant shall be notified, in writing, about the expulsion at least thirty (30) days prior to its effective date and that expulsion will not relieve the participant from paying its share of the outstanding liabilities of the Plan at the date of expulsion.

SECTION 3. This Local Law shall take effect immediately upon the filing thereof as provided in §74 of the Workers' Compensation Law and §27 of the Municipal Home Rule Law.

RESOLUTION 43 - 2017

Introduced by Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak and Wright

APPOINTING EUGENE M. LADUE AS DEPUTY CORONER AND AUTHORIZING AN AGREEMENT FOR DEPUTY CORONER SERVICES

WHEREAS, pursuant to Resolution 121-2015, this Board amended the Saratoga County Compensation Schedule to add two contract positions of Deputy Coroner, and appointed Eric A. Catricala of the Town of Halfmoon and Anthony Perniciaro of the Town of Stillwater as Deputy Coroners for the County of Saratoga; and

WHEREAS, Eric A. Catricala resigned from the position of Deputy Coroner effective as of October 31, 2016; and

WHEREAS, our Human Resources and Insurance Committee has approved the recommendation of Saratoga County Coroners Susan Hayes-Masa and Daniel Kuhn that Eugene M. LaDue be appointed as Deputy Coroner effective as of March 1, 2017, and that a minor contract be authorized with Eugene M. LaDue for Deputy Coroner services at a per diem rate of \$100 per case plus mileage; now, therefore, be it

RESOLVED, that Eugene M. LaDue of the Town of Malta be, and hereby is, appointed to the contract position of Deputy Coroner for the County of Saratoga effective as of March 1, 2017; and, be it further

RESOLVED, that the County Administrator is hereby authorized to execute a minor contract with Eugene M. LaDue for the provision of Deputy Coroner services commencing March 1, 2017 at a rate of \$100 per case plus mileage, and in an amount not to exceed \$15,000 per year, with the form and content of such minor contract to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: Costs associated with this contract are included in the 2017 county budget.

RESOLUTION 44 - 2017

Introduced by Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak and Wright

AMENDING RESOLUTION 178-2015 AND AUTHORIZING AN AMENDMENT TO THE COUNTY'S CONTRACT WITH MVP HEALTH PLAN, INC. TO INCREASE EXPENDITURES FOR THE PROVISION OF MEDICAL AND PRESCRIPTION DRUG HEALTH CARE INSURANCE FOR MEDICARE ELIGIBLE COUNTY RETIREES

WHEREAS, pursuant to Resolution 178-2015, this Board authorized an agreement with MVP Health Plan, Inc. for the provision of medical and prescription drug health insurance for Medicare eligible retirees from County employment for the period January 1, 2016 through December 31, 2016 at a cost of \$2,133,689; and

WHEREAS, the contract amount of \$2,133,689 resulted from an estimate made by the County's insurance consultant based upon historical data; and

WHEREAS, actual expenses incurred pursuant to the contract with MVP Health Plan, Inc. totaled \$2,194,067.10 in 2016 due to additional premium costs associated with a higher than estimated number of retirees/spouses enrolling in the plan; and

WHEREAS, our Human Resources and Insurance Committee and the County's Director of Human Resources have recommended that the contract with MVP Health Plan, Inc. for 2016 be amended to increase the contract's amount by \$60,378.10 to \$2,194,067.10, and that Resolution 178-2015 be amended accordingly; now, therefore, be it

RESOLVED, that Resolution 178-2015 is hereby amended to increase the maximum contract amount payable to MVP Health Plan, Inc. to \$2,194,067.10; and be it further

RESOLVED, that the chair of the Board is hereby authorized to execute an amendment to the agreement with MVP Health Plan, Inc. for the provision of medical and prescription drug health insurance for Medicare eligible retirees

from County employment for the term January 1, 2016 through December 31, 2016, to increase the contract amount by \$60,378.10 to \$2,194,067.10, with the form and content of such amendment to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 45 - 2017

Introduced by Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak and Wright

RATIFYING 2015-2018 CONTRACT WITH SARATOGA COUNTY SHERIFF'S OFFICERS ASSOCIATION, AMENDING THE 2015-2017 COMPENSATION SCHEDULES, AND AMENDING THE 2017 BUDGET

WHEREAS, Resolution 103-13 approved the current contract with the Saratoga County Sheriff's Officers Association, formerly known as the Saratoga County Deputy Sheriff's Benevolent Association, which contract expired on December 31, 2014; and

WHEREAS, our Negotiating Committee has engaged in collective bargaining contract negotiations and mediation with the Association, and a Memorandum of Agreement was entered into on December 15, 2016; and

WHEREAS, the Tentative Agreement for a four year contract through December 31, 2018 was approved by the Association's membership on December 22, 2016; and

WHEREAS, our Human Resources and Insurance Committee, the Saratoga County Sheriff and the County's Director of Human Resources have recommended that the 2015-2018 Tentative Agreement with the Saratoga County Sheriff's Officers Association be ratified, and that the Saratoga County Compensation Schedules for the years 2015-2017 be accordingly amended to incorporate the agreed upon compensation matrixes and salary rates; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby approves the Tentative 2015-2018 Agreement with the Saratoga County Sheriff's Officers Association; and, be it further

RESOLVED, that the Chairman of this Board of Supervisors is authorized to execute the 2015-2018 contract with the Saratoga County Sheriff's Officers Association subject only to final agreement on, and the approval of, its language in final form by this Board's Negotiating Committee and its special counsel; and be it further

RESOLVED, the 2015-2017 Saratoga County Compensation Schedules are accordingly amended to incorporate the Saratoga County Sheriff's Officers Association compensation matrix and salary rates set forth in the 2015-2018 contract; and be it further

RESOLVED, that the 2017 County Budget is amended as follows:

SHERIFF'S DEPARTMENT:

Appropriations:

Increase Acct.: #1-30-301-6890 General Salary	\$847,746
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Revenues:

Increase Acct.: #1-0599.M Appropriated Fund Balance	\$847,746
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BUDGET IMPACT STATEMENT: The funding for contract years 2015-2017 will be appropriated from the County's fund balance.

RESOLUTION 46 - 2017

Introduced by Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak and Wright

AMENDING THE 2017 COMPENSATION SCHEDULE UNDER HUMAN RESOURCES AND ANIMAL SHELTER

WHEREAS, the Human Resources and Insurance Committee, the Director of Human Resources, and the Director of the Animal Shelter have recommended that the 2017 Saratoga County Compensation Schedule be amended: (1) under Human Resources to reclassify one position of Personnel Clerk (Conf.) to Civil Service Specialist Grade 10; reclassify one position of Information Processing Specialist to Typist, Grade 6; and to authorize a salary adjustment to the position

of Civil Service Specialist, Grade 11, to a Grade 10; and (2) under Animal Shelter to reclassify one position of Animal Shelter Aide to Animal Shelter Public Relations Coordinator; now, therefore, be

RESOLVED, that the 2017 Saratoga County Compensation Schedule is amended effective as of March 10, 2017 as follows:

UNDER HUMAN RESOURCES:

- Reclassify (1) Personnel Clerk (Conf.) to (1) Civil Services Specialist, Grade 10
- Reclassify (1) Information Processing Specialist I (Conf.) to Typist, (Conf.) Grade 6
- Salary Adjustment (1) Civil Services Specialist, Grade 10

UNDER ANIMAL SHELTER:

- Reclassify (1) Animal Shelter Aide (40hr/wk) to (1) Animal Shelter Public Relations Coordinator, Base salary \$41,355

BUDGET IMPACT STATEMENT: The additional salary costs of approximately \$6,300 associated with the reclassifications will be offset by savings during vacancy review.

RESOLUTION 47 - 2017

Introduced by Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak and Wright

AMENDING THE POLICIES AND PROCEDURES MANUAL RELATIVE TO THE MANGERIAL EVALUATIONS POLICY

WHEREAS, Resolution 330-82 adopted a manual of Policies and Procedures for the conduct of Saratoga County government; and

WHEREAS, since its adoption, the Board of Supervisors has enacted numerous amendments to the Manual; and

WHEREAS, the Human Resources Department’s ongoing review of the Manual has disclosed the appropriateness of revisions to update the County’s “Managerial Evaluations” policy; and

WHEREAS, copies of the proposed revised Managerial Evaluations policy, to be retitled as the “Performance Management Policy,” were provided to each member of this Board; and

WHEREAS, the implementation of legislative revisions to the Policies and Procedures Manual requires the approval of this Board; now, therefore, be it

RESOLVED, that the following chapter of the Saratoga County Policies and Procedures Manual are amended to revise the Managerial Evaluations Procedure policy as set forth in the policy revisions distributed to this Board:

<u>CHAPTER</u>	<u>SECTION</u>	<u>ORIGINAL TITLE</u>	<u>NEW TITLE</u>	<u>ORIGINALLY ADOPTED</u>	<u>LAST REVISED</u>
4	S	Managerial Evaluations	Performance Management Policy	3/20/1984 Res. 78-12	4/17/2012

and, be it further

RESOLVED, that the Human Resources Department distribute copies of these amendments to all County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 48 - 2017

Introduced by Supervisors Wood, Grattidge, Johnson, Lewza, Peck, Szczepaniak and Wright

AMENDING THE POLICIES AND PROCEDURES MANUAL TO REVISE THE COMMERCIAL DRIVER’S LICENSE (CDL) DRUG AND ALCOHOL TESTING PLAN POLICY

WHEREAS, Resolution 330-82 adopted a manual of Policies and Procedures for the conduct of Saratoga County government; and

WHEREAS, since adoption, the Board of Supervisors has enacted numerous amendments to the Manual; and

WHEREAS, pursuant to Resolution 171 of 1995, this Board adopted the County of Saratoga’s Commercial Driver’s License (CDL) Drug and Alcohol Testing Plan Policy; and

WHEREAS, our Human Resources Department has proposed revisions to the CDL Drug and Alcohol Testing Plan to bring the Plan into conformance with state and federal regulatory revisions enacted since 1995; and

WHEREAS, a copy of the proposed revised CDL Drug and Alcohol Testing Plan Policy, was provided to each member of this Board; and

WHEREAS, implementation of any legislative revisions to the Manual requires the approval of the Board; now, therefore, be it

RESOLVED, that the Saratoga County Policies and Procedures Manual is amended to revise the County of Saratoga’s Commercial Driver’s License (CDL) Drug and Alcohol Testing Plan Policy, as more particularly described in the Human Resources and Insurance Committee’s proposal, as follows:

<u>CHAPTER</u>	<u>ORIGINAL SECTION</u>	<u>NEW SECTION</u>	<u>TITLE</u>	<u>ORIGINALLY ADOPTED</u>
1	N	T	Commercial Driver’s License (CDL) Drug and Alcohol Testing Plan Policy	11/21/1995

and, be it further

RESOLVED, that the Human Resources Department shall distribute copies of this amended policy to all County departments and agencies, and shall post the policy on the County’s Intranet website.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 49 - 2017

Introduced by Supervisors Szczepaniak, DeLucia, Grattidge, Johnson, Lawler, Lucia and Richardson

AUTHORIZING THE ACCEPTANCE OF ADDITIONAL DISABILITY EMPLOYMENT INITIATIVE GRANT FUNDING FROM THE NEW YORK STATE DEPARTMENT OF LABOR, AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH REHABILITATION SERVICES, LLC TO PROVIDE GRANT FUNDED ADMINISTRATIVE SERVICES THROUGH SEPTEMBER 30, 2017, AND AMENDING THE 2017 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 63-2014 authorized the County’s acceptance of a Disability Employment Initiative grant in the amount of \$640,000 from the New York State Department of Labor as Grant Recipient for the Saratoga, Warren, Washington County Workforce Investment Board, now known as the Workforce Development Board, for the hiring, training and placement of a Disability Resource Coordinator in each of the three counties to assist individuals with disabilities in obtaining employment, for the term from April 1, 2014 through January 31, 2017; and

WHEREAS, Resolution 63-2014 further authorized an agreement with Rehabilitation Initiatives, LLC of Albany, New York, for the provision of those administrative services to the Saratoga, Warren and Washington County Workforce Investment Board needed for the hiring, training and placement of a full-time Disability Resource Coordinator in each of the Saratoga, Warren and Washington County One-Stop Career Centers at a cost not to exceed \$576,969 for the term April 1, 2014 through January 31, 2017; and

WHEREAS, additional Disability Employment Initiative grant funds are available from the New York State Department of Labor in the amount of \$93,062.92 for the continued training and employment of a Disability Resource Coordinator at the Saratoga County and Warren County One-Stop Career Centers through September 30, 2017; and

WHEREAS, the acceptance of this Disability Employment Initiative grant on behalf of the Saratoga Warren, Washington County Workforce Development Board requires this Board’s approval; an amendment to the agreement with Rehabilitation Initiatives, LLC to extend the term of the agreement for the provision of administrative services to the Saratoga, Warren, Washington County Workforce Development Board through September 30, 2017; and an amendment to the 2017 Saratoga County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all agreements and documents with the New York State Department of Labor to accept additional Disability Employment Initiative grant funds in the amount of \$93,062.92, as Grant Recipient for the Saratoga, Warren, Washington County Workforce Development Board, for a term ending September 30, 2017, with the form and content of such agreements and documents being subject to the approval of the County Attorney; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Rehabilitation Initiatives, LLC of Albany, New York to extend the provision of those administrative services to the Saratoga, Warren, Washington Counties Workforce Development Board needed for the hiring, training and placement of a Disability Resource Coordinator at the Saratoga County and Warren County One-Stop Career Centers, at a cost of \$93,062.92, for the term April 1, 2014 to September 30, 2017; with the form and content of such amended agreement to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that the 2017 Saratoga County Budget is amended as follows:

EMPLOYMENT AND TRAINING:

Appropriations:

Increase Acct. #5-68-681-8301 Disability Employment Initiative \$93,062.92

Revenues:

Increase Acct. #5-68-4793 Disability Employment Initiative \$93,062.92

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 50 - 2017

Introduced by Supervisors Szczepaniak, DeLucia, Grattidge, Johnson, Lawler, Lucia and Richardson

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 Fred and Linda Tracy, landowners in the Town of Stillwater, to include within the boundaries of Saratoga County Consolidated Agricultural District #1 approximately 149.29 acres of viable agricultural land along and off of County Route 76 used for the pasturing of cattle and the production of hay, identified as and consisting of Tax Parcels #243.-1-45.1, #243.-1-21.12 and #243.-1-32.12; and

WHEREAS, this Board of Supervisors received a petition from Dave Anusesky, landowner in the Town of Stillwater, to include within the boundaries of Saratoga County Consolidated Agricultural District #1 approximately 127 acres of viable agricultural land along County Route 76 used for the production of corn and hay, identified as Tax Parcel #243.-1-45.21; and

WHEREAS, this Board of Supervisors received a petition from Frank Popolizio, landowner in the Town of Clifton Park, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 5.66 acres of viable agricultural land along Tanner Road used for the raising angus beef cows and poultry, identified as Tax Parcel #264.-3-37.112; and

WHEREAS, this Board of Supervisors received a petition from Gustavo Tellez, The DJTF and PEPE Living Trust, and The Gustavo Tellez and Lilia Fandino Living Trust landowners in the Town of Providence, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 335.75 acres of viable agricultural land along Kilmer Road used for the production of timber/lumber, identified as Tax Parcels #135.-1-30 and #135.-1-26; and

WHEREAS, this Board of Supervisors received a petition from William and Jessica Leak, landowners in the Town of Malta, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 35 acres of viable agricultural land along Eastline Road used for the boarding of horses, identified as Tax Parcel #240.-1-2.12; 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 Fred and Linda Tracy, and Dave Anusesky, within the boundaries of Saratoga County Consolidated Agricultural District #1; and 2) the inclusion of lands of Frank Popolizio; The DJTF and PEPE Living Trust/Gustavo Tellez/The Gustavo Tellez and Lilia Fandino Living Trust; and William and Jessica Leak 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 March 15, 2017 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 requests of Fred and Linda Tracy, and Dave Anusesky for the inclusion of their respective lands within the boundaries of Saratoga County Consolidated Agricultural District #1; and 2) on the requests of Frank Popolizio, The DJTF and PEPE Living Trust/Gustavo Tellez/The Gustavo Tellez and Lilia Fandino Living Trust, and William and Jessica Leak for the inclusion of their land 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 Stillwater, the Supervisor of the Town of Clifton Park, the Supervisor of the Town of Providence, the Supervisor of the Town of Malta and the New York State Commissioner of Agriculture and Markets.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 51 - 2017

Introduced by Supervisors Veitch, DeLucia, Lawler, Lent, Martin, Schopf and Tollisen

OPPOSING THE VLT REVENUE AGREEMENT BETWEEN GENTING NEW YORK LLC AND NASSAU COUNTY OFF TRACK BETTING AND URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR CUOMO TO RESTORE LOST VLT REVENUE TO THE STATE RACING INDUSTRY IN THE 2017-2018 STATE BUDGET

WHEREAS, Genting New York LLC (“Genting”) operates the Resorts World video lottery terminal (“VLT”) casino at Aqueduct Racetrack in Queens County, New York; and

WHEREAS, in 2013, the State of New York approved the placement of two VLT casinos with 1,000 VLT machines in each of Nassau and Suffolk Counties as part of a statewide casino expansion effort; and

WHEREAS, efforts to locate a new VLT casino in Nassau County that would be operated by the financially struggling Nassau County Off Track Betting (“OTB”) Corporation were unsuccessful due to local community and political opposition; and

WHEREAS, the 2016-2017 New York State Budget contains provisions authorizing:

- 1) Genting to expand the Resorts World VLT casino by adding an additional 1,000 VLT machines, a hotel and entertainment space, and
- 2) authorizing Genting and Nassau County OTB to enter into a VLT revenue sharing agreement; and

WHEREAS, pursuant to the State Budget provisions, Genting is authorized to designate up to 1,000 VLT machines at Resorts World as belonging to Nassau County OTB, with the New York Racing Association (“NYRA”) and the New York’s thoroughbred breeding industry not to share in any revenue from said 1,000 VLT machines unless the revenue received from the other machines falls below 2013 levels; and

WHEREAS, instead of adding 1,000 new VLT machines designated as belonging to Nassau County OTB, Genting instead designated 460 out of its current 5,540 VLT machines at Resorts World as belonging to Nassau County OTB; and

WHEREAS, pursuant to the agreement entered into between Genting and Nassau County OTB, the 460 VLT machines selected by Genting and Nassau County OTB are the 460 top performing VLT machines which generate a \$739 daily win per machine rate, which is more than twice the \$361 daily win per machine rate of other VLT machines; and

WHEREAS, the Executive Director of the New York Thoroughbred Breeders has projected a revenue loss from these 460 machines in 2017 as follows:

- 1) \$1.8 million to New York State’s thoroughbred breeding industry; and
- 2) \$9.1 million to racing purses; and
- 3) \$8.5 million to NYRA that would be used for capital improvements and operations at New York’s thoroughbred race tracks, including Saratoga Race Course; which losses could double if Genting were to designate an additional 540 machines as belonging to Nassau County OTB; and

WHEREAS, under the current arrangement, Genting gets paid 8% more (30% v. 22%) by Nassau County OTB’s machines than by others, with Genting projected to make an additional \$3 million per year and Nassau County OTB projected to make \$25 million per year at the expense of the New York State racing industry; and

WHEREAS, the projected lost revenue to the breeding industry, racing purses and NYRA will dilute the quality of racing in New York State, stop progress and growth in the racing industry, and restrict long-term planning and capital improvements not only for Saratoga Race Course, but the Belmont and Aqueduct race tracks as well; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby expresses its opposition in the strongest possible terms to the 2016-2017 New York State Budget provisions and the agreement between Genting New York LLC and Nassau County OTB authorizing Genting to designate the revenue from up to 1,000 VLT machines at the Resorts World Casino at Aqueduct Racetrack to Nassau County OTB; and, be it further

RESOLVED, that this Board urges the New York State Legislature and Governor Cuomo to restore in the 2017-2018 New York State Budget all VLT revenue which has been lost to Nassau County OTB back to the New York State thoroughbred breeding industry, racing purses and the New York Racing Association for operations and capital improvements; and, be it further

RESOLVED, that the Clerk of the Board forward a copy of this Resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Senate Coalition Co-Leader Jeffrey Klein, Assembly Speaker Carl Heastie, the members of the New York State Senate Racing, Gaming and Wagering Committee, the members of the New York State Assembly Racing and Wagering Committee, Senator James Tedisco, Senator Kathleen Marchione, Assemblywoman Mary Beth Walsh, Assemblyman John McDonald, Assemblywomen Carrie Woerner, Assemblyman Dan Stec, the Executive Director of the New York Thoroughbred Breeders Jeffrey Cannizzo and NYRA President Christopher Kay.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 52 - 2017

Introduced by Supervisors Pemrick, Barrett, Collyer, Congdon, Martin, Veitch, and Wood

AUTHORIZING THE CONVEYANCE OF TAX-ACQUIRED LANDS TO THE TOWN OF HALFMOON

WHEREAS, unpaid taxes resulted in the County’s acquisition of Tax Parcel #279.10-2-16 in the Town of Halfmoon pursuant to Article 11 of the Real Property Tax Law; and

WHEREAS, Tax Parcel #279.10-2-16 is scheduled to be sold at the County auction of tax acquired properties on March 21, 2017; and

WHEREAS, pursuant to Resolution #70 of 2017 of the Halfmoon Town Board, the Town of Halfmoon has submitted an offer to purchase Tax Parcel #279.10-2-16 for the municipal purpose of storm water management; and

WHEREAS, the Town of Halfmoon has duly notified the previous owner of Tax Parcel #279.10-2-16 of the Town’s offer to purchase the parcel, and the former owner has failed to submit a repurchase offer for the property; and

WHEREAS, it is the policy of this Board to allow the sale of tax-acquired land to a municipality for the amount of all delinquent taxes, penalties and interest owed on the property; and

WHEREAS, our Equalization and Assessment Committee recommends the acceptance and approval of the offer of the Town of Halfmoon to purchase Tax Parcel #279.10-2-16 for the amount of all delinquent taxes, penalties and interest; now, therefore, be it

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

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Town of Halfmoon	2014, 2015	279.10-2-16	\$827.65 if paid

2 Halfmoon Town Plaza & 2016
 Halfmoon, NY 12065

by 3/31/17
 \$830.22 if paid
 by 4/30/17
 (amount does
 not include
 2017 taxes)

; and, be it further

RESOLVED, that in the event payment is not made by the Town until after May 1, 2017, the Saratoga County Treasurer’s Office shall provide the Town with the current amount of the delinquent taxes, penalties and interest owed as of the date the Town seeks to make payment; and be it further

RESOLVED, that this conveyance is subject to all current 2017 taxes due and owing on the property, the payment of which taxes shall be the responsibility of the Town of Halfmoon.

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

RESOLUTION 53 - 2017

Introduced by Supervisors Pemrick, Barrett, Collyer, Congdon, Martin, Veitch and Wood

CORRECTING 2017 TAX BILL ON TAX PARCEL #272.10-1-21 IN THE TOWN OF HALFMOON

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls; and
 WHEREAS, Real Property Tax Law §550 (7)(a) defines an “unlawful entry” as an entry on the taxable portion of the assessment roll or the tax roll, or both, of the assessed valuation of real property which, except for the provisions of Real Property Tax Law §490, is wholly exempt from taxation; and

WHEREAS, the owner of the following property has timely submitted proof of an unlawful entry relative to its 2017 tax bill, to wit: The parcel is owned by the Clifton Park Church of Christ. The parcel was previously rented to a non-exempt entity and had been removed from Roll Section 8 exempt status. The parcel was no longer rented to a non-exempt entity as of the taxable status date of March 1, 2016, and was returned to Roll Section 8 exempt status. Exemptions for ambulance, fire and library district taxes should have been placed on file. The Town mistakenly added special district charges for the Halfmoon ambulance district, Clifton Park/Halfmoon fire district and library district to the 2017 tax bill for the owner’s property; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a new tax bill generated deleting the amount of the ambulance, fire and library district taxes and any interest and penalties thereon; now, therefore, be it

RESOLVED, that the application of the following property owner for correction of the 2017 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORRECTED TAX</u>
Clifton Park Church of Christ	Halfmoon	272.10-1-21	\$1,322.50

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 54 - 2017

Introduced by Supervisors Pemrick, Barrett, Collyer, Congdon, Martin, Veitch and Wood

CORRECTING 2017 TAX BILL FOR TAX PARCEL #279.-2-23.23 IN THE TOWN OF HALFMOON

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

WHEREAS, Real Property Tax Law §550 (3)(b) defines an “error in essential fact” as an incorrect entry on the taxable portion of the assessment roll, or the tax roll, or both, of the assessed valuation of an improvement to real property which was present on a different parcel; and

WHEREAS, the owner of the following property has timely submitted proof of an error in essential fact relative to its 2017 tax bill, to wit: The Town Assessor issued a certificate of divided assessment for the property, and mistakenly assessed an improvement to Tax Parcel #279.-2-23.23 that was not in existence. This incorrect assessment caused the 2016 school tax bill to have an incorrect taxable assessed value of \$434,400. The property owner did not pay the 2016 school tax bill, resulting in it being relieved on the 2017 Town and County tax bill incorrectly. A certificate of divided assessment was prepared for the 2017 Town and County tax bill which removed the improvement from Tax Parcel #279.-2-23.23 and reduced the taxable assessed value for the parcel to \$81,000; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a new tax bill generated which recalculates the 2016 school tax levy based upon a taxable assessed value of \$81,000 for the parcel; now, therefore, be it

RESOLVED, that the application of the following property owner for correction of the 2017 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORRECTED TAX</u>
Halfmoon Materials Group, LLC	Halfmoon	279.-2-23.23	\$3,441.57

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 55 - 2017

Introduced by Supervisors Pemrick, Barrett, Collyer, Congdon, Martin, Veitch and Wood

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

WHEREAS, former owners have requested the pre-auction conveyance of one or more of 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 the approval of these requests; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors convey by quitclaim deed to the following parties or their designee, the lands set opposite their names, upon payment of the indicated 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>
Roberta Bedell 391 White Birch Road Edinburg, NY 12134	2014, 2015 & 2016	Edinburg	93.-1-37.2	\$1,428.85
Tanya Southworth 391 White Birch Road Edinburg, NY 12134	2013, 2014 & 2015	Edinburg	93.-1-37.1	\$2,220.67
Phyllis K. Hampson 1173 Ridge Road Broadalbin, NY 12025	2014 & 2015	Galway	185.-1-34.3	\$11,537.07
Frank E. Mihalek 223 Spier Falls Road	2014, 2015 & 2016	Greenfield	112.-2-7.2	\$16,773.67

Greenfield Center, NY 12833

Frank E. Mihalek 223 Spier Falls Road Greenfield Center, NY 12833	2014, 2015 & 2016	Greenfield	112.-2-7.12	\$11,042.96
Gale Y. Brinkman & Lisa B. Provencher 38 Goodman Road Fort Ann, NY 12827	2014 & 2015	Greenfield	138.3-1-32	\$9,337.96
Peter G. Hansen 110 3 rd Street Saratoga Springs, NY 12866	2014, 2015 & 2016	Malta	218.19-1-59	\$19,717.28
Home Sweet Home LLC 207 N. Pearl Street Albany, NY 12207	2014, 2015 & 2016	Milton	188.-1-31	\$52,622.68
Home Sweet Home LLC 207 N. Pearl Street Albany, NY 12207	2014, 2015 & 2016	Milton	188.-2-37	\$47,307.31
Home Sweet Home LLC 207 N. Pearl Street Albany, NY 12207	2014, 2015 & 2016	Milton	201.-1-10.113	\$27,300.49
Camelot Assoc Develop LLC 210 Morris Road Schenectady, NY 12303	2016 & 2014	Moreau	89.13-1-8	\$4,597.49
William L. Gray & 173 Mott Road Gansevoort, NY 12831 & Rebecca R. Gray 111 Mott Road Gansevoort, NY 12831	2014, 2015 & 2016	Moreau	91.-1-33.112	\$1,167.12
Beatrice M. Clausen, Individually And as Trustee of the Clausen Family Trust Dated October 3, 2005 117 Mott Road Gansevoort, NY 12831	2014, 2015 & 2016	Moreau	91.-1-45.12	\$5,183.74
Mark J. Harrison by assignment from Terrence L. Sarro, Sr. 180 Meadowbrook Road Saratoga Springs, NY 12866	2011, 2012, 2013, 2014, 2015 & 2016	Saratoga	195.-1-1.1	\$44,162.78
Steven J. Griffin P.O. Box 25 100 Gordon Lane, Lot #128 Gansevoort, NY 12831	2014, 2015, & 2016	Wilton	102.-1-122	\$10,119.19

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

RESOLUTION 56 - 2017

Introduced by Supervisors Lent, Allen, DeLucia, Lawler, Pemrick, Tollisen and Szczepaniak

AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT STATE GRANT FUNDS FOR THE PURCHASE OF PATROL RIFLES AND POLICE PROTECTIVE EQUIPMENT BY THE SHERIFF’S DEPARTMENT, AND AMENDING THE 2017 COUNTY BUDGET IN RELATION THERETO

WHEREAS, grant funds in the amount of \$62,223 are available from the New York State Division of Criminal Justice Services for the purchase by the Sheriff’s Department of patrol rifles and police protective equipment, including rifle caliber resistant body armor and ballistic helmets; and

WHEREAS, the acceptance of this grant requires our approval and an amendment to the 2017 Adopted Saratoga County Budget; now therefore, be it

RESOLVED, that the Chair of the Board and/or the County Administrator are hereby authorized to execute all documents necessary to apply for and accept a New York State Division of Criminal Justice Services grant in an amount not to exceed \$62,223 for the purchase of patrol rifles and police protective equipment by the Saratoga County Sheriff’s Department; and, be it further

RESOLVED, that the 2017 Adopted Saratoga County Budget is hereby amended as follows:

UNDER SHERIFF’S DEPARTMENT:

Appropriations:

Increase Acct. #1-30-000-7050 Other production equipment \$62,223

Revenues:

Increase Acct. #1-30-3324 ST Aid Law Enforcement DD \$62,223

BUDGET IMPACT STATEMENT: 100% State Aid.

RESOLUTION 57 - 2017

Introduced by Supervisors Lent, Allen, DeLucia, Lawler, Pemrick, Tollisen and Szczepaniak

AMENDING THE 2017 COUNTY BUDGET TO REAPPROPRIATE UNSPENT CAPITAL PROJECT FUNDS FOR JAIL IMPROVEMENTS AND VARIOUS GRANT FUNDS UNDER THE SHERIFF’S DEPARTMENT

WHEREAS, unexpended 2016 funds in the amount of \$650,771 authorized for the Sheriff’s Department for its capital project to upgrade the Saratoga County Correctional Facility’s security system need to be reappropriated for the Sheriff’s Department to the 2017 County Budget; and

WHEREAS, Resolution 196-2015 authorized the acceptance of a New York State Homeland Security Program (SHSP) grant in the amount of \$72,500 to pay for certain facility and equipment improvements planned by the Sheriff’s Department, including the installation of breakage/shatter resistant glass for the Records/Pistol Permits Office, and the purchase of license plate reader upgrades, mobile data terminals, tablet computers and other IT equipment; and

WHEREAS, unexpended funds from such 2015 SHSP grant in the amount of \$17,752.59 need to be reappropriated for the Sheriff’s Department to the 2017 County Budget; and

WHEREAS, Resolution 176-2016 authorized the acceptance of a New York State Homeland Security Program (SHSP) grant in the amount of \$72,500 to pay for diving equipment for the Sheriff’s Dive Team, the retention of a consultant to develop appropriate response and deployment support plans and to provide training thereon, and for the production of digitized training manuals that can be accessed online by members of the Sheriff’s Department; and

WHEREAS, unexpended funds from such 2016 SHSP grant in the amount of \$59,541.75 need to be reappropriated for the Sheriff’s Department to the 2017 County Budget; and

WHEREAS, Resolution 203-2016 authorized the acceptance of a Governor’s Traffic Safety Program grant in the amount of \$12,500 to promote efforts by the Sheriff’s Department to increase seatbelt usage and reduce dangerous driving behaviors; and

WHEREAS, unexpended funds from such Governor’s Traffic Safety Program grant in the amount of \$12,500 need to be reappropriated for the Sheriff’s Department to the 2017 County Budget; and

WHEREAS, Resolution 220-2016 authorized the acceptance of a legislative grant in an amount not to exceed \$11,000 for the purchase of active shooter simulation equipment by the Sheriff’s Department to improve readiness and response to an active armed assailant event in the County; and

WHEREAS, unexpended funds from such legislative grant in the amount of \$1,643.82 need to be reappropriated for the Sheriff’s Department to the 2017 County Budget; now, therefore, be it

RESOLVED, that the 2017 Saratoga County Budget is amended as follows:

SHERIFF’S DEPARTMENT:

Appropriations:

Increase Acct.: #1-30-301-7095 Capital Equipment	\$ 650,771
Increase Acct.: #1-30-000-7080.DHS DHS Other Equipment	\$ 25,470.66
Increase Acct.: #1-30-000-8150 TrainSrv	\$ 29,397.50
Increase Acct.: #1-30-000-8190 Professional Services	\$ 23,500
Increase Acct.: #1-30-000-8160 D.P. Fees	\$ 570
Increase Acct.: #1-30-000-6810 Overtime	<u>\$ 12,500</u>
	\$742,209.16

Revenues:

Increase Acct.: #1-0599.M Appropriated Fund Balance	\$ 650,771
Increase Acct.: #1-30-3306 Homeland Security	\$ 77,294.34
Increase Acct.: #1-30-3389 Other Public Safety	<u>\$ 14,143.82</u>
	\$742,209.16

BUDGET IMPACT STATEMENT: The budget amendment will reduce the County’s unappropriated fund balance by \$650,771.

RESOLUTION 58 - 2017

Introduced by Supervisors Lent, Allen, DeLucia, Lawler, Pemrick, Tollisen and Szczepaniak

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH FORENSIC MEDICAL SERVICES

WHEREAS, Resolution 221-08, as amended by Resolutions 157-11, 114-12 and 52-2014, authorized an agreement with Forensic Medical Services to perform forensic autopsies and provide related services at the direction of the County Coroners and District Attorney; and

WHEREAS, Forensic Medical Services has increased its professional fee for performing an autopsy and issuing a death certificate from \$900 to \$1,000 effective January 1, 2017; and

WHEREAS, it is necessary to amend the County’s agreement with Forensic Medical Services to reflect this fee change; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the County’s agreement with Forensic Medical Services providing for an increase in the fee for performing an autopsy and issuing a death certificate to \$1,000, with all other fees to remain unchanged; and the form and content of such amendment to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The total impact of these fee increases will be determined by case volume.

RESOLUTION 59 - 2017

Introduced by Supervisors Lent, Allen, DeLucia, Lawler, Pemrick, Tollisen and Szczepaniak

AUTHORIZING AN AMENDED AGREEMENT WITH NMS LAB FOR POST-MORTEM TOXICOLOGICAL SERVICES

WHEREAS, pursuant to Resolution 223-10, this Board authorized a contract with National Medical Services, Inc., d/b/a NMS Labs, to provide post-mortem toxicological services to the County Coroners at an annual cost not to exceed \$20,000; and

WHEREAS, pursuant to Resolutions 50-2014 and 53-2016, this Board authorized certain amendments to the County’s contract with NMS Labs, which included, but were not limited to: 1) increasing the contract’s limit to \$50,000 commencing January 1, 2014; and 2) amending the contract’s fee schedule to incorporate NMS Lab’s 2016 Fee Schedule effective January 1, 2016; and

WHEREAS, NMS Labs would like to amend its 2016 contract and 2016 Fee Schedule to include two (2) additional drug tests, testing codes and associated fees for the testing for inhalants and psychoactive substances, which tests NMS Labs performed for the County in 2016; and

WHEREAS, our Public Safety Committee and the County Coroners have recommended that the County’s 2016 contract and 2016 Fee Schedule with NMS Labs be amended to include two (2) additional drug tests, testing codes and associated fees for the testing for inhalants and psychoactive substances; now, therefore, be

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the County’s 2016 contract with National Medical Services, Inc. d/b/a NMS Labs of Willow Grove, Pennsylvania, revising the contract to include two (2) additional drug tests, testing codes and associated fees for the testing for inhalants and psychoactive substances; with the form and content of such amendment being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 60 - 2017

Introduced by Supervisors Lent, Allen, DeLucia, Lawler, Pemrick, Tollisen and Szczepaniak

AMENDING THE 2017 COUNTY BUDGET TO REAPPROPRIATE \$1,737,454.05 IN EXPENSES AND REVENUES UNDER EMERGENCY SERVICES

WHEREAS, \$1,737,454.05 in unexpended funds from a New York State Division of Homeland Security Round IV Statewide Interoperable Communications Grant accepted pursuant to Resolution 216-2015 for the updating of the County’s Computer Aided Dispatch (CAD)/Mobile 9-1-1 System and the improvement of interoperability communications with other counties need to be reappropriated to the 2017 County Budget; and

WHEREAS, an amendment to the 2017 Saratoga County Budget is needed to reappropriate said unexpended funds; now, therefore, be it

RESOLVED, that the 2017 County Budget is amended as follows:

EMERGENCY SERVICES:

Appropriations:

Increase Acct.: #1-36-366-7051 Communication Equipment	\$1,737,454.05
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Revenues:

Increase Acct.: #1-36-3306 Homeland Security	\$1,737,454.05
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 61 - 2017

Introduced by Supervisors Lent, Allen, DeLucia, Lawler, Pemrick, Tollisen and Szczepaniak

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

WHEREAS, pursuant to Resolution 149-2015, this Board authorized the County entering into a Memorandum of Agreement with the New York State Division of Homeland Security and Emergency Services (“DHSES”) for the temporary loan of interoperable communications equipment, software and licenses that would enable the County to communicate with other New York State counties on a common platform for emergency management and public safety planning and response services; and

WHEREAS, the term of the Memorandum of Agreement is set to expire and DHSES has offered to extend the Memorandum of Agreement through January 31, 2018 and lend the use of an additional 6 Mutualink Edge software licenses and a video network interface controller; and

WHEREAS, on Public Safety Committee and Director of Emergency Services have recommended that the County extend the term of the Memorandum of Agreement with DHSES through January 31, 2018 and accept the loan of the additional licenses and equipment in order to improve emergency management planning and services in Saratoga County; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the Memorandum of Agreement with the New York State Department of Homeland Security and Emergency Services for the loan of interoperable communications equipment, software and licenses extending the term of the Memorandum of Agreement through January 31, 2018 and providing for the loan of an additional six (6) Mutualink Edge software licenses and a video network interface controller; 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: No budget impact.

RESOLUTION 62 - 2017

Introduced by Supervisors Lent, Allen, DeLucia, Lawler, Pemrick, Tollisen and Szczepaniak

AUTHORIZING THE CHAIR TO EXECUTE A TOWER LICENSE AGREEMENT WITH THE CAPITAL DISTRICT TRANSPORTATION AUTHORITY FOR THE PLACEMENT OF COMMUNICATIONS EQUIPMENT ON THE COUNTY’S RADIO COMMUNICATIONS TOWER ON MT. MCGREGOR IN THE TOWN OF MOREAU

WHEREAS, as part of the County’s Emergency Radio System, the County constructed a radio communications tower on the site of the former Mt. McGregor State Correctional Facility located on Tax Parcel #88.-1-8 in the Town of Moreau; and

WHEREAS, the Capital District Transportation Authority (“CDTA”) is interested in licensing space on the County’s Mt. McGregor Radio Communications Tower for the placement, operation and maintenance of communications equipment in support of the operation of the CDTA’s communications network; and

WHEREAS, our Public Safety Committee and the Director of the County’s Office of Emergency Services have recommended that the County enter into a license agreement with the CDTA for the placement of communications equipment on the County’s Mt. McGregor Radio Communications Tower for a term of five (5) years commencing April 1, 2017, subject to renewal for an additional term of five (5) years, at a cost to the CDTA of \$20,500 per year during the initial five (5) year term and at a cost of \$22,550 per year during the renewal term; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a Tower License Agreement with the Capital District Transportation Authority of Albany, New York, granting a license to the CDTA authorizing the placement, operation and maintenance of communications equipment of the County’s Mt. McGregor Radio Communication Tower in the Town of Moreau, for a term of five (5) years commencing April 1, 2017, subject to renewal for an additional term of five (5) years upon the written mutual agreement of the parties, at a cost to the CDTA of \$20,500 per year for the initial five (5) year term, and at a cost of \$22,550 per year during the renewal term; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 63 - 2017

Introduced by Supervisors Lent, Allen, DeLucia, Lawler, Pemrick, Tollisen and Szczepaniak

AMENDING THE 2017 COUNTY BUDGET TO REAPPROPRIATE \$303,130 IN EXPENSES AND REVENUES UNDER EMERGENCY SERVICES

WHEREAS, Resolutions 158-2016 authorized the acceptance of a 2016 New York State Homeland Security Program (SHSP) grant in the amount of \$217,500 to pay for security and emergency services enhancements, including, the purchase of a Disaster Logistics Stockpile Traffic Management Trailer, health preparedness planning, the replacement of cynokits, a Computer Aided Dispatch ("CAD") maintenance agreement, the purchase of protective clothing and equipment for emergency responders, and the purchase and installation of critical infrastructure security improvements, such as building door and lock set upgrades and security cameras; and

WHEREAS, Resolution 170-2015 authorized the acceptance of a 2015 New York State Homeland Security Program (SHSP) grant in the amount of \$217,500 to pay for contractual expenses for the I Am Responding System, for the replacement of the County Air Bank located at Saratoga Springs Fire Station, for the purchase of High Band Radio Equipment for alternate source of communications and necessary interoperation capability, and for the rental of a copier for the County's Emergency Operations Center; and

WHEREAS, unexpended funds from such 2016 SHSP grant in the amount of \$111,165 need to be reappropriated for the Office of Emergency Services to the 2017 County budget; and

WHEREAS, unexpended funds from such 2015 SHSP grant in the amount of \$191,965 need to be reappropriated for the Office of Emergency Services to the 2017 County budget; now, therefore, be it

RESOLVED, that the 2017 Saratoga County Budget is amended as follows:

OFFICE OF EMERGENCY SERVICES:

Appropriations:

Increase Acct.: 1-36-366-7051 Communications Equipment	\$ 82,450
Increase Acct.: 1-36-366-7080 Other Equipmen t	\$143,790
Increase Acct.: 1-36-366-8190 Other Professional Srv	\$ 42,911
Increase Acct.: 1-36-366-8200 Departmental Supplies	\$ 1,625
Increase Acct.: 1-36-366-8519 DHS Personal Sfty Supplies	\$ 27,500
Increase Acct.: 1-36-366-8533 Telephone	\$ 2,962
Increase Acct.: 1-36-366-8543 Office Equipment Renta l	<u>\$ 1,892</u>
	\$303,130

Revenues:

Increase Acct.: 1-36-3606 Homeland Security	\$303,130
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 64 - 2017

Introduced by Supervisors Allen, Collyer, Grattidge, Lent, Raymond, Schopf and Wood

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR, AND AMENDING THE 2017 COUNTY BUDGET IN RELATION THERETO

WHEREAS, a Project - BIN 7005610, Zim Smith Trail Bike/Ped Bridge Over NY 9, Town of Clifton Park, Saratoga County P.I.N. 1760.14 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for

the apportionment of the costs of such program to be borne at the ratio of 80 % Federal funds and 20 % non-federal funds; and

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

WHEREAS, an amendment to the 2017 County Budget is needed to appropriate necessary funds needed to cover the costs of the Design and Construction phases;

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 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$60,000.00 has previously been appropriated from the County’s Highway Fund and made available to cover the cost of participation in the Preliminary Design and Detailed Design phases of the Project pursuant to Resolutions 156-2015 and 159-2016; and it is further

RESOLVED, that the additional sum of \$686,248.00 be 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 Saratoga County Board of Supervisors and/or the Saratoga County Commissioner of Public Works be and are hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

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

RESOLVED, that this Resolution shall take effect immediately; and it is further

RESOLVED, that the 2017 County Budget is amended as follows:

PUBLIC WORKS:

Appropriations:

Increase Acct. #2-50-510-7502 Contr Hwy Sr	\$9,248
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Revenues:

Increase Acct. #2-50-3590 State Aid (15%)	\$1,387
Increase Acct. #2-50-4590 Federal Aid (80%)	\$7,399
Increase Acct. #2-0599.M App. Fund Balance (5%)	<u>\$ 462</u>
	\$9,248

BUDGET IMPACT STATEMENT: The 5% local share of \$462 will require an appropriation from the Fund #2 fund balance.

RESOLUTION 65 - 2017

Introduced by Supervisors Allen, Collyer, Grattidge, Lent, Raymond, Schopf and Wood

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH CLARK PATTERSON ENGINEERS, SURVEYOR, ARCHITECTS AND LANDSCAPE ARCHITECT, D.P.C. FOR CONSTRUCTION INSPECTION AND SUPPORT SERVICES RELATED TO THE REHABILITATION OF THE ZIM SMITH TRAIL BRIDGE OVER NEW YORK STATE ROUTE 9 IN THE TOWN OF CLIFTON PARK

WHEREAS, pursuant to Resolution 156-2015, this Board of Supervisors approved the proposed project to rehabilitate the Zim Smith Trail Bridge over New York State Route 9 in the Town of Clifton Park, and appropriated County Highway Funds in the amount of \$10,000 for the Design phase of the project; and

WHEREAS, the County has an existing contract with Clark Patterson Engineers, Surveyor, Architects And Landscape Architect, D.P.C. ("Clark Patterson") authorized pursuant to Resolution 157 – 2015 to provide engineering design services for this project; and

WHEREAS, pursuant to Resolution 159 - 2016, this Board appropriated additional County Highway Funds in the amount of \$50,000 to pay for the detailed design services phase of this project; and

WHEREAS, pursuant to Resolution 160-2016, this Board authorized an amendment to the agreement with Clark Patterson to provide additional engineering design services for the rehabilitation of the Zim Smith Trail Bridge at an additional cost not to exceed \$50,000; and

WHEREAS, pursuant to Resolution 64 - 2017, this Board appropriated additional County Highway Funds in the amount of \$686,248 to pay for the construction, construction inspection and support services phases of this project; and

WHEREAS, our Public Works Committee and the Commissioner of the County Department of Public Works have recommended that the County's agreement with Clark Patterson be amended to provide construction inspection and support services for the rehabilitation of the Zim Smith Trail Bridge over NYS Route 9 in the Town of Clifton Park at an additional cost not to exceed \$81,470; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Clark Patterson Engineers, Surveyor, Architects and Landscape Architect, D.P.C. of Rochester, New York for the provision of construction inspection and support services for the rehabilitation of the Zim Smith Trail Bridge over New York State Route 9 in the Town of Clifton Park, at a cost not to exceed \$81,470, 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 66 - 2017

Introduced by Supervisors Allen, Collyer, Grattidge, Lent, Raymond, Schopf and Wood

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

WHEREAS, a Project BIN 2202570, Ashdown Road over CP Rail, Town of Clifton Park, Saratoga County PIN 1760.46 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80 % Federal funds and 20 % non-federal funds; and

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

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 Design and ROW Incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$174,633.00 hereby appropriated from the County's Highway Fund and made available to cover the cost of participation in the above phases 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 Chair of the Board and/or the Saratoga County Commissioner of Public Works be and are hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

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

RESOLVED, this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 67 - 2017

Introduced by Supervisors Collyer, Allen, Lent, Lewza, Tollisen, Veitch and Wright

AMENDING RESOLUTION 222-2015 TO MODIFY THE SOURCES OF CONTRIBUTORY FUNDS THAT MUST BE PROVIDED BY THE TOWNS OF CHARLTON, MALTA AND NORTHUMBERLAND AS A CONDITION TO THE RECEIPT OF 2015 FARMLAND PROTECTION AND OPEN SPACE PRESERVATION GRANT FUNDS

WHEREAS, pursuant to Resolution 222-2015, this Board awarded 2015 Farmland Protection and Open Space Preservation Program grants to the Towns of Charlton, Malta and Northumberland conditioned upon each Town contributing to New York State Department of Agriculture and Markets grant funds in a stated amount towards the purchase of a farmland conservation easement in each Town; and

WHEREAS, subsequent to the adoption of Resolution 222-2015, the New York State Department of Agriculture and Markets awarded the required contributory grant funds for the three farmland conservation easements to Saratoga PLAN, instead of to the three Towns; and

WHEREAS, it is necessary to amend Resolution 222-2015 to state that Saratoga PLAN, and not the Towns of Charlton, Malta and Northumberland, will be providing the New York State Department of Agricultural and Markets grant funds needed to purchase the proposed farmland conservation easements in each Town; now, therefore, be it

RESOLVED, that Resolution 222-2015 is hereby amended to authorize payment from the Farmland/Open Space Preservation Reserve fund of the following amounts to the following municipalities for the purposes and upon the conditions stated:

1. To the Town of Charlton, the sum of \$35,900 upon the condition that the Saratoga PLAN contributes funds in the amount of no less than \$183,909 from a New York State Department of Agriculture and Markets grant, plus in-kind donations, towards an estimated purchase price of \$245,309 for the purchase of a 63 acre farmland conservation easement over the Saratoga Draft Power/Biello Farm (Tax Parcel #213.-1-7.1).
2. To the Town of Malta, the sum of \$40,660 upon the condition that Saratoga PLAN contributes no less than \$619,897 from a New York State Department of Agriculture and Markets grant, plus cash, towards an estimated purchase price of \$650,577 for the purchase of a 131 acre farmland conservation easement over the Malta Ridge Orchard and Gardens (Tax Parcel #204.-2-37.1).
3. To the Town of Northumberland, the sum of \$80,000 upon the condition that Saratoga PLAN contributes no less than \$559,959 in New York State Department of Agriculture and Markets grant funds, towards an estimated purchase price of \$639,959 for the purchase of a 145.56 acre farmland conservation easement over the Fiddle I Fee Farm (Tax Parcels #144.-1-21 and #144.-1-22).

and; be it further

RESOLVED, that the foregoing grant amounts may be adjusted by the Land Preservation Committee by up to 10% of each grant amount provided the requirements of each grant are satisfied and sufficient grant monies are available; and be it further

RESOLVED, that the Land Preservation Committee may place such further conditions and requirements on said grants as it may deem necessary and advisable to fulfill the intent and purpose of the Farmland protection and Open Space Preservation Program; and be it further

RESOLVED, that the Chair is authorized to execute any and all agreements and other documents necessary to ensure the fulfillment of said conditions and transfer said funds, with such agreements and documents to be subject to the approval of the County Attorney as to form and content.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 68 - 2017

Introduced by Supervisors Collyer, Allen, Lent, Lewza, Tollisen, Veitch and Wright

APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY THE MICHIGAN FINANCE AUTHORITY TO FINANCE CERTAIN PROJECTS LOCATED IN SARATOGA COUNTY FOR SAINT PETER'S HEALTH PARTNERS AND AFFILIATES AS REQUIRED BY SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

BE IT ENACTED by the Board of Supervisors of Saratoga County, New York, as follows:

WHEREAS, Trinity Health Corporation ("Trinity"), is an Indiana nonprofit corporation which owns, or which is affiliated with, owners and operators of, hospital and health care facilities located in the State of New York, including St. Peter's Health Partners ("SPHP"), which owns and/or operates health care facilities in Saratoga County, New York (the "County"), as more particularly described herein.

WHEREAS, Trinity and SPHP have requested that the Michigan Finance Authority (the "Issuer") issue its Revenue Bonds (Trinity Health Credit Group) in one or more series from time to time pursuant to a 3-year plan of finance in an aggregate principal amount not to exceed \$20,000,000 (the "Bonds") to provide funds to Trinity Health and SPHP and the affiliates of SPHP, to finance and refinance additions and improvements to, and equipment for, hospitals or other health care facilities owned and/or operated by SPHP, or an affiliate of SPHP, as follows: (1) St. Peter's Medical Campus – Clifton Park located at 1 Tallow Wood Drive and 855 Route 146, Clifton Park, New York; (2) Samaritan Hospital – Waterford Health Center located at 158 Saratoga Avenue, Waterford, New York; and (3) Seton Health at Schuyler Ridge located at 1 Abele Boulevard, Clifton Park, New York (collectively hereinafter, the "Saratoga County Projects").

WHEREAS, the Saratoga County Projects are owned and/or operated by SPHP or its affiliates, and are located in the County, as described above.

WHEREAS, on February 23, 2017 the Saratoga County Capital Resource Corporation held a public hearing with respect to the issuance of the Bonds and the Saratoga County Projects to be financed thereby (the "TEFRA hearing"), as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), following publication of notice of the TEFRA hearing in *The Daily Gazette*, a newspaper of general circulation in the County on, February 8, 2017, as required by the Code.

WHEREAS, the approval of the Board of Supervisors of Saratoga County, New York, being the highest elected officials of the County, is required pursuant to Section 147(f) of the Code as a condition to the issuance of the Bonds to be applied to the Saratoga County Projects.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SARATOGA COUNTY, NEW YORK AS FOLLOWS:

Section 1. Approval of the Issuance of the Bonds for Purposes of Section 147(f) of the Code. The issuance of the Bonds by the Issuer in an amount not exceeding \$20,000,000 for the financing and refinancing of the Saratoga County Projects is hereby approved solely for the purpose of compliance with, and as required by, Section 147(f) of the Code.

Section 2. County Shall Not be Liable for the Bonds. The approvals and declarations in this Resolution shall in no way pledge or otherwise obligate the credit or taxing power of the County, nor shall the County be liable for the payment of principal of or interest or premium, if any, on the Bonds, nor shall the County have any obligations with respect to the projects to be financed and refinanced with the proceeds of the Bonds, including the Saratoga County Projects or any facilities owned and operated by Trinity or SPHP or the affiliates of SPHP.

Section 3. Effective Date of this Resolution. This Resolution shall take effect on the date of adoption hereof.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 69 - 2017

Introduced by Supervisors Collyer, Allen, Lent, Lewza, Tollisen, Veitch and Wright

APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY SARATOGA COUNTY CAPITAL RESOURCE CORPORATION TO FINANCE A CERTAIN PROJECT FOR RW PRESERVATION LLC.

BE IT ENACTED by the Board of Supervisors of Saratoga County, New York, as follows:

WHEREAS, Saratoga County Capital Resource Corporation (the “Issuer”) is authorized and empowered by the provisions of Section 1411 of the New York State Not-For-Profit Corporation Law (the “NFPCL”) to take steps to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities, instruct or train individuals to improve or develop their capabilities for such jobs, carry on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, lessening the burdens of government and acting in the public interest; and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the NFPCL and its certificate of incorporation (the “Certificate”) to issue its revenue bonds to finance the cost of the acquisition, construction, reconstruction and installation of one or more “projects” (as described in the NFPCL and the Certificate), to acquire, construct, reconstruct and install said projects or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, RW Preservation LLC, a New York limited liability company (the “Company”), presented an application (the “Application”) to the Issuer, which Application requested that the Issuer consider undertaking a project (the “Project”) for the benefit of the Company, said Project to consist of the following: (A) the acquisition of an existing 112 unit senior affordable housing project located at 57 Ballston Avenue in the City of Saratoga Springs, Saratoga County, New York commonly known as the Raymond Watkin Apartments (the “Facility”) nominal ownership of which will be held by RW Housing Development Fund Company, Inc., a New York not for profit corporation (the “Nominal Owner”), and the undertaking of certain renovations thereto and involving total estimated project costs of \$28,876,044, (B) the financing of all or a portion of the costs of the foregoing by the issuance of qualified residential rental revenue bonds of the Issuer in one or more issues or Series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, in an amount then estimated to be approximately \$15,000,000 (the “Bonds”); and (C) paying a portion of the costs incidental to the issuance of the Bonds, including issuance costs of the Bonds and any reserve funds as may be necessary to secure the Bonds; and

WHEREAS, the Company has requested that interest on the Bonds be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 142 of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the Board of Supervisors has been advised by the Issuer that the Issuer proposes to issue, subsequent to the adoption of this resolution, the Bonds from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Bonds will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Bonds is approved by the “applicable elected representative” of Saratoga County, New York after the Issuer has held a public hearing on the nature of the Initial Project and the issuance of the Bonds; and

WHEREAS, in accordance with the requirements set forth in Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), the directors of the Issuer (A) caused notice of the Public Hearing to be published in the *Daily Gazette*, a newspaper of general circulation available to the residents of Saratoga County, New York, (B) conducted the Public Hearing on February 23, 2017 at 4:15 o’clock p.m., local time at the offices of the Issuer located at 2911 NYS Route 9, Malta, New York and (C) prepared a report of the Public Hearing (the “Hearing Report”) which fairly summarized the views presented at said Public Hearing and distributed same to the directors of the Issuer and to the Board of Supervisors; and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Bonds to be treated as excludable from gross income for federal income tax purposes; and

WHEREAS, the Issuer’s certificate of incorporation specifically provides that neither the Bonds nor any other obligation of the Issuer shall be a debt of Saratoga County, New York, nor shall Saratoga County, New York be liable thereon;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Saratoga County, New York as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the Board of Supervisors, as the elected legislative body of Saratoga County, New York, hereby approves the issuance by the Issuer of the Bonds, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, Saratoga County, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, Saratoga County, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

Section 2. This resolution shall take effect immediately and supersedes and replaces Resolution 146-2016 of the Board of Supervisors of Saratoga County, New York.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 70 - 2017

Introduced by Supervisors Collyer, Allen, Lent, Lewza, Tollisen, Veitch and Wright

AMENDING THE 2017 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO CAPITAL AND OTHER 2016 SARATOGA COUNTY SEWER DISTRICT NO. 1 PROJECTS

WHEREAS, unexpended 2016 funds for Saratoga County Sewer District No. 1’s capital and other 2016 projects in the amounts of \$4,993,448 need to be reappropriated to the 2017 budget in order to complete the balance of work related to said projects in 2017; now, therefore, be it

RESOLVED, that the 2017 Saratoga County Budget is amended as follows:

SEWER DISTRICT:

Appropriations:

Increase Acct.: #7-81-812-7092 Infrastructure	\$1,272,012
Increase Acct.: #7-81-812-7098 Professional Services	\$ 59,513
Increase Acct.: #7-81-813-7095 Capital Equipment	\$3,397,662
Increase Acct.: #7-81-813-7098 Professional Services	<u>\$ 264,261</u>
	\$4,993,448

Revenues:

Increase Acct.: #7-0599.M Fund Balance	\$4,993,448
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BUDGET IMPACT STATEMENT: The amendment will reduce the Sewer District’s unappropriated fund balance by \$4,993,448.

RESOLUTION 71 - 2017

Introduced by Supervisors Collyer, Allen, Lent, Lewza, Tollisen, Veitch and Wright

AUTHORIZING AN AGREEMENT WITH MJ ENGINEERING AND LAND SURVEYING, P.C. FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES RELATIVE TO PLANNED IMPROVEMENTS TO SARATOGA COUNTY SEWER DISTRICT NO. 1’S ROUND LAKE, MOE ROAD AND MARTINDALE TRAILER PARK PUMP STATIONS

WHEREAS, the 2017 Capital Budget approved by this Board for Saratoga County Sewer District No. 1 includes planned upgrades to the Sewer District’s Round Lake, Moe Road and Martindale Trailer Park pump stations; and

WHEREAS, these planned upgrades include, but are not limited to, the installation of new wet wells, submersible pumps, control systems, site lightening, doors, roofs, and driveways; and

WHEREAS, the Saratoga County Sewer District Commission has solicited and reviewed proposals from qualified engineering firms for design and construction administration services for the planned improvements to the three pump stations; and

WHEREAS, the Sewer District Commission has recommended that a contract for such design and construction administration services be awarded to MJ Engineering and Land Surveying, P.C., the proposal deemed best suited to the projects’ requirements; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with MJ Engineering and Land Surveying, P.C. of Clifton Park, New York, for the provision of design and construction administration services for Saratoga County Sewer District’s No. 1’s planned upgrades to its Round Lake, Moe Road and Martindale Trailer Park pump stations, at a cost not to exceed \$148,050, with the form and content of said contract being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: Funds are included in the Sewer District's 2017 budget.

RESOLUTION 72 - 2017

Introduced by Supervisors Collyer, Allen, Lent, Lewza, Tollisen, Veitch and Wright

AUTHORIZING THE PROSECUTION OF OBJECTIONS FILED ON BEHALF OF THE SARATOGA COUNTY ANIMAL SHELTER TO ACCOUNTINGS FILED IN THE JUNE JOHNSON TRUST AND ESTATE PROCEEDINGS PENDING IN SCHENECTADY COUNTY SURROGATE'S COURT

WHEREAS, June Johnson died on November 1, 2007 as a resident of Schenectady County; and

WHEREAS, June Johnson left a will that converted her 1987 revocable trust into a charitable trust ("the Johnson Trust"), and named Trustco Bank as the trustee and executor of her trust and estate respectively; and

WHEREAS, June Johnson named the Saratoga County Animal Shelter as a beneficiary of the Johnson Trust and her estate, granting the Animal Shelter a 1/8 interest, with other charities taking the remaining 7/8 interest; and

WHEREAS, Trustco Bank filed accountings in the Schenectady County Surrogate's Court in the Johnson Trust and in the Matter of the Estate of June Johnson; and

WHEREAS, the Saratoga County Animal Shelter filed Objections in the Schenectady County Surrogate's Court objecting to the extreme lateness of the filing of each accounting, to the content of each accounting, and to the appropriateness of the fees taken by the Trustee and the attorneys involved; and

WHEREAS, subsequent to the County's filing objections in the trust and estate proceedings, the fiduciary, Trustco, filed accountings in three Common Trust Funds: (1) the Trustco Bank Fixed Income Discretionary Common Fund, (2) Trustco Bank Tax Exempt Discretionary Common Fund, (3) Trustco Bank Common Stock Discretionary Common Fund; and

WHEREAS, the Animal Shelter having standing to object to the three accountings as the June Johnson Trust was invested in these common funds, filed objections to the three accountings based on the untimeliness of the accountings, the lack of substantiation of expenditures, the failure to set out whether fees to the trustee were awarded, the trustee's violation of Banking Law 100-c(6) which requires that an accounting be filed at least once every 10 years, and the trustee filing six years late in number (1) above, five years late in (2) above, and four years, four months late in (3) above; and

WHEREAS, with regard to the Johnson Trust, the County Attorney's Office retained the services of an expert in fiduciary accounting from Cornell University to render an opinion on the accounting filed and to calculate the Animal Shelter's damages; and

WHEREAS, that expert has calculated the Animal Shelter's damages relative to the Johnson Trust trustee fees alone to be in excess of \$90,804; now, therefore, be it

RESOLVED, that the County Attorney is authorized to continue the prosecution of the five sets of Objections filed in the Schenectady County Surrogate's Court on behalf of the Saratoga County Animal Shelter; and be it further

RESOLVED, that all actions taken by the County Attorney and his staff relative to the filing and prosecution of the five sets of Objections to date are hereby authorized, ratified and confirmed; and, be it further

RESOLVED, the County Attorney is authorized to engage the services of expert consultants if needed; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby urges the New York State Attorney General's Office to vigorously advocate for and protect the rights of all charitable beneficiaries designated in the June Johnson estate and trusts, and take all appropriate action to ensure that the beneficiaries receive their full shares of the estate and trusts to which they are entitled in a timely manner; and, be it further

RESOLVED, that the Clerk of this Board forward a certified copy of this Resolution to New York State Attorney General Eric T. Schneiderman.

BUDGET IMPACT STATEMENT: No budget impact.

Chairman Kinowski announced the following appointments:

Youth Advisory Board – Term Expiring 12/31/2017

Robert Hartman, Town of Galway

Amy Knussman, Town of Ballston
Lisa Scaccia – Saratoga County Employment & Training
Mickey Mahoney – Saratoga County Probation

Mr. Kinowski introduced Eugene LaDue who was appointed today as Deputy Coroner.

Mr. Wright said he wanted to bring to his colleague's attention the poster that is at their seat from the Veterans Peer Connection. As you know, last month the County Veterans Agenda re-branded that program. He is asking the Supervisors to take the poster back to their Towns and post them. If additional posters are needed, let him or Veteran Director Frank McClement know and they will get them to you.

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

Respectfully submitted,

Pamela Wright, Clerk