

A G E N D A
January 9, 2008 5:00 p.m.

Vice-Chairman Johnson called the meeting to order.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Frank Thompson, Preston L. Jenkins, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Shawn P. Connelly, John Lawler, Arthur J. Johnson - 19. ABSENT - Thomas Richardson, Paul Sausville, Matthew E. Veitch, Joanne Dittes Yepsen – 4.

Mrs. Plummer, Clerk of the Board, read a letter received from former Supervisor Jeff Trottier thanking the Board for the packages sent to him in Iraq from the Board. She stated we will be sending more packages out to him.

On a motion by Mr. Hargrave, seconded by Mr. Grattidge, the minutes of the meeting of December 12, 2007 were approved unanimously.

Mr. Wickerham reviewed the following Agenda items:

EQUALIZATION AND ASSESSMENT

Mr. Wickerham said while the Committee did not meet this month, there are four tender offers, 1 in Moreau; 2 in Saratoga; and 1 in Corinth, and there may be more by Tuesday's Board Meeting.

BUILDINGS AND GROUNDS

Authorizing the Chairman to enter into an agreement with North American Industries for the West Facility at a cost of \$.045 per square foot for land and \$.9075 per square foot for the building. (Joe Ritchey, Public Works Commissioner)

Mr. Wickerham said they will be paying between \$18,000 to \$20,000, depending on how much space they take.

Authorizing the Chairman to enter into an agreement with North American Industries to underwrite 50% of the cost of an environmental and structural assessment study of the County Airport with the total cost not to exceed \$12,000. (Joe Ritchey, Public Works Commissioner)

Authorizing the re-appropriation of \$3,518,134 in expenses and \$3,122,951 in revenues for airport capital projects and the purchase of aviation easements. (Joe Ritchey, Public Works Commissioner)

PUBLIC WORKS

Reappropriating \$472,404 in expenses and \$265,579 in revenues for the following capital projects:
Stewarts Dam Bridge - \$153,161
Geyser Road Bridge - \$126,396
County Road 108 Roundabout - \$89,348
County Road 96/97 Traffic Signal - \$103,500
(Joe Ritchey, Public Works Commissioner)

PUBLIC SAFETY

Authorizing the Chairman to enter into an agreement with Oneida County (Marcy Psychiatric Center) to provide secure detention services at a cost of \$140 per day per inmate commencing January 1, 2008 and ending on December 31, 2009. (Jim Bowen, Sheriff)

Mr. Wickerham stated this is an increase of \$15, and this is the first increase since 2002.

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Authorizing the Chairman to enter into successor agreements with the Town of Halfmoon and Wilton to provide additional law enforcement services at an increased cost of \$191,238 for 2008 and \$201,378 for 2009. (Jim Bowen, Sheriff)

Authorizing the Chairman to enter into successor agreements with the Towns of Clifton Park and Halfmoon to provide additional law enforcement services at an increased cost of 589,306 for 2008 and \$619,726 in 2009. (Jim Bowen, Sheriff)

Reappropriating \$81,595 in unspent Homeland Security Grant funds. (Paul Lent, Emergency Services Director)

LAW AND FINANCE

Reappropriating unspent funds, \$17,664.31, granted to the City of Mechanicville. (David Wickerham, County Administrator)

Mr. Wickerham stated this is for economic development work.

Reappropriating \$75,300 in expenses and \$58,400 revenues for ongoing projects in the County Clerk's Office. (Kathy Marchione, County Clerk)

Authorizing the Chairman to enter into an agreement with ROJAC Air Testing Services for incinerator emissions monitoring services at a cost not to exceed \$15,000. (Jim DiPasquale, Sewer District Director)

Authorizing the Chairman to enter into an agreement with Pace Environmental Products for the upgrade of the incinerators continuous emissions monitoring system and acquisition system at a cost of \$124,500 and reappropriating those funds to the 2008 budget. (Jim DiPasquale, Sewer District Director)

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION
TUESDAY, JANUARY 15, 2008
AT 4:00 P.M., E.S.T.

Board called to order by Chairman Hargrave.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Arthur M. Wright, Mindy Wormuth, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, John Lawler, Arthur J. Johnson - 21. ABSENT - Richard Rowland, Paul Sausville – 2.

The invocation was given by Tom Wood, Chaplain.

PUBLIC INPUT

Ken Ivins said he is the newly elected Commissioner of Finance for the City of Saratoga Springs. He congratulated all of the new Supervisors and welcomed back the returning Supervisors. He said he was with the Southern Saratoga County Chamber of Commerce, and he is thankful for all of the assistance the Board gave him back then. He said he is looking to creating a great working relationship with all of the Supervisors, and he is looking forward to meeting County Treasurer Sam Pitcherale. He urged everyone to contact Supervisors Veitch and Yepsen, the City's excellent liaisons, as well as everyone at City Hall.

Uri Kaufman, real estate developer, stated he appeared about a month or so ago with respect to Victory Mills in Victory, NY. He said the Board has been deceived. He said he was at the committee meeting where the auction of the building was debated. At the time, Robert DePew said he had a deal in place with Martin Mittlemark, the current taxpayer on that property. There is no deal between Mr. DePew and Mr. Mittlemark, he said. Mr. Mittlemark called our office recently and asked us if we would like to engage in a partnership with him, and Mr. Mittlemark told them that he didn't have a deal with Mr. DePew, he stated. He said at that County committee meeting, the fact that Mr. DePew had this alleged relationship with Mr. Mittlemark was considered one of the the decisive factors in his bid being accepted. He said County Attorney Mark Rider stated the County has a policy of trying to get property back in the hands of taxpayers. They don't want to see taxpayers get hurt. He said Mr. Mittlemark told him personally that this deal does not exist with Mr. DePew. He pointed out the only thing the County has so far from Mr. DePew is a one-page e-mail. Mr. DePew never filled out a bid packet, he never signed a contract nor has he paid a deposit, he said. He said the only thing Mr. DePew has done is to make a promise to put forth a \$100,000 letter of credit. Letters of credit do not always get honored, he said. He said the reason people put up letters of credit instead of cash is because they litigate. He said he filled out the bid packet on time, and he sent his check to the County on time. I come to you as an honest businessman, and I have a reputation in the Capital District, he said. He said he will send his check back to the County so that he can do this deal and we can finally move forward to develop this property. If we move quickly, we can still rescue this property, he stated. He said Mr. DePew was offering things he knows can't be done. I am prepared to pay for the property, he added.

On a motion by Mr. Lucia, seconded by Mrs. Johnson, the minutes of the meeting of December 12, 2007 were approved unanimously.

The Clerk presented the following:

Acknowledgement of receipt of Local Law 5 of 2007 received from the NYS Department of State.

Received and filed.

Correspondence from John H. Ciulla, Jr., Saratoga County Public Defender, appointing the following attorneys as Assistant Public Defenders for the term January 1 through December 31, 2008: Mark Major, First Assistant; Andrew Blumenberg; John DeLong; Stacey Gorman; Oscar Schreiber; Diane Serbalik and Van Zwisohn.

Received and filed.

Correspondence from Mark M. Rider, Saratoga County Attorney, appointing the following Assistant County Attorneys for the period January 1 through December 31, 2008: Stephen M. Dorsey, First Assistant, FT; Hugh G. Burke, FT; Karen D'Andrea, FT; Richard A. Kupferman, PT; Paul Pelagalli, PT; Andrea DiDomenico, PT.

Received and filed.

REPORTS:

FY/2007 Final Budget and FY/2008 Estimated Budget for the Saratoga County Industrial Development Agency.

Received and filed.

2007 Annual Reports received from the Environmental Management Council and the Director of Weights and Measures.

Received and filed.

2006 Annual Report of the NYS Adirondack Park Agency.

Received and filed.

Mrs. Johnson, Chairman of the Equalization & Assessment Committee, stated that the County property auction will be held on March 18th at 5:30 p.m. at Building 5. Each Supervisor should have a delinquent list of properties in their boxes. She said properties can be pulled once by the Town Supervisor, and property being pulled for the second time has to come before the E & A Committee. She stated Pam is available to help anyone with paperwork for pulling properties from the auction.

Ms. Daly said last year, we began to form an Autism Council with the help and support of Assemblyman McDonald, and later today, the Chairman will address the members of this Council. I am willing to assist in our efforts in this endeavor, she said. We are scheduling a meeting for Tuesday, January 22nd at 3:30 p.m., and all Supervisors are invited to attend. She stated this Council for the beginning few months will be an on-going project. We have a core group of people we put together to work with us as well as Supervisors, she said. We have a mission statement that was approved last year which explains the groundwork that we would like to begin with, she added.

Mr. Peck said there will be a Personnel Committee meeting sometime during the first couple of weeks in February.

On a motion by Mr. Lucia, seconded by Mr. Peck, Resolution Nos. 16 through 31 were adopted by a unanimous vote.

RESOLUTION 16 - 08

Introduced by Supervisors Hunter, Jenkins, M. Johnson, Raymond, Rowland, Sausville and Southworth

AUTHORIZING AN AGREEMENT WITH NORTH AMERICAN FLIGHT SERVICES, INC. SETTING RENTAL RATES FOR A PORTION OF THE SARATOGA COUNTY AIRPORT

WHEREAS, since 2003, North American Flight Services, Inc. has rented a portion of the Saratoga County airport for use as a Fixed Base Operator; and

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WHEREAS, the initial term of the lease ended on December 31, 2007, and North American Flight Services, Inc. has exercised its option to renew the lease for a 20 year period to commence on January 1, 2008; and

WHEREAS, by the terms of the lease the said renewal lease is to be on the same terms as original lease except for the amount of rental; and

WHEREAS, this Board of Supervisors has established rates for rental of property at the Saratoga County Airport at \$.045 per square foot for unoccupied land and \$.9075 per square foot for land occupied by a building, with said rate to increase on an annual basis by the percentage change in the Consumer Price Index, not to exceed three per cent (3%) per year; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with North American Flight Services, Inc. to rent a portion of the Saratoga County Airport at annual rates of \$.045 per square foot for land not occupied by a building and \$.9075 per square foot for land occupied by a building to increase annually by the percentage change in the Consumer Price Index, not to exceed three per cent (3%) per year, the form and substance of such agreement subject to the approval of the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 17 - 08

Introduced by Supervisors Hunter, Jenkins, M. Johnson, Raymond, Rowland, Sausville and Southworth

AUTHORIZING AN AGREEMENT WITH NORTH AMERICAN FLIGHT SERVICES, INC. TO PAY 50% OF THE COSTS OF A PHASE II ENVIRONMENTAL ASSESSMENT AND A STRUCTURAL INSPECTION OF A PORTION OF THE SARATOGA COUNTY AIRPORT

WHEREAS, by Resolution 246-07, this Board accepted the proposal of North American Flight Services, Inc. to lease and operate the Fixed Base of Operations at the Saratoga County Airport previously occupied by Richmor Aviation; and

WHEREAS, prior to commencing the lease, there is a need to conduct a phase II environmental survey and a structural inspection of the leasehold area; and

WHEREAS, it is appropriate that the County share one half (50%) of the cost of these studies, up to \$12,000 (½ of \$24,000); now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with North American Flight Services, Inc. of Ballston Spa, New York, to pay 50% of the costs of a phase II environmental survey and a structural inspection of the Fixed Base of Operations leasehold at the Saratoga County Airport, the County's share not to exceed \$12,000.00, the form and substance subject to the approval of the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: The County share of the total cost is \$12,000 and is available in the 2008 budget.

RESOLUTION 18 - 08

Introduced by Supervisors Hunter, Jenkins, M. Johnson, Raymond, Rowland, Sausville and Southworth

AMENDING THE 2008 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO SARATOGA COUNTY AIRPORT

WHEREAS, unexpended 2007 funds in the amount of \$3,518,134, to complete various Capital Projects at the Saratoga County Airport need to be reappropriated to the 2008 budget; now, therefore, be it

RESOLVED, that the 2008 Saratoga County Budget is amended as follows:

PUBLIC WORKS/BUILDINGS DIVISION:

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Appropriations:

Increase Acct.: #1-50-513-7091 Land Acquisition	\$ 310,719
Increase Acct.: #1-50-513-7092 Infrastructure	\$3,133,333
Increase Acct.: #1-50-000-7093 Bldg. Construction	\$ 50,082
Increase Acct.: #1-50-000-7094 Bldg. Components	\$ 24,000

Revenues:

Increase Acct.: #1-0599.M Fund Balance	\$ 395,183
Increase Acct.: #1-50-3592 SA Airport	\$2,827,768
Increase Acct.: #1-50-4592 FA Airport	\$ 295,183

BUDGET IMPACT STATEMENT: The Capital Project will reduce the County’s fund balance by \$395,183.

RESOLUTION 19 - 08

Introduced by Supervisors Grattidge, Barrett, Connelly, M. Johnson, Southworth, Thompson and Wright

AMENDING THE 2008 BUDGET TO REAPPROPRIATE UNSPENT FUNDS FOR DEPARTMENT OF PUBLIC WORKS CAPITAL PROJECT

WHEREAS, unexpended 2007 funds in the amount of \$472,404, authorized for the engineering, construction and/or reconstruction of the Stewarts Dam Bridge in the Town of Hadley, Geyser Road Bridge, County Road 108 Roundabouts, County Road 96/97 Traffic Signal, need to be reappropriated to the 2008 budget; now, therefore, be it

RESOLVED, that the 2008 Saratoga County Budget is amended as follows:

DEPARTMENT OF PUBLIC WORKS

Appropriations:

Increase Acct.: #2-50-501-7502 Contracted Hwy Services	\$103,500
Increase Acct.: #2-50-510-7502 Contracted Hwy Services	\$ 85,000
Increase Acct.: #2-50-510-8130 Arch/Engineers	\$283,904
Increase Acct.: #1-90-920-9902 Transfer	\$206,825

Revenues:

Increase Acct. #1-0599.M Fund Balance	\$206,825
Increase Acct.: #2-50-3590 SA Marchiselli	\$ 41,933
Increase Acct.: #2-50-4590 FA Marchiselli	\$223,646
Increase Acct.: #2-50-5031 Fund 1 Transfer	\$206,825

BUDGET IMPACT STATEMENT: The Capital Project will reduce the County’s fund balance by \$206,825.

RESOLUTION 20 - 08

Introduced by Supervisors Thompson, Grattidge, Jenkins, Lawler, Veitch, Wormuth and Yepsen

AUTHORIZING AN AGREEMENT WITH THE COUNTY OF ONEIDA FOR THEIR PROVISION OF A SECURE DETENTION FACILITY FOR CERTAIN INMATES

WHEREAS, the need for forensic services for mentally ill inmates at the Saratoga County Correctional Facility is so infrequent that the onsite provision of such services is an unnecessary expenditure; and

WHEREAS, Resolution 66 of 2002 most recently authorized an agreement with the County of Oneida for their provision of in-patient psychiatric services and a secure detention facility for Saratoga County inmates at their local forensic unit; and

WHEREAS, Correction Law Article 20 authorizes both the provision of appropriate medical care or treatment at a location other than the jail and the designation of a substitute jail; and

WHEREAS, a previous agreement with this county has been satisfactory and their continuation is

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desirable; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is, now and hereafter, authorized to execute an agreement with the County of Oneida for their provision of in-patient psychiatric services and a secure detention facility for mentally ill Saratoga County inmates at the Central New York Psychiatric Center, at a daily cost of \$140 for each inmate, the form and content thereof being subject to the approval of the Saratoga County Sheriff, the Contract Administrator and the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 21 - 08

Introduced by Supervisors Thompson, Grattidge, Jenkins, Lawler, Veitch, Wormuth and Yepsen

AUTHORIZING CONTRACTS FOR POLICE SERVICES WITH HALFMOON AND WILTON

WHEREAS, Resolution 262-06 last authorized contracts with the Town of Halfmoon and the Town of Wilton for additional police services to be provided by the Sheriff’s Department; and

WHEREAS, the Towns wish to extend those contracts; and

WHEREAS, the proposed contracts in each case include reimbursement by the Towns for all County expenses including salaries, benefits, training, all transportation expenses and patrol cars; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute the following contracts with the Towns of Halfmoon and Wilton for the indicated police services and for the sums indicated, the form and substance of such contracts subject to the approval of the County Attorney:

<u>CONTRACT WITH</u>	<u>TIME OF SERVICES</u>	<u>PLACE OF SERVICES</u>	<u>AMOUNT</u>
Halfmoon and Wilton	Mon-Sun 7:00 a.m. - 3:00 p.m. 3:00 p.m. -11:00 p.m.	entire Towns of Halfmoon and Wilton	<u>2008</u> \$191,238
			<u>2009</u> \$201,378

(to be divided equally between the towns)

BUDGET IMPACT STATEMENT: None. The cost of these services will be paid for by the Towns.

RESOLUTION 22 - 08

Introduced by Supervisors Thompson, Grattidge, Jenkins, Lawler, Veitch, Wormuth and Yepsen

AUTHORIZING CONTRACTS FOR POLICE SERVICES WITH CLIFTON PARK AND HALFMOON

WHEREAS, Resolution 261-06 last authorized contracts with the Town of Clifton Park and the Town of Halfmoon for additional police services to be provided by the Sheriff’s Department; and

WHEREAS, the Towns wish to extend those contracts; and

WHEREAS, the proposed contracts in each case include reimbursement by the Towns for all County expenses including salaries, benefits, training, all transportation expenses and patrol cars; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute the following contracts with the Towns of Clifton Park and Halfmoon for the indicated police services and for the sums indicated, the form and substance of such contracts subject to the approval of the County Attorney:

<u>CONTRACT WITH</u>	<u>TIME OF SERVICES</u>	<u>PLACE OF SERVICES</u>	<u>AMOUNT</u>
Clifton Park	Mon-Sun 8:00 a.m.- 4:00 p.m.	entire Town of	<u>2008</u> \$206,830

		4:00 p.m. - 12:00 a.m.	Clifton Park	
	5 days a week	12:00 a.m. - 3.00 a.m.		<u>2009</u> \$216,970

Clifton Park	Mon-Sun	6:00 a.m. - 2:00 p.m.	entire Town of	<u>2008</u>
		6:00 p.m. - 2:00 a.m.	Clifton Park	\$191,238

				<u>2009</u> \$201,378

Halfmoon and Clifton Park	Mon-Sun	6:00 a.m. - 2:00 p.m.	entire Towns of	<u>2008</u>
		6:00 p.m. - 2:00 a.m.	Halfmoon and Clifton Park	\$191,238

				<u>2009</u> \$201,378

			(to be divided equally between the towns)	

BUDGET IMPACT STATEMENT: None. The cost of these services will be paid for by the Towns.

RESOLUTION 23 - 08

Introduced by Supervisors Thompson, Grattidge, Jenkins, Lawler, Veitch, Wormuth and Yepsen

AMENDING THE 2008 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO PURCHASES COVERED UNDER STATE HOMELAND SECURITY FUNDS

WHEREAS, unexpended 2007 funds in the amount of \$81,595 are needed for purchases authorized out of State Homeland Security Grant funds and need to be reappropriated to the 2008 budget; now, therefore, be it RESOLVED, that the 2008 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES/FIRE:

Appropriations:

Increase Acct.: #1-36-363-7080 Other Equipment \$81,595

Revenues:

Increase Acct.: #1-36-3306 Homeland Security \$81,595

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 24 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

AMENDING THE 2008 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO THE CITY OF MECHANICVILLE

WHEREAS, by Resolution 246-06, funds were appropriated to assist the City of Mechanicville in drafting grant requests for the revitalization of the City; and

WHEREAS, unexpended 2007 funds in the amount of \$17,664 remain from that appropriation and need to be reappropriated to the 2008 budget; now, therefore, be it

RESOLVED, that the 2008 Saratoga County Budget is amended as follows:

SUPPORTED ORGANIZATIONS:

Appropriations:

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Increase Acct.: #1-90-900-8492 Local Asst. \$17,664

Revenues:

Increase Acct.: #1-0599.M Fund Balance \$17,664

BUDGET IMPACT STATEMENT: This reappropriation will reduce fund balance by \$17,664.

RESOLUTION 25 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

AMENDING THE 2008 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO ONGOING PROJECTS IN THE COUNTY CLERK'S OFFICE

WHEREAS, unexpended 2007 funds in the amount of \$75,300 are needed for ongoing projects in the County Clerk's Office and need to be reappropriated to the 2008 budget; now, therefore, be it

RESOLVED, that the 2008 Saratoga County Budget is amended as follows:

COUNTY CLERK'S OFFICE:

Appropriations:

Increase Acct.: #1-19-000-8190 Prof. Services \$42,125

Increase Acct.: #1-19-000-8560 Printing \$33,175

Revenues:

Increase Acct.: #1-0599.M App. Fund Balance \$16,900

Increase Acct.: #1-19-2770 Unclassified Rev. \$25,000

Increase Acct.: #1-19-3089 Records Management \$33,400

BUDGET IMPACT STATEMENT: This reappropriation will reduce fund balance by \$16,900.

RESOLUTION 26 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

AUTHORIZING AN AGREEMENT WITH ROJAC AIR TESTING SERVICES, INC. FOR INCINERATOR EMISSIONS MONITORING SERVICES

WHEREAS, environmental laws and regulations require continual monitoring of emissions by the incinerator at the Sewer Treatment Plant; and

WHEREAS, proposals were solicited for emissions monitoring services and ROJAC Air Testing Services, Inc. was the lowest proposal; and

WHEREAS, the Sewer Commission and Executive Director recommend the acceptance of ROJAC Air Testing Services, Inc. for these services; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with ROJAC Air Testing Services, Inc. of South Windsor, Connecticut for incinerator emission monitoring services at the Sewer Treatment Plant of Saratoga County Sewer District #1 for the sum of \$9,500 for basic monitoring services and time and materials for any extra services required for compliance not to exceed a total of \$15,000.00, the form and substance thereof being subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funds are available in 2008 budget.

RESOLUTION 27 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck Thompson and Wood

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AUTHORIZING AN AGREEMENT WITH PACE ENVIRONMENTAL PRODUCTS, INC. FOR THE UPGRADE OF THE INCINERATORS CONTINUOUS EMISSIONS MONITORING SYSTEM AND ACQUISITION SYSTEM AT THE SARATOGA COUNTY SEWER DISTRICT TREATMENT PLANT AND AMENDING THE 2008 BUDGET TO REAPPROPRIATE \$124,500

WHEREAS, pursuant to New York State periodic regulatory testing requirements testing of the Continuous Emission Monitoring System must be done at the Saratoga County Sewer District Treatment Plant, and

WHEREAS, the Sewer District Commissioners have solicited competitive proposals for services of the upgrade of the incinerators Continuous Emissions Monitoring System and Acquisition System, and

WHEREAS, it is recommended that a contract for such services be awarded to Pace Environmental Products, Inc., the lowest proposal on the contract; and

WHEREAS, funds were appropriated for these services in 2007, and need to be reappropriated to the 2008 budget; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Pace Environmental Products, Inc. of Whitehall, Pennsylvania for the upgrade of the incinerators Continuous Emissions Monitoring System and Acquisition System at a total cost not to exceed \$124,500, subject to the approval of the Sewer Commission, the form and content of said contract being subject to the approvals of the Contract Administrator and the County Attorney; and be it further

RESOLVED, that the 2008 budget be amended as follows:

SEWER DISTRICT:

Appropriations:

Increase Acct.: #7-81-813-7095 Cap Equip. \$124,500

Revenues:

Increase Acct.: #7-0599.M Fund Balance \$124,500

BUDGET IMPACT STATEMENT: Will reduce Sewer District fund balance by \$124,500.

RESOLUTION 28 - 08

Introduced by Supervisors A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

ADOPTING A LOCAL LAW RELATIVE TO AMENDING THE COMPENSATION SCHEDULE BY INCREASING THE COMPENSATION BY A COST-OF-LIVING INCREASE FOR CERTAIN COUNTY OFFICIALS

WHEREAS, Resolution 233-07 introduced and presented a proposed Local Law identified as Introductory No. 3 - 07, Print No. 1 to this Board of Supervisors and scheduled a public hearing thereon for January 9, 2008 at 4:45 P.M. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 15TH day of January, 2008 hereby adopts a Local Law identified as Introductory No. 3-07, Print No. 1 as set forth in annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

INTRODUCTORY NO. 3

PRINT NO. 1

INTRODUCED BY: A. Johnson, Daly, Grattidge, Hunter, Peck, Thompson and Wood

COUNTY OF SARATOGA

LOCAL LAW - 2008

A LOCAL LAW PROVIDING FOR SALARY INCREASES FOR CERTAIN COUNTY OFFICIALS

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

SECTION 1. The 2008 compensation for the following County officials shall be increased to the following levels, effective January 1, 2008:

Carol Holley, Director of Real Property Tax Services	\$ 91,748
Robert Christopher, Commissioner of Social Services	\$118,406
Joseph Ritchey, Commissioner DPW	\$127,164
William Baker, Personnel Director	\$110,285

ELECTED OFFICIALS:

James Murphy, District Attorney	\$129,102
James Bowen, Sheriff	\$106,811
Kathy Marchione, County Clerk	\$ 93,882
Sam Pitcherelle, County Treasurer	\$ 93,882

APPOINTED OFFICIALS

Diane Wade, Commissioner of Elections	\$ 68,989
William Fruci, Commissioner of Elections	\$ 68,989

SECTION 2. This Local Law is subject to a permissive referendum as provided in Municipal Home Rule Law §24.

SECTION 3. This Local Law shall become effective as provided in Municipal Home Rule Law §27.

RESOLUTION 29 - 08

Introduced by Supervisors M. Johnson, Hunter, Connelly, Raymond, Rowland, Southworth and Thompson

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

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

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

WHEREAS, our Equalization and Assessment Committee recommends approval of this request; 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 amounts, which include penalties, interest and charges,

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Edith Magee 5187 NYS Rte. 9N Corinth, NY 12822	2003, 2005, 2006 & 2007	Corinth	73.35-4-20	\$17,721.26
Albert Jenkins 277 Hadlock Pond Rd. Fort Ann, NY 12827	2005, 2006 & 2007	Moreau	38.3-1-21.1	\$6,336.19
M & H Development LLC 4324 Promanade, Suite 217	2005, 2006 & 2007	Saratoga	157.49-1-4	\$1,527.98

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DelRay, CA 90292

Jesse G. Blackwood 81 Green Street Schuylerville, NY 12871	2005, 2006 & 2007	Saratoga	157.55-1-3	\$3,444.10
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BUDGET IMPACT STATEMENT: This total includes all appropriate penalties and interest.

RESOLUTION 30 - 08

Introduced by Supervisors M. Johnson, Hunter, Connelly, Raymond, Rowland, Southworth and Thompson

ACCEPTING A CONDITIONAL TENDER OFFER (STILLWATER)

WHEREAS, unpaid taxes resulted in the County's acquisition of certain land in the Town of Stillwater; and

WHEREAS, the former owners have requested the pre-auction conveyance of the parcel in consideration of their payment of the unpaid taxes; and

WHEREAS, the former owners have arranged for the payment of said unpaid taxes at a closing to be held on or before January 31, 2008 and requested that title be reconveyed to the owner set forth below; and

WHEREAS, our Equalization and Assessment Committee recommends approval of this request; now, therefore, be it

RESOLVED, that the Chair of the Board execute a quitclaim deed to the following party conveying the land set opposite its name, to be delivered to and held in escrow by the attorney for the purchaser of the property, the lender or the title insurance company insuring the transaction, and to be delivered to the following party only upon the payment in cash or certified funds of the indicated amount; and be it further

RESOLVED, that in the event said payment is not made before the date set forth below, the authorization to the purchaser's attorney, the lender or the title insurance company insuring the transaction shall expire and the deed shall be returned to the Chair of the Board.

<u>CONVEY TO:</u>	<u>YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
William T. Saunders 69 Ferry Lane Stillwater, NY 12118	2005, 2006 & 2007	Stillwater	244.78-1-13	\$8,268.27

This authorization expires on January 31, 2008.

BUDGET IMPACT STATEMENT: The above amounts include the appropriate penalties and interest

RESOLUTION 31 - 08

Introduced by Supervisors M. Johnson, Hunter, Connelly, Raymond, Rowland, Southworth and Thompson

AUTHORIZING COUNTY AUDITOR TO APPROVE TAX REFUNDS AND CORRECTIONS NOT TO EXCEED \$2,500

WHEREAS, Real Property Tax Law §554 and §556 authorize delegation to the County Auditor of legislative duties relative to the correction and refund of certain taxes; now, therefore, be it

RESOLVED, that, upon the joint recommendations of the Director of the Real Property Tax Service Agency and the County Treasurer, the County Auditor is authorized pursuant to §556 of the Real Property Tax Law to approve for payment tax bill refunds in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor is authorized pursuant to §554 of the Real Property Tax Law to approve corrections of errors on tax rolls in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor shall report to the Equalization and Assessment Committee all refunds and corrections made pursuant to the authority delegated by this Resolution.

15, 2008BUDGET IMPACT STATEMENT: No budget impact.

Chairman Hargrave announced the following appointments:

AUTISM COUNCIL

Supervisor Anita Daly

Supervisor Matthew Veitch

Cathy Duncan, Public Health

Wes Carr, Youth Bureau

Mary Beth Hynes, Tn. of Ballston

Mrs. Plummer said if any Supervisor is interested in attending the NYSAC Conference, January 28-30, to let her know.

Mrs. Plummer stated the Board meeting in February will be held on February 26th due to the Association of Towns meeting. She said there are 15 seats left on the bus to New York City for the Association of Towns meeting. If anyone is interested, contact me or Supervisor Wright, she said.

Mr. Lawler said he wanted to comment on a recent newspaper article detailing the lawsuit of Alexander Mackey with the consent of the Supreme Court and the Appellate Division to restrain a violation of Article 14, Section 5 of the New York State Constitution, and that action was brought against the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation and the Saratoga County Water Authority. He stated in that article, it quotes Mr. Mackey's attorney as saying the Water Authority and County were aware of a court action undertaken to basically prevent the construction of the water system in the Moreau State Park. He said that statement is incorrect. The Saratoga County Water Authority applied for and received work permits for all construction in both the Moreau State Park and Saratoga State Park in September, and the work began in September, he said. The contracts were awarded for that work over the summer. The County and the Water Authority were committed to move forward with that work, he stated. We applied for work permits in compliance with existing regulations with the NYS OPRHP. Those permits were granted for the three different contracts that were undertaken. All three of those permits were granted in September, he said. The motion for injunctive relief was filed in November, he added.

Mr. Lawler said he wanted to make the Supervisors aware of the ramifications of this lawsuit because it affects much more than the Saratoga County Water Authority project. It could devastate the New York State's park system if Mr. Mackey's challenge is upheld in court, he said. He stated the basis of Mr. Mackey's challenge is that it is basically illegal to cut trees on New York State parkland. He then quoted an affidavit that was filed in response to Mr. Mackey's lawsuit from Kurt Kress, a regional Capital Facilities Manager for the Saratoga region of the NYS Office of Parks, Recreation and Historic Preservation in which he stated the Moreau Lake State Park and the Saratoga Spa State Park are lands owned by the people of the State of New York under the jurisdiction of State Parks. The Moreau Lake State Park is a State park of approximately 4185 acres in northern Saratoga. The Park contains 148 campsites, 38 buildings, including a recently renovated bathhouse, one cabin facility, facilities for group camping, a picnic pavilion, horseshoe pits, a swimming beach, three boat launches, a visitors' nature center, etc. Mr. Lawler said he assumes they had to cut down a tree or two to make that happen. Mr. Lawler referred to the same affidavit submitted by Mr. Kress that states the Saratoga Spa State Park was established in 1909 and one of the oldest State parks in the New York State Parks' system. It is approximately 2379 acres and includes the Gideon Putnam Resort Hotel, the Victorian Pool, the Peerless Pool complex, a championship golf course, the Saratoga Performing Arts Center, the Administration Building, Spa Little Theater, National Museum of Dance, the Saratoga Automobile Museum, several other historic buildings and housings, housing offices, including those of the Court of Claims, and the Fourth Judicial Administrative Judge, 12 miles of trails, and many other park related facilities. He said he believes some trees had to be cut down to build those things, too.

15, 2008

To those people who might think this Constitutional challenge is relegated simply to a challenge that will affect the Saratoga County Water Authority, I would say think again, he said. It would affect a great many other buildings, he stated.

Mr. Lawler said we were all quite pleased to see Governor Spitzer's plan to invest approximately \$100 million in the restoration and development of the State Park system throughout New York State. These plans include \$500,000 to upgrade restrooms in the Saratoga Spa State Park, \$100,000 for a new pump station at the Saratoga Lake boat launch, \$350,000 to build new restrooms with handicapped accessibility at the Moreau State Park, \$250,000 to create a new entrance and build a right hand turn lane on Old Saratoga Road near the entrance to the Park, \$500,000 for the Peebles Island Park in Waterford to restore Matton's Shipyard, \$150,000 to build a bike trail from Cohoes into Waterford, Grafton Lake Park in Rensselaer County a \$1 million upgrade for dams and spillways, and Thatcher Park will have construction of a new swimming pool. My point is to make people aware that a great deal hangs on the success or failure of this Constitutional challenge, he said. This lawsuit will have a devastating set of consequences if the Constitution is found to have been violated since 1909 in the construction of all of these buildings and all of these resources that the residents of New York State so thoroughly enjoy and look forward to having more of, he stated. This litigation appears to be narrowly focused at the Water Authority, but it will have tremendous negative consequences throughout New York State if it is successful, he added. Let's hope that the Constitution will be read in a way that enables us to enjoy our parklands, he said.

On a motion by Mr. Lucia, seconded by Ms. Daly, the meeting was adjourned.

Barbara J. Plummer, Clerk