

## A G E N D A

June 11, 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, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, John Lawler, Arthur J. Johnson – 19. ABSENT - Shawn P. Connelly, Mary Ann Johnson, Richard Lucia, Willard H. Peck – 4.

On a motion by Mr. Hargrave, seconded by Mr. Veitch, the minutes of the meeting of May 14, 2008 were approved unanimously.

Mr. Wickerham, County Administrator, reviewed the following Agenda items:

PUBLIC HEALTH

Authorizing the Chairman to enter into an agreement with NYS Department of Health for the Immunization Action Plan (IAP) for the period April 1, 2008 – March 31, 2013 to enter into subcontracts and to amend the 2008 budget. (Janet Glenn, Public Health Nursing Services)

Mr. Wickerham said this was previously handled by a non-profit agency. He stated \$34,000 will be received this year, and over \$100,000 will be received next year, and it is all State funded.

PERSONNEL

Authorizing the Chairman to enter into amended contracts for Contract Psychiatrists to increase the hourly rate to \$115 per hour. (Bill Baker, Personnel Director)

SOCIAL PROGRAMS

Authorizing the Chairman to enter into renewal agreements with Saratoga Bridges to conduct the Disability Navigator Program and amending the 2008 budget to accept \$75,000 in State Aid to pay for the program. (Tony Scavone, Employment and Training Director)

Mr. Wickerham stated this is the same amount as last year from the Federal government to find employment for disabled persons.

PUBLIC SAFETY

Authorizing the transfer of \$8,700 from the Animal Shelter Trust Fund and amending the 2008 budget to allow for the purchase of equipment needed for the neutering of male cats before adoption. (Dan Butler, Animal Shelter Supervisor)

Mr. Wickerham said all male cats adopted out will be neutered first.

Authorizing the Chairman to enter into agreements with Advanced Network Services (ANS) to erect radio towers in the Towns of Milton and Providence for a total cost of \$379,765. (Paul Lent, Emergency Services Director)

Mr. Wickerham stated this was the low of five bids.

EQUALIZATION AND ASSESSMENT

Accepting tender offers on 4 parcels in the Town of Providence for a total repayment of \$2,896.44. (Mark Rider, County Attorney)

CHAIRMAN'S ITEM

Re-appointing Thomas Lewis and Christopher Barclay to the Saratoga County Planning Board for terms to expire 5/31/13.

Mr. Wickerham said Thomas Lewis is the Chairman, and Christopher Barclay is a member.

#### LAW AND FINANCE

Authorizing the Chairman to enter into agreements for the Saratoga County Sewer Treatment Plant Expansion as follows: (Jim DiPasquale, Sewer District Director)

General Construction:	Jett Industries	\$37,949,000
Electrical:	Gross Electric	\$ 5,978,000
Plumbing:	Merit Plumbing	\$ 199,478
HVAC:	J&K Plumbing & Heating	\$ 1,137,000
Special Testing:	QC/QA	\$ 56,800

Mr. Wickerham said these were the low bids totaling about \$44 million that is within the \$50 million project that the Board authorized two months ago. If approved on Tuesday, bids will be awarded, and construction will begin, he stated.

Authorizing the Chairman to accept a \$5,000 legislative grant for costs associated with the creation of a tour book focusing on Saratoga County's historical markers and amending the budget in relation thereto. (Barbara Plummer, Clerk to the Board)

Referring the petition of the Village of Stillwater to extend the boundaries of Saratoga County Sewer District No. 1 to the Saratoga County Sewer District Commission. (Mark Rider, County Attorney)

Mr. Wickerham said we will take that request and refer it back to the Sewer District.

Authorizing the Chairman to enter into an amended agreement with InfoQuick Solutions to provide digitization of additional County Clerk records beyond mortgages and deeds up to the full amount appropriated for digitization services. (Kathy Marchione, County Clerk)

Mr. Wickerham stated the 17 cents per page amendment will let us go beyond mortgages and deeds to other records.

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

Respectfully submitted,

Elaine M. Sodemann

REGULAR SESSION  
TUESDAY, JUNE 17, 2008  
AT 4:00 P.M., D.S.T.

Board called to order by Chairman Hargrave.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Jean Raymond, George J. Hargrave, Richard Rowland, Arthur M. Wright, Mindy Wormuth, Paul Sausville, 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 Lucia, Mary Ann Johnson – 2.

The invocation was given by Tom Wood, Chaplain.

Be Smart, Don't Start Poster Contest Winners:

Mr. Sausville, Vice-Chairman of the Public Health Committee, said that the annual death toll related to smoking is 5 million people per year due to heart failure, emphysema, lung cancer, strokes and high blood pressure. You would think that the trend would be going downward, but worldwide, it is going upward, as smoking becomes more prevalent in the third world countries, he stated.

Mr. Sausville said about seven years ago, Supervisor Anita Daly started the "Be Smart, Don't Start" program, along with the Board of Supervisors, that involved the young people in our schools to create posters such as the ones that are hanging here today. Over the last seven years, we have had 7,000 young people in the 4<sup>th</sup> grade participate in this program which is about 1,000 per year. From these 1,000 youngsters, 36 of these stellar posters per year, both in message and in artwork, are submitted to the County that are reviewed by panelists, and four of them are selected as the top posters. The four top posters are hanging here today, he said. He mentioned each of these youngsters who drew these posters will receive a Certificate of Appreciation from the County, complimentary gift certificates from Stewart's and Border's Books, a tee shirt with the picture of their poster, and a gift certificate to Border's Books for their school. Each of these posters will be displayed at the County Fair in the next few weeks, he stated.

Mr. Sausville, along with Mr. Grattidge, Mr. Rowland, Mr. Jenkins, Ms. Yepsen and Mr. Veitch presented the following students with their awards:

4<sup>th</sup> prize - \$300 gift certificate for the school. The poster was drawn by Tyler Jessee, a 4<sup>th</sup> grade student from Charlton Heights Elementary School in the Burnt Hills-Ballston Lake Central School District.

3<sup>rd</sup> prize - \$500 gift certificate for the school. The poster was drawn by Nicole Cotton, a 4<sup>th</sup> grade student from Moreau Elementary School in the South Glens Falls School District.

2<sup>nd</sup> prize - \$700 gift certificate for the school. The poster was drawn by Bella Perras, a 4<sup>th</sup> grade student from Greenfield Elementary School in the Saratoga Springs City School District.

1<sup>st</sup> prize - \$1,000 gift certificate for the school. The poster was drawn by Alison Genevich, a 4<sup>th</sup> grade student from Lake Avenue Elementary School in the Saratoga Springs City School District.

Chairman Hargrave thanked the students for a job well done.

On a motion by Mr. Thompson, seconded by Mr. Hunter, the minutes of the meeting of May 20, 2008 were approved by a unanimous vote.

The Clerk presented the following:

Copy of a Certificate of the the New York State Comptroller consenting to an expenditure of \$54,367,321 for construction constituting an increase and improvement of facilities pursuant to section 268 of the County Law in Saratoga County Sewer District No. 1.

Received and filed.

Village of Hudson Falls Notice of Public Hearing to Consider Adoption of Local Law which amends Chapter 215, "Zoning."

Received and filed.

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The Family of Ruth Reynolds is grateful to God for her life; for your friendship and for your kindness and prayers.

Dear Members of the Saratoga County Board of Supervisors:

Thank you for your donation to the Moreau Rescue Squad in our mother's memory. It was very thoughtful of you.

Mary & Preston Jenkins & Family

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REPORTS:

Saratoga County Industrial Development Agency Annual Report and Certified Financial Audit for Fiscal Year 2007.

Received and filed.

On a motion by Mr. Wright, seconded by Mr. Rowland, Resolution Nos. 133 through 144 were adopted by a unanimous vote.

RESOLUTION 133 - 08

Introduced by Supervisor Hargrave

APPOINTING MEMBERS TO COUNTY PLANNING BOARD

WHEREAS, Resolution 48-61, as amended by Resolutions 74-65 and 56-73, established the County Planning Board; and

WHEREAS, the terms of Christopher G. Barclay and Thomas Lewis have expired; now, therefore, be it

RESOLVED, that Christopher G. Barclay and Thomas Lewis are reappointed as members of the County Planning Board for the stated term:

<u>Name</u>	<u>Municipality</u>	<u>Term/Expires</u>
Christopher G. Barclay 3B Maclyn Meadows Ballston Lake, NY 12019	Malta	5/31/13
Thomas Lewis 167 Caroline Street Saratoga Springs, NY 12866	City of Saratoga Springs	5/31/13

RESOLUTION 134 - 08

Introduced by Supervisors Lucia, Connelly, Sausville, Southworth, Wood, Wright and Yepsen

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH (NYSDOH) FOR THE IMMUNIZATION ACTION PLAN (IAP) FOR THE PERIOD OF APRIL 1, 2008 – MARCH 31, 2013 AND AMENDING THE 2008 COUNTY BUDGET**

WHEREAS, since 1992, the New York State Department of Health has funded an Immunization Action Plan (IAP) grant to reduce and eradicate vaccine preventable diseases by eliminating barriers to the receipt of immunizations; and

WHEREAS, until the present, the IAP grant was administered for a seven county area, including Saratoga County, by the Upper Hudson Primary Care Consortium; and

WHEREAS, NYSDOH has determined that IAP grant funds are best administered by county government on a county by county basis; and

WHEREAS, NYSDOH has offered IAP grant funding for a five year period commencing April 1, 2008 to Saratoga County , with a grant amount in the initial year of \$38,613.00; and

WHEREAS, authorization to accept this funding, and to amend the budget are needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with the New York State Department of Health and all other documents needed to accept a five year IAP grant, the form and substance of such documents subject to the approval of the County Attorney ; and be it further

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

**PUBLIC HEALTH:**

**Appropriations:**

Increase Acct. #1-40-000-7010 Furniture	\$ 1,089
Increase Acct. #1-40-000-7033 PC's	\$ 4,200
Increase Acct. #1-40-000-7052 Food Service Equip.	\$ 2,500
Increase Acct. #1-40-000-7080 Other Equip.	\$ 2,123
Increase Acct. #1-40-000-7001 Mileage	\$ 500
Increase Acct. #1-40-000-8190 Prof. Services	\$16,000
Increase Acct. #1-40-000-8200 Dept. Supplies	\$ 3,630
Increase Acct. #1-40-000-8514 Publications	\$ 360
Increase Acct. #1-40-000-8520 Software	\$ 897
Increase Acct. #1-40-000-8531 Postage	\$ 375
Increase Acct. #1-40-000-8540 Minor Office Equip.	\$ 4,281
Increase Acct. #1-40-000-8550.I Central Stores	\$ 2,658

**Revenues:**

Increase Acct.: #1-40-4411 IAP Federal Aid	\$38,613
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**BUDGET IMPACT STATEMENT:** None. The annual immunization program costs will be covered under the federal funding.

**RESOLUTION 135 - 08**

Introduced by Supervisors Peck, Daly, A. Johnson, Lucia, Richardson, Rowland and Wood

**AUTHORIZING INCREASE IN HOURLY FEE FOR CONTRACT PSYCHIATRISTS**

WHEREAS, by Resolution 229-07 the hourly rate of compensation for part-time psychiatrists under contract to the County was set at \$104.36 per hour; and

WHEREAS, an increase in said hourly rate is necessary to attract and/or retain qualified psychiatrists and provide such services; now, therefore, be it

RESOLVED, that the hourly rate of compensation for contract psychiatrists be and the same is hereby increased to the sum of \$115.00 per hour, which increase shall be effective immediately, and be it further

RESOLVED, that the Chair of the Board is authorized to execute contracts with contract psychiatrists providing for a rate of \$115 per hour for their services, said amendment subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: The additional costs can be accommodated within the 2008 Mental Health Budget.

RESOLUTION 136 – 08

Introduced by Supervisors Wormuth, Daly, Jenkins, Lucia, Richardson, Veitch and Wright

AUTHORIZING A RENEWAL AGREEMENT WITH SARATOGA BRIDGES, NYSARC, INC., SARATOGA COUNTY CHAPTER TO PROVIDE A DISABILITY PROGRAM NAVIGATOR

WHEREAS, many persons with disabilities possess skills and abilities that qualify them for certain occupations in the job market place, but their disability prevents them from locating these opportunities; and

WHEREAS, Saratoga Bridges has staff, called disability program navigators, that are knowledgeable of the job opportunities that are available to persons with various disabilities and are able to assist persons with disabilities in locating employment opportunities suitable for them; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with Saratoga Bridges, NYSARC, Inc., Saratoga County Chapter located at 16 Saratoga Bridges Blvd., Ballston Spa, New York to provide disability program navigators to the Saratoga, Warren and Washington County one stop centers for a sum not to exceed \$75,000 the form and substance of said Agreement subject to approval of the County Attorney and the Contract Administrator; and be it further

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

EMPLOYMENT & TRAINING ADM.

Appropriations:

Increase Acct. #5-68-681-8170 Coord./Mgt. Services	\$37,331
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Revenues:

Increase Acct. #5-68-4790 Job Training FA	\$37,331
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BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 137 - 08

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

AUTHORIZING TRANSFER OF FUNDS FROM THE ANIMAL SHELTER TRUST FUND AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, Resolution 147-07 of this Board established the Animal Shelter Trust Fund to receive funds received from donors as gifts for the benefit and use of the Saratoga County Animal Shelter; and

WHEREAS, the staff of the Animal Shelter wish to offer the service of neutering male cats at the shelter to avoid the current procedure of repaying adoptive owners for the cost of having this neutering done by veterinarians; and

WHEREAS, the purchase of equipment needed for the neutering of cats is an appropriate use of funds from the Animal Shelter Trust Fund; now, therefore, be it

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disperse a sum not to exceed \$8,700 for the purchase of equipment needed for the neutering of male cats; and be it further

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

ANIMAL SHELTER:

Appropriations:

Increase Acct. #1-35-000-7010 Furniture	\$ 750
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Increase Acct. #1-35-000-7053 Medical Equip.	\$3,500
Increase Acct. #1-35-000-8220 Minor Household Equip.	\$ 500
Increase Acct. #1-35-000-8243 Minor Medical Equip.	\$3,200
Increase Acct. #1-35-000-8540 Minor Office Equip.	\$ 750
<u>Revenues:</u>	
Increase Acct. #1-35-1554 Donations	\$8,700

BUDGET IMPACT STATEMENT: The required equipment will all be purchased with trust fund donations.

Discussion on Res. 138:

Mr. Veitch said he deals with this company in his private job, and he does not receive any direct financial compensation from them.

RESOLUTION 138 - 08

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

**AUTHORIZING AN AGREEMENT WITH ANS ADVANCED NETWORK SERVICES, LLC TO ERECT RADIO TOWERS IN THE TOWNS OF MILTON AND PROVIDENCE**

WHEREAS, our Public Safety Committee and Purchasing Coordinator have solicited bids to erect radio towers in the Towns of Milton and Providence for the County Emergency Radio System; and

WHEREAS, bids were solicited to erect radio towers in the Towns of Milton and Providence, and the Public Safety committee recommends an award of the contract to ANS Advanced Network Services, LLC, the lowest bidder; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Agreement with ANS Advanced Network Services, LLC of 12 Elmwood Road, Menands, New York to erect radio towers in the Towns of Milton and Providence for a sum not to exceed \$379,765 the form and substance of said Agreement subject to approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funds are available within the Radio Capital Fund.

Discussion on Res. 139:

Mr. Veitch said he will be voting in favor of this resolution. He said he voted against the bonding only because of the project financing and not because he is opposed to this project. I am in favor of awarding these contracts, he added.

RESOLUTION 139 - 08

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

**AUTHORIZING AGREEMENTS FOR THE EXPANSION OF THE SARATOGA COUNTY SEWER DISTRICT #1 WASTEWATER TREATMENT PLANT**

WHEREAS, Resolution 240 - 06 authorized an agreement with Delaware Engineering, P.C., to provide engineering consultant services, for the design, bidding supervision and construction of the Saratoga County Sewer District #1 Wastewater Treatment Plant Expansion; and

WHEREAS, pursuant to specifications prepared by Delaware Engineering, P.C., competitive bids for the construction work were solicited and opened on April 30, 2008 and May 29, 2008; and

WHEREAS, the engineering consultants and Executive Director and the Sewer Commissioners have recommended award of construction contracts to the lowest complying bidders; and

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

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute all agreements with the

following entities necessary or appropriate for their services for the construction of the Saratoga County Sewer District #1 Wastewater Treatment Plant Expansion at the following costs, namely:

Contract #1.	Jett Industries, Inc. of Colliersville, NY	General Construction	\$37,949,000
Contract #2.	Gross Electric, Inc. of Queensbury, NY	Electrical	\$ 5,978,000
Contract #3	Merit Plumbing & Heating LLC of Albany, NY	Plumbing	\$ 199,478
Contract #4	J&K Plumbing and Heating Co., Inc. of Binghamton, NY	HVAC	\$ 1,137,000
Contract #5.	QC/QA Laboratories, Inc. of Schenectady, NY	Special Inspections	\$ 56,800
TOTAL AWARDS:			\$45,320,278

BUDGET IMPACT STATEMENT: The proceeds of the Sewer District bonds will pay for the costs associated with this expansion project.

RESOLUTION 140 - 08

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

AUTHORIZING ACCEPTANCE OF A LEGISLATIVE MEMBER ITEM GRANT AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, a Senate legislative member item grant secured by Senator Joseph Bruno in the amount of \$5,000 is available for the creation of a tour book focusing on Saratoga County’s historical markers, and

WHEREAS, the acceptance of this grant requires Board of Supervisors approval and an amendment of the 2008 Budget; now therefore, be it

RESOLVED, that the Chair of the Board execute all documents necessary to apply for and accept a Senate legislative member item grant in the amount of \$5,000 for the creation of a tour book focusing on Saratoga County’s historical markers; and be it further

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

BOARD OF SUPERVISORS

Appropriations:

Increase Acct. #1-11-112-8430 Printing Special Jobs \$5,000

Revenues:

Increase Acct.: #1-11-3089 Records Management \$5,000

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 141 - 08

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

REFERRING THE PETITION OF THE VILLAGE OF STILLWATER TO EXTEND THE BOUNDARIES OF SARATOGA COUNTY SEWER DISTRICT NO. 1 TO THE SARATOGA COUNTY SEWER DISTRICT COMMISSION

WHEREAS, Article 5-A of the County Law provides that a municipality may petition this Board to extend the boundaries of Saratoga County Sewer District No. 1 to include territory not previously included within the Sewer District’s boundaries; and

WHEREAS, the Village of Stillwater is not included within the existing boundaries of Saratoga County Sewer District No. 1; and

WHEREAS, the Village of Stillwater has filed a petition with this Board, together with maps and plans, requesting that this Board extend the boundaries of Saratoga County Sewer District No. 1 to include the entire Village of Stillwater; and

WHEREAS, pursuant to County Law Section 253, this Board is required to refer said petition, maps and plans for review by an existing officer, board, body, or public authority which possess the express power to act as a county sewer agency; and

WHEREAS, pursuant to County Law Section 254, following its review of said petition, maps and plans, said county sewer agency is to submit its report and recommendations relative to the proposed extension to this Board; now, therefore, be it

RESOLVED, that the petition, maps and plans filed with this Board by the Village of Stillwater requesting an extension of the boundaries of Saratoga County Sewer District No. 1 to include the Village of Stillwater are hereby referred to the Saratoga County Sewer District Commission for review; and it is further

RESOLVED, that in the event the Sewer Commission should require the preparation of additional maps and plans to complete its review, the Sewer District is to bear no portion of the cost of preparing such additional maps and plans; and it is further

RESOLVED, that the Sewer District Commission shall submit its report and recommendations regarding the proposed extension to this Board by no later than October 1, 2008, which report and recommendations shall include, but not be limited to, proposed user rates to be charged sewer customers within any extended area; proposed changes, if any, to the user rates to be charged sewer customers within the Sewer District's current boundaries; and whether new customers within the extended area should contribute to the cost of the Sewer District's existing infrastructure; and if so, to what extent.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 142 - 08

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

#### AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH IQS SYSTEMS FOR DIGITIZATION OF ADDITIONAL DOCUMENTS

WHEREAS, Resolution 224-06 authorized an agreement with IQS Systems to provide services for the purpose of digitizing and indexing mortgages and deeds in the County Clerk's Office, for a two year period and for a sum not to exceed \$325,000; and

WHEREAS, the digitization and indexing of deeds and mortgages is complete, and there is a need to digitize and index other documents in the County Clerk's Office, and the County has received grant funding and expects to receive further grant funding for this purpose; and

WHEREAS, IQS Systems has agreed to continue to digitize and index documents in addition to mortgages and deeds at the same unit price of \$.17 per page for the balance of the contract term; and

WHEREAS, it is necessary to authorize an amendment to the contract with IQS Systems to provide for the digitization and indexing of these additional documents, and to remove the limitation on the contract amount; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute amendment to the agreement between Saratoga County and IQS Systems of Morgan Road, Liverpool, New York to provide for the digitization and indexing of records in the Saratoga County Clerk's Office in addition to mortgages and deeds at a cost of \$.17 per page, to the extent that funding is available for this purpose within the approved budget of the County Clerk, the form and substance of such amendment subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funding for the digitization of additional documents is included in the 2008 budget.

#### RESOLUTION 143 - 08

Introduced by Supervisors Barrett, Jenkins, Lawler, Lucia, Raymond, Sausville and Wright

## ADOPTING A LOCAL LAW TO PROVIDE EXEMPTION FOR COUNTY PROPERTY TAX TO COLD WAR VETERANS

WHEREAS, Resolution 114 – 08 introduced and presented proposed Local Law Introductory No. 2, Print No. 1 of 2008 to this Board of Supervisors and scheduled a public hearing thereon for June 11, 2008 at 4:45 p.m. in the Meeting Room of the Saratoga County Board of Supervisors, 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 17<sup>th</sup> day of June, 2008 hereby adopts a Local Law identified as Introductory No. 2, Print No. 1 of 2008.

### COUNTY OF SARATOGA LOCAL LAW 3 - 08

A local law to provide for a partial tax exemption for real property taxes for real property owned by persons who rendered military service to the United States during the Cold War (9/2/45 – 12/26/91),

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

Section 1. Definitions. As used in this Local Law, the following terms and phrases shall have the following meanings:

(a) “Cold War veteran” means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and was discharged or released therefrom under honorable conditions.

(b) “Armed forces” means the United States army, navy, marine corps, air force, and coast guard.

(c) “Active duty” means full-time duty in the United States armed forces, other than active duty for training.

(d) “Service connected” means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on active military, naval or air service.

(e) “Qualified owner” means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.

(f) “Qualified residential real property” means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran, unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization.

(g) “Latest state equalization rate” means the latest final equalization rate established by the state board pursuant to article twelve of this chapter.

Section 2. Purpose. The purpose of this Local Law is to grant a partial exemption from real property taxation to the extent of fifteen percent (15%) of the assessed value up to twelve thousand dollars (\$12,000.00) of assessed

value of qualified residential real property which is owned by a Cold War veteran who is a qualified owner, or in the case of a Cold War veteran who is a qualified owner and who received a compensation rating from the United States Veterans Administration or from the United States Department of Defense because of a service related disability, to the extent of the product of the assessed value of such qualified residential real property multiplied by fifty percent (50%) of the Cold War veteran's disability rating up to an assessed valuation of forty thousand dollars (\$40,000.00) of assessed value, in accordance with the requirements of Section 458-b of the Real Property Tax Law.

Section 3. Qualified Residential Real Property owned by qualified owners who are Cold War veterans shall be exempt from county real property taxes to the extent as follows:

a. to the extent of fifteen percent (15%) of the assessed value of such qualified residential real property: provided, however, that such exemption shall not exceed twelve thousand dollars (\$12,000.00) or the product of twelve thousand dollars (\$12,000.00) multiplied by the latest state equalization rate of the assessing unit whichever is less;

b. In addition to the exemption provided by paragraph (a) of this subdivision, where the Cold War veteran received a compensation rating from the United State Veterans Administration or from the United States Department of Defense because of a service connected disability, to the extent of the product of the assessed valuation of such qualified residential real property multiplied by fifty percent (50%) of the Cold War veteran's disability rating, provided however, that such exemption shall not exceed forty thousand dollars (\$40,000.00) or the product of forty thousand dollars (\$40,000.00) multiplied by the latest state equalization rate, whichever is less.

Section 4. Exception. If a Cold War veteran has a real property tax exemption under Section 458 or Section 458-a of the Real Property Tax Law, such veteran shall not be eligible to receive this exemption.

Section 5. Duration. The exemption provided herein shall be granted for a period of ten years, the commencement of which is as follows:

a. Where a qualified owner owns qualifying residential real property at the effective date of this Local Law, the ten year period shall be measured from the date of the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this Local Law.

b. Where a qualified owner does not own qualifying residential real property on the effective date of this Local Law, such ten year period shall be measured from the date of the assessment roll prepared pursuant to the first taxable status date occurring at least sixty (60) days after the date of purchase of the qualifying residential real property.

c. If exempt property is sold before the expiration of such ten year period and replaced by other qualified residential real property, an exemption may be granted for such property for the unexpired portion of the ten year exemption period.

Section 6. Application for the exemption shall be made by the qualified owner on a form prescribed by the state board. The owner shall file the completed form in the local assessor's office on or before the appropriate taxable status date.

Section 7. Effective Date. This Local Law shall take effect July 1, 2008.

## RESOLUTION 144 - 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>
Alfred W. Sutch, Jr. Debera C. Sutch 177 South Shore Rd. Broadalbin, NY 12025	2005	Providence	119.14-5-7.2	\$472.60
Alfred W. Sutch, Jr. Debera C. Sutch 177 South Shore Rd. Broadalbin, NY 12025	2005	Providence	119.14-5-21	\$1,286.88
Alfred W. Sutch, Jr. Debera C. Sutch 177 South Shore Rd. Broadalbin, NY 12025	2005	Providence	119.14-5-22	\$472.60
Alfred W. Sutch, Jr. Debera C. Sutch 177 South Shore Rd. Broadalbin, NY 12025	2005	Providence	119.14-5-23.1	\$664.36

BUDGET IMPACT STATEMENT: This total includes all appropriate penalties and interest.

Mr. Rowland announced the annual County Fair will be July 15 – 20 up at “his park.” Supervisors are all invited to the opening ceremony on Monday, July 14<sup>th</sup> at 5:00 p.m. There will be a reception at the Fair Office on Thursday, July 17<sup>th</sup> for the Board and staff.

Mr. Peck stated Sundae on the Farm will be held this Sunday from 9:00 a.m. to 4:00 p.m. at the King’s Ransom Farm in Northumberland.

Ms. Yepsen said she wanted to make a correction to a statement that was made in yesterday’s newspaper relative to an article that had to do with a 15 year old boy who was hit while riding his bike. Somehow, the Saratoga County Water Authority got thrown into this article implying that the Authority has said no to walking and biking trails, but that was a misquote, she stated. As far as I know, they are not against any trails, and I appreciate Mr. Lawler’s support, she said.

Mr. Lawler thanked Ms. Yepsen for the courtesy of her correction, and he said it was disappointing to see the Water Authority’s position characterized as being opposed to walking trails and making sure people are safe. For the record, we do support and work with every municipality that has approached us about trails, he said. He stated the difficulty that they have is that to secure the easements, they have to work within the limitations that the property owners place upon them. He mentioned the D&H Railroad has declined to make the land available for walking and bicycle trails, and it was not the decision of the Water Authority. We have no objection to sharing our easements, but at the end of the day, it is up to the property owners to decide what their property is used for and to whom they give easements. He said he very much appreciates the correction.

Mr. Sausville announced that the Senate passed the Emergency Service Volunteer Incentive Act that would increase the income tax credits to our emergency services volunteers from \$200 to \$400. For those of you who

are dependent on your emergency service volunteers, I urge you to write your Assemblymen and ask them to pass this bill to keep us from going to a paid emergency service situation, he said.

Mr. Lawler said he, along with Supervisors Wormuth, Connelly and Richardson, attended the June 4<sup>th</sup> meeting of the Community Advisory Group (CAG). We are now up to 38,000 Saratoga County residents who will be forced to use the Hudson River as a source of drinking water or have wells impacted by the dredging project. At this point, the EPA still refuses to make alternative supplies available to us. With a County of 210,000 people, the list is getting longer, and the EPA continues to sit on their hands and do nothing about it, he said.

Mr. Thompson mentioned that there will be a Rabies Clinic tonight in the Town of Day.

On a motion by Mr. Thompson, seconded by Mr. Richardson, the meeting was adjourned.

Barbara J. Plummer, Clerk