

REGULAR SESSION
TUESDAY, MARCH 21, 2006
AT 4:00 P.M., E.S.T.

Board called to order by Chairman Gutheil.

Roll call was taken. PRESENT – Raymond F. Callanan, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Albert Janik, Jeffrey Trottier, Kenneth J. DeCerce, Paul Sausville, Thomas Richardson, Frank Thompson, Harry G. Gutheil, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Cheryl Keyrouze, Joanne Dittes Yepsen, J. Gregory Connors, John Lawler, Arthur J. Johnson – 23. ABSENT – 0.

The invocation was given by Tom Wood, Chaplain.

PRESENTATION TO BURNT HILLS-BALLSTON LAKE HIGH SCHOOL GIRLS' VOLLEYBALL TEAM

Supervisors Barrett, Callanan, Daly and Grattidge escorted the Burnt Hills-Ballston Lake High School Girls' Volleyball Team to the podium, and Chairman Gutheil presented a copy of Resolution 72 to each team member and to Coach Gary Bynon.

PRESENTATION TO SOUTH GLENS FALLS SCHOOL'S MARATHON DANCE COMMITTEE

Supervisors Peck and A. Johnson escorted the South Glens Falls School's Marathon Dance Committee to the podium, and Chairman Gutheil presented them with a copy of Resolution 71. He stated this school dance started with 50 dancers, and this year, they had 541 dancers. He stated this event brings the whole community together. Over \$187,000 was raised with this year's dance, he said. He introduced the originators of this dance marathon, Dick and Evelyn Stewart and Bill McCarthy.

Mr. Stewart stated the young people run the dance totally, and all of the programs are decided ahead of time. He displayed a video of the recipients of the money raised from this dance. He stated four of the students gets together and decide who will receive this money that is collected for the dance. He said this is amazing. Teenagers are not supposed to have the ability, desire or drive in this day and age, he said. He stated they are extremely proud, and they have been blessed. He said all of the supporters of this program are volunteers.

Chairman Gutheil mentioned the closing ceremonies of this dance are extremely emotional. They have done so much for the community over the last 29 years, and we are grateful to them, he said.

PUBLIC INPUT

Lisa Millis, of Cooperative Extension's Eat Smart New York program, passed out oatmeal raisin walnut cookies to each Supervisor. Diane Whitten, Cooperative Extension's Nutrition Program, stated that March is nutrition month. She said they work with food stamp recipients also. She said she requested permission from Personnel to go around to various offices to give nutrition lessons. She said one of the lessons she does is heart healthy foods into the diet. She mentioned there are many other foods you can add to your diet which are healthy. Adding nuts to your diet really does help prevent heart disease, she said. You cannot get enough fruits and vegetables, and olive oil is a very healthy factor, she added. Fish is an excellent source of mega 3 fatty acids, she said. She stated heart disease is the #1 cause of death in our country. She said they go all around the County doing nutrition education. They do a lot of health fairs also. She said the obesity epidemic can have an impact on county budgets because of the cost of health care. She said she can be reached at any time. Remember to eat smart, she urged.

Linda Toohey, Saratoga County Chamber of Commerce, stated Leadership Saratoga is a Countywide program that gives individuals the skills to be in leadership roles. She stated the Chamber initiated the program in 1985. That year, David Wickerham began making presentations and coordinating the sessions, and in 1998, he joined the Leadership Saratoga Advisory Board. She said that Kathy Marchione joined it in 1992. Their responsibility has been to plan and develop each year's program, interview applicants and select each class. They have played a pivotal role in the County's development of future leadership, she said. She mentioned that both of them have decided they would like to take a well-deserved rest after 13 years of serving on this Board. She presented David Wickerham and Kathy Marchione with a token of appreciation on behalf of the Leadership Saratoga Board and the 460 alumni.

The Clerk presented the following:

Acknowledgement of receipt of Local Law 4-2006 received from the NYS Department of State.

Received and filed.

Correspondence requesting support of Assembly Bill #9807 requiring the Public Service Commission to suspend its ongoing deregulatory proceedings that will lead to higher prices and lower service quality for millions of New York Telecommunications customers, including residents of the County of Saratoga, received from Harry Madera of Waterford; Lawrence Durkee of Fort Edward; and T. H. Johnston of Gansevoort.

Referred to Supervisor A. Johnson and the County Administrator.

Copy of a resolution adopted by the Franklin County Legislature "Adoption of State Legislation To Provide For A Credit Against Personal Income Tax For Volunteer Firefighters And Members Of Volunteer Ambulance Corps."

Referred to Supervisor A. Johnson and the County Administrator.

Copy of a resolution adopted by the Fulton County Board of Supervisors "Urging The Greater Adirondack Resource Conservation And Development Council To Allow Member Counties to Appoint All Representatives To Said Council."

Referred to Supervisor A. Johnson and the County Administrator.

On a motion by Mr. Hargrave, seconded by Mr. Lucia, Rule 8 was suspended for the balance of the day on Resolution Nos. 71 through 95 by a unanimous vote.

On a motion by Mr. Barrett, seconded by Ms. Daly, all resolutions were adopted by a unanimous vote.

RESOLUTION 71 - 06

Introduced by Supervisor Gutheil, A. Johnson and Peck

COMMENDING THE SOUTH GLENS FALLS HIGH SCHOOL STUDENTS ON THE 29th MARATHON DANCE

WHEREAS, the Saratoga County Board of Supervisors wishes to acknowledge the significant accomplishments of residents of Saratoga County, and particularly of its youth; and

WHEREAS, on March 3rd and 4th of 2006, the South Glens Falls High School students held their 29th Annual Marathon Dance; and

WHEREAS, in this fund raising event, the students dance over a more than 24 hour period; and

WHEREAS, in 1978, the first year of the event, 50 dancers raised \$1,500 for the Moreau Rescue Squad; and

WHEREAS, by 2006, the event has grown to the point where 541 dancers raised the astounding sum of \$187,601.30 with the four top dancers raising over \$10,000; and

WHEREAS, in 29 years, a total of \$1,403,245.00 has been raised by South Glens Falls High School students, which has been donated to various charitable causes chosen by the students, such as persons in need, local charities and not for profit civic organizations; and

WHEREAS, the students have been supported through the history of the event by the efforts of Dick and Evelyn Stewart and Bill McCarthy, whose leadership roles have been assumed by Tom Myott and Jody Sheldon; and

WHEREAS, this year's marathon dance was led by a student dance committee of Ryan Colbert, Megan Lemery, Cassie Passinault and Kari McCabe; and

WHEREAS, the conduct of this event has fostered a spirit of cooperation, of participation and of giving, both within the school and in the community; and

WHEREAS, the students have demonstrated organizational skills and the willingness to work hard to achieve a goal which benefits others in need; now, therefore be it

RESOLVED, that this Board of Supervisors congratulates the students of the South Glens Falls High School for their extremely successful Marathon Dance in 2006, and recognizes and commends the students, parents, school officials and the community for the selfless hard work, cooperation and generosity that has made the Marathon Dance a tremendous event for 29 years; and be it further

RESOLVED, that the Clerk of the Board deliver a certified copy of this Resolution to the South Glens Falls High School.

RESOLUTION 72 - 06

Introduced by Supervisor Barrett, Callanan, Daly and Grattidge

CONGRATULATING THE BURNT HILLS-BALLSTON LAKE HIGH SCHOOL GIRLS' VOLLEYBALL TEAM ON WINNING THE STATE CHAMPIONSHIP

WHEREAS, the Burnt Hills-Ballston Lake High School Girls' Volleyball Team concluded the 2005 season by compiling a 29-0 record; and

WHEREAS, the Team, a Class A team, was the undefeated champion of the Suburban Council Blue Division; and

WHEREAS, the Team won four tournaments, including the Jersey Classic, the Burnt Hills-Ballston Lake Invitational, The Horseheads Classic and the John Glenn-Northport Tournament; and

WHEREAS, the Burnt Hills-Ballston Lake Girls' Volleyball Team progressed through the State Sectional Tournament, winning the Section II Championship and the Regional Championship; and

WHEREAS, the Team capped their enormously successful year by rallying to capture the New York State Class A Volleyball Championship against Canandaigua on November 20, 2005, after falling to a two games to none deficit; and

WHEREAS, in addition to its athletic prowess, the team demonstrated academic skill and hard work by attaining a team grade point average of 93.1%; and

WHEREAS, the roster of the 2005 State Championship Burnt Hills-Ballston Lake High School Girls' Volleyball Team included Sarah Morton, Jackie Gillespie, Lauren Hogue, Rachel Meyers, Kelsey Schwan, Amanda Begin, Heather Begin, Jill Bonitatibus, Loren Crabbe, Leah Farrell, Bridget Little, Erin Little, Celia McKendrick and Becca Ormsby, and the team was coached by Coach Gary Bynon and Assistant Coaches Melissa Armstrong and Amanda North; and

WHEREAS, this Board of Supervisors wishes to recognize the dedication and hard work as well as the accomplishments of this team, now therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors acknowledges and commends the Burnt Hills-Ballston Lake High School Girls' Volleyball Team for their superior athletic skills, achievements, and accomplishments; and be it further

RESOLVED, that the Board of Supervisors congratulates the Burnt Hills-Ballston Lake High School Girls' Volleyball Team on their New York State Class A Championship in girls volleyball; and be it further

RESOLVED, that this Board of Supervisors further commends the Burnt Hills-Ballston Lake High School Girls' Volleyball Coach and the families and friends of the Team for their support and commitment; and be it further

RESOLVED, that the Clerk of the Board deliver a certified copy of this Resolution to each team member and coach of the Burnt Hills-Ballston Lake High School Girls' Volleyball Team.

RESOLUTION 73 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

PROCLAIMING APRIL 23 - APRIL 29, 2006 - "VICTIMS' RIGHTS: STRENGTH IN UNITY" AS "NATIONAL CRIME VICTIMS' RIGHTS WEEK"

WHEREAS, victims of crime across America need and deserve support and assistance to help them cope with the consequences of crime; and

WHEREAS, National Crime Victims' Rights Week—April 23 to 29, 2006—offers us all the opportunity to promote strength in unity in helping victims and survivors of crime, and recognizing their rights as victims; and

WHEREAS, victims and survivors of crime can gain strength from the wide range of supportive services offered by over 10,000 community and justice system based programs, and the more than 32,000 federal and state statutes that define and protect their rights; and

WHEREAS, America has demonstrated its caring and compassion for victims of crime, from individuals who provide support to a victim in need, to community collaborations that result in comprehensive services for victims of violence against men, women and children, to our entire nation's response to the victims of the terrorist attacks on Oklahoma City and on September 11, 2001; and

WHEREAS, by being united against crime and for victims' rights and services, we gain strength as individuals, as communities, and as a nation as a whole, and offer strength to victims who seek to recover in the aftermath of crime; and

WHEREAS, we must remain united in our commitment to ensure that all crime victims and survivors are treated with compassion and respect, recognized as key participants within our systems of justice, and afforded services that provide help and hope to them; and

WHEREAS, America has joined together annually each April since 1981 to recognize the needs and rights of crime victims and survivors during National Crime Victims' Rights Week; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby designates the week of April 23 to April 29, 2006, as National Crime Victims' Rights Week in Saratoga County, and it is further hereby

RESOLVED, that the Saratoga County Board of Supervisors reaffirm its commitment to respect and enforce victims' rights and address their needs during National Crime Victims' Rights Week and throughout the year, and it is further hereby

RESOLVED, that the Clerk of the Board forward a certified copy of this Resolution to the Capital District Coalition for Crime Victims' Rights, Inc., Domestic Violence Services and Parents of Murdered Children.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 74 - 06

Introduced by Supervisor Gutheil

APPOINTING A MEMBER TO THE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

WHEREAS, Chapter 855 of the Laws of 1971 established the County of Saratoga Industrial Development Agency; and

WHEREAS, there is one opening on the Industrial Development Agency; now, therefore, be it

RESOLVED, that the following person is appointed as a member of the County Industrial Development Agency for the stated terms:

<u>Name</u> Rodney J. Sutton 12 Fifth Avenue Saratoga Springs, NY 12866	<u>Term Expires</u> 12/31/06
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RESOLVED, that the proper certificates of appointment be filed with the Secretary of State.

RESOLUTION 75 - 06

Introduced by Supervisors Hargrave, Barrett, Callanan, Grattidge, Keyrouze, Lucia and Yepsen

AUTHORIZING AN AGREEMENT WITH WENDY LUKAS FOR DIETICIAN SERVICES

WHEREAS, the services of a dietician are necessary for the Office of the Aging's Elderly Nutrition Program; and

WHEREAS, proposals were solicited for the services and it is recommended that the proposal of Wendy Lukas, the lowest proposal, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Agreement with Wendy Lukas to provide dietician services to the Office for the Aging at a cost of \$30 per hour, the form and substance of said Agreement subject to approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Additional cost can be covered within 2006 Office for the Aging budget.

RESOLUTION 76 - 06

Introduced by Supervisors Hargrave, Barrett, Callanan, Grattidge, Keyrouze, Lucia and Yepsen

AMENDING THE 2006 SARATOGA COUNTY BUDGET TO ACCEPT ADDITIONAL COMMUNITY SERVICES FOR THE ELDERLY (CSE) FUNDING

WHEREAS, our Office for the Aging administers a Community Services for the Elderly Program which provides senior citizens services including transportation services; and

WHEREAS, additional funding is available which will enable the Office for the Aging to expand services for the elderly in Senior Citizen Centers in the County; now, therefore, be it

RESOLVED, that the 2006 Saratoga County Budget is amended as follows:

OFFICE FOR THE AGING

Appropriations:

Increase Acct.: #1-76-000-7762 Comm Srv Program \$16,000

Revenues:

Increase Acct.: #1-76-3772 Prog Aging \$16,000

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 77 - 06

Introduced by Supervisors Johnson, Grattidge, Hargrave, Hunter, Janik, Richardson and Thompson

AUTHORIZING A ONE YEAR LEASE WITH J. THOMAS ROOHAN FOR SUPREME COURT CHAMBERS

WHEREAS, office space allocation difficulties continue for the County of Saratoga; and

WHEREAS, these difficulties necessitate the County's lease of chambers for Supreme Court Justice Frank Williams; and

WHEREAS, J. Thomas Roohan has offered to lease suitable space in the City of Saratoga Springs; and

WHEREAS, our Buildings and Grounds Committee recommends acceptance of this offer; now, therefore, be it

RESOLVED, that the Chairman of this Board of Supervisors is authorized to execute a lease agreement with J. Thomas Roohan for the provision of approximately 1666 square feet of space in its building in the City of Saratoga Springs, New York, for the period of one year to commence on the date of occupancy, at a rental of \$2,786.11 per month, plus \$179.11 per month for cleaning services; and, be it further

RESOLVED, that said lease agreement shall provide that the County of Saratoga shall have the right to terminate the lease agreement, subject to its provision of prior notice of at least six months before such termination.

BUDGET IMPACT STATEMENT: The 3% increase in the cost of the lease has been included in the 2006 budget.

RESOLUTION 78 - 06

Introduced by Supervisors Thompson, Barrett, Hunter, Janik, Keyrouze, Lucia and Peck

AUTHORIZING AGREEMENT WITH ERIE BOULEVARD HYDROPOWER LP TO SHARE LOCAL SPONSOR COST OF STEWART'S DAM BRIDGE REPLACEMENT PROJECT

WHEREAS, the 2006 Capital Plan includes the repair of the County Road 7 bridge which crosses the Sacandaga Creek at Stewart's Dam in the Town of Hadley; and

WHEREAS, as owners of Stewarts Dam, Erie Boulevard Hydropower LP, owns the structure on which the bridge is built and bears responsibility for a portion of the cost of its repair; and

WHEREAS, this project will be 80% funded by the federal government and is eligible for and may receive 15% Marchiselli funding from the State of New York; and

WHEREAS, it is prudent to enter into an agreement with Erie Boulevard Hydropower LP to formalize its agreement to bear 50% of the total local sponsor costs of the project up to \$330,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Agreement with Erie Boulevard Hydropower LP of Syracuse, New York, to share equally the local sponsor costs of the Stewart's Dam Bridge Replacement Project (BIN3364160, LIN 45), up to \$330,000, the sum and substance of said Agreement subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. The cost of the reconstruction of the bridge is included in the 2006 Capital Plan.

RESOLUTION 79 - 06

Introduced by Supervisors Wood, Callanan, Lawler, Peck and Yepsen

SUPPORTING THE PLAN OF THE CONCERNED CITIZENS OF SARATOGA RACING FOR THE PROTECTION OF THOROUGHBRED RACING

WHEREAS, a group of Saratoga County residents and others interested in the future of thoroughbred horse racing in Saratoga County have formed a group called the "Concerned Citizens for Saratoga Racing"; and

WHEREAS, the thoroughbred horse racing industry is a key element of the economy of Saratoga County, and this Board of Supervisors is supportive of any and all efforts to maintain the strength, quality and vitality of thoroughbred horse racing in Saratoga County; and

WHEREAS, the Concerned Citizens for Saratoga Racing recently released a nine point plan for the protection of the future of thoroughbred horse racing in Saratoga County during the process to select a new thoroughbred horse racing franchise holder in New York State, which plan includes the following:

1. to insure that thoroughbred racing will continue without interruption regardless of any changes in the thoroughbred racing franchise in New York;
2. to insure that the dates of the Thoroughbred Racing Meet at Saratoga remain unchanged and exclusive;
3. to insure that the Saratoga Race Course continue to pay local real property taxes;
4. to obtain a portion of the video lottery terminal revenue that will be earned by the state at Aqueduct Race Track;
5. to preserve and enhance the spring and fall training sessions in Saratoga;
6. to have any and all plans for expansion of the Saratoga Race Course submitted for approval by local authorities;
7. to insure that the successful bidder for the thoroughbred racing franchise be required to commit to capital improvements at the tracks;
8. to insure that all three New York thoroughbred race tracks are bundled and bid together in the process of selecting a new franchise;
9. to insure that the successful bidder for the franchise commits to emphasize thoroughbred horse racing as the central purpose of the franchise, and not to allow the horse racing to become secondary or a sideshow to VLT or casino operations;

now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby expresses its strong support of the nine point plan of the Concerned Citizens of Saratoga Racing in regards to the selection of a thoroughbred horse racing franchise in New York and the requirements for the franchise contract for the operation of the thoroughbred horse race tracks in New York.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 80 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

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

WHEREAS, a Senate legislative member item grant secured by Senator Joseph Bruno in the amount of 30,000 is available for the purpose of assisting the District Attorney's Office in purchasing a vehicle and computer hardware and software, and

WHEREAS, the acceptance of this grant requires Board of Supervisors approval and an amendment of the 2006 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 \$30,000 to assist the District Attorney's Office in purchasing a vehicle and computer hardware and software; and be it further

RESOLVED, that the 2006 County Budget is amended as follows:

DISTRICT ATTORNEY'S OFFICE

Appropriations:

Increase Acct.: #1-25-000-7010 Furniture	\$ 754
Increase Acct.: #1-25-000-7033 PC's	\$ 6,431
Increase Acct.: #1-25-000-7041 Vehicles	\$16,815
Increase Acct.: #1-25-000-8190 Prof Service	\$ 3,000
Increase Acct.: #1-25-000-8512 Training	\$ 3,000

Revenues:

Increase Acct.: #1-25-3091 NYS Grant	\$30,000
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 81 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

AUTHORIZING CONTRACT WITH BLUE WING SERVICES, INC. FOR ADDITIONAL CONSULTING SERVICES RELATIVE TO THE RADIO TOWER APA APPLICATION

WHEREAS, Blue Wing Services, Inc. has been rendering consultant service under Resolution 161-05 in connection with the application by Saratoga County to the Adirondack Park Agency (APA) for a permit to erect an emergency radio communications tower; and

WHEREAS, Blue Wing Services, Inc. has submitted a proposal to furnish additional services needed to continue said application process; and

WHEREAS, funds are available in the Radio Capital Fund for this purpose; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Agreement with Blue Wing Services, Inc. of Saint Paul, Minnesota for a sum not to exceed \$60,000 to provide additional consulting services in connection with the application to the APA for a permit to erect emergency radio communications facilities in the Adirondack Park, the form and substance of said Agreement subject to approval of the County Attorney and the Contract Administrator.

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

RESOLUTION 82 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

RATIFYING AND APPROVING THE EMERGENCY PURCHASE OF RADIO COMPONENTS OFF THE STATE CONTRACT

WHEREAS, on the morning of March 3, 2006, a component of the County's emergency radio system called a space voter failed which significantly impaired the ability of the system to receive transmissions and route outgoing transmissions; and

WHEREAS, obtaining a replacement space voter component through the state purchasing contract would have required several weeks, during which time the system would not be functional; and

WHEREAS, a replacement space voter component was obtained immediately through a direct purchase off the state contract, on the basis that the immediate need for the component created an emergency situation; now, therefore, be it

RESOLVED, that this Board of Supervisors does hereby ratify, acknowledge and confirm the determination that an emergency situation existed as a result of the failure of a JPS-SNV-12 space voting component in the County's radio system, thereby obviating the necessity of purchasing a replacement component through the state purchasing contract as otherwise required by General Municipal Law §103, and be it further

RESOLVED, that the direct purchase of a JPS-SNV-12 space voter through Capital Digatronics for the sum of \$20,625 is hereby ratified and approved.

BUDGET IMPACT STATEMENT: None. Funds available in 2006 budget.

RESOLUTION 83 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

DECLARING AN EMERGENCY SITUATION AND AUTHORIZING AN AGREEMENT WITH PATRIOT TOWERS, INC. FOR EMERGENCY REPAIRS OF RADIO TOWERS

WHEREAS, as a result of continuing degradation of the functioning of the Saratoga County Emergency Radio System, Resolution 193-05 authorized a study of the system and recommendations for its report to be done by New York State Enterprising Corporation (NYSTEC); and

WHEREAS, NYSTEC has completed its work and has made certain recommendations for the system, some of which it has advised are crucial to the proper functioning of the system, and in need of immediate completion to prevent potential failure of the system at any moment; and

WHEREAS, the NYSTEC study has identified certain repairs to the system which are crucial to its operation and which constitute an emergency situation such that the delays involved in competitive bidding procedures under General Municipal Law §103 would place the County in danger of not having a functioning emergency radio system; and

WHEREAS, our Emergency Services has solicited proposals to do the emergency repair work recommended by NYSTEC, and it is recommended that the proposal of Patriot Towers, Inc., the lowest proposal, be accepted; now, therefore, be it

RESOLVED, that this Board of Supervisors determines that an emergency situation exists in the need for immediate repair of microwave communications towers at Spruce Mountain and Providence to prevent possible failure of the emergency radio communications system, thereby obviating the necessity of conducting competitive bidding under General Municipal Law §103; and be it further

RESOLVED, that the Chair of the Board is authorized to execute an Agreement with Patriot Towers, Inc. of Scottsville, New York to complete needed repairs to the microwave communications towers at Spruce Mountain and Providence at a cost not to exceed \$25,900, the form and substance of said Agreement is subject to the approval of the County Attorney and the Contract Administrator.

BUDGET IMPACT STATEMENT: None. Funds available in Radio Project Fund.

RESOLUTION 84 - 06

Introduced by Supervisors Lawler, Barrett, Connors, Grattidge, Janik, M. Johnson and Trottier

AUTHORIZING PURCHASE OF RADIO SYSTEM COMPONENTS FROM RADIO CAPITAL FUND

WHEREAS, pursuant to Resolution 193-05, New York Technology Enterprise Corporation has conducted an assessment of the County's emergency radio communications system, and made certain recommendations for the purchase of equipment and components for the system; and

WHEREAS, this equipment and components are part of the new emergency radio system for which funds have been set aside in the Radio Capital Fund; now, therefore, be it

RESOLVED, that the purchase of the radio equipment and components recommended by New York State Technology Enterprise Corporation is hereby authorized to be made out of the Radio Capital Fund.

BUDGET IMPACT STATEMENT: None. The \$55,150 in equipment costs is available in the Radio Capital Fund.

RESOLUTION 85 - 06

Introduced by Supervisors DeCerce, Janik, Keyrouze, Raymond, Richardson, Trottier and Wood

AUTHORIZING EXCESS EMPLOYER'S LIABILITY COVERAGE

WHEREAS, Resolution 60-05 authorized renewal of the third party liability insurance for our Self-Insurance Plan; and

WHEREAS, renewal of the policy and its assumption of a \$100,000 retention is appropriate; now, therefore, be it

RESOLVED, that the Saratoga County Self-Insurance renew its excess employer’s liability coverage with Russell Bond and Company for the annual premium, of \$29,388.

BUDGET IMPACT STATEMENT: None. Funds available in Self-Insurance budget.

RESOLUTION 86 - 06

Introduced by Supervisors Barrett, DeCerce, Hargrave, A. Johnson, M. Johnson, Peck and Wood

AUTHORIZING THE CHAIR OF THE BOARD TO ENTER INTO AN AGREEMENT WITH CARVER CONSTRUCTION, INC. FOR UPGRADES AND REPAIRS AT THE ENGLEMORE, MECHANICVILLE AND SARATOGA SPRINGS PUMP STATIONS FOR THE SARATOGA COUNTY SEWER DISTRICT AND AMENDING THE BUDGET THERETO

WHEREAS, upgrades and repairs are needed at the Saratoga County Sewer District No. 1’s Englemore, Mechanicville and Saratoga Springs Pump Stations; and

WHEREAS, the Sewer District Commissioners have solicited and entertained competitive proposals for upgrades and repairs at the Saratoga County Sewer District No. 1’s Englemore, Mechanicville and Saratoga Springs Pump Stations, and

WHEREAS, it is recommended that a contract for such services be awarded to Carver Construction, Inc. the lowest bidder; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Carver Construction, Inc. of Altamont, New York, for upgrades and repairs at the Saratoga County Sewer District No. 1’s Englemore, Mechanicville and Saratoga Springs Pump Stations at a cost not to exceed \$1,304,605, 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 Saratoga County Budget is amended as follows:

SEWER DISTRICT.

Appropriations:

Increase Acct.#7-81-812-7092 Infrastructure \$1,304,605

Revenues:

Increase Acct.#7-0599.M App Fund Balance \$1,304,605

BUDGET IMPACT STATEMENT: Will reduce Fund Balance in Sewer Fund by \$1,304,605.

RESOLUTION 87 - 06

Introduced by Supervisors Barrett, DeCerce, Hargrave, A. Johnson, M. Johnson, Peck and Wood

AUTHORIZING THE CHAIR OF THE BOARD TO ENTER INTO AN AGREEMENT WITH STILSING ELECTRIC, INC. FOR UPGRADES AND REPAIRS AT THE SARATOGA COUNTY SEWER DISTRICT #1’S ENGLEMORE, MECHANICVILLE AND SARATOGA SPRINGS PUMP STATIONS AND AMENDING THE 2006 BUDGET

WHEREAS, the Saratoga County Sewer District #1’s Englemore, Mechanicville and Saratoga Springs Pump Stations are in need of upgrades and repairs; and

WHEREAS, the Sewer District Commissioners have solicited and entertained competitive proposals for upgrades and repairs at the Saratoga County Sewer District No.1’s Englemore, Mechanicville and Saratoga Springs Pump Stations, and

WHEREAS, the Executive Director and Sewer District Commission have recommended that a contract for such services be awarded to Stilsing Electric, Inc., the lowest proposal on the contract; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with Stilsing Electric of Rensselaer, New York, for upgrades and repairs at the Saratoga County Sewer District No.1’s Englemore, Mechanicville and Saratoga Springs Pump Stations at a cost not to exceed \$528,000, 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 2006 budget be amended as follows:

SEWER DISTRICT #1

Appropriations:

Increase Acct. #7-81-812-7092 Infrastructure \$528,000

Revenues:

Increase Acct. #7-0599.M App Fund Balance \$528,000

BUDGET IMPACT STATEMENT: Will reduce Fund Balance in Sewer Fund by \$528,000.

RESOLUTION 88 - 06

Introduced by Supervisors Barrett, DeCerce, Hargrave, A. Johnson, M. Johnson, Peck and Wood

AMENDING THE 2006 BUDGET TO REAPPROPRIATE UNSPENT FUNDS FROM THE HOMELAND SECURITY PROGRAM

WHEREAS, unexpended 2005 funds in the amount of \$143,125, authorized for the Homeland Security Program, need to be reappropriated to the 2006 budget; now, therefore, be it

RESOLVED, that the 2006 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES:

Appropriations:

Increase Acct. #1-36-363-7080 Equipment \$143,125

Revenues:

Increase Acct. #1-36-3306 Homeland Security \$143,125

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 89 - 06

Introduced by Supervisors Barrett, DeCerce, Hargrave, A. Johnson, M. Johnson, Peck and Wood

AMENDING THE 2006 COUNTY COMPENSATION SCHEDULE

BE IT RESOLVED, that the 2006 Saratoga County Compensation Schedule is amended as follows:

PUBLIC HEALTH NURSING:

ABOLISH (1) position of Registered Nurse, decreasing authorized total to 19
CREATE (1) position of Early Intervention Care Coordinator increasing
authorized total to 4

BUDGET IMPACT STATEMENT: None. The base salary is the same.

RESOLUTION 90 - 06

Introduced by Supervisors Barrett, DeCerce, Hargrave, A. Johnson, M. Johnson, Peck and Wood

AUTHORIZING SETTLEMENT OF CLAIM AGAINST STATE OF NEW YORK RELATIVE TO MEDICAID OVERPAYMENTS

WHEREAS, an inaccurate identification of certain Medicaid eligible individuals who are clients of New York States Office of Mental Health and Office of Mental Retardation and Developmental Disabilities has resulted in a substantial overpayment of Medicaid by Saratoga County; and

WHEREAS, the New York State Department of Health has conducted an extensive review of records and has calculated the amount of overpayment to be \$522,722.00; and

WHEREAS, our Department of Social Services has reviewed the calculations by DOH and agrees with their calculations; and

WHEREAS, the DOH has offered a Stipulation of Settlement to formally resolve this issue; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a Stipulation of Settlement, setting the amount of overpayment of Medicaid by Saratoga County to New York State for certain Medicaid eligible clients of New York States Office of Mental Health and Office of Mental Retardation and Development Disabilities at the sum of \$522,722.00, and releasing the claim of Saratoga County for such overpayments in exchange for the payment of said

sum of \$522,722.00 by the New York State Department of Health, the form and substance of said Stipulation of Settlement subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: This will result in an unanticipated revenue of \$522,722.

RESOLUTION 91 - 06

Introduced by Supervisors Hunter, DeCerce, Grattidge, Hargrave, M. Johnson, Keyrouze and Yepsen

AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE TOWN OF CLIFTON PARK

WHEREAS, unpaid taxes resulted in the County's acquisition of certain lands in the Town of Clifton Park; and WHEREAS, the said lands were scheduled to be sold in the County auction of tax acquired properties, on March 21st, 2006; and

WHEREAS, the Town of Clifton Park has requested to buy the said lands for their municipal purposes for an amount equal to the unpaid taxes, penalties, interest and other charges; and

WHEREAS, the owners of these lands have not made any indication that they wish to reacquire said lands; and

WHEREAS, Board policy and the Real Property Tax Law allow the sale of lands to a municipality under these circumstances; and

WHEREAS, the Equalization and Assessment Committee recommends the approval of the request of the Town of Clifton Park; now, therefore, be it

RESOLVED, that the Chair execute and deliver quit claim deeds to the Town of Clifton Park conveying the following lands to the Town, upon their payment of the amount set forth below:

<u>CONVEY TO:</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Town of Clifton Park	Clifton Park	264.-3-16	\$5,030.16
Town of Clifton Park	Clifton Park	271.-1-2.31	\$4,116.84
Town of Clifton Park	Clifton Park	287.16-1-18	\$5,953.57
Town of Clifton Park	Clifton Park	288.-2-31	\$2,978.78

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

RESOLUTION 92 - 06

Introduced by Supervisors Hunter, DeCerce, Grattidge, Hargrave, Johnson, Keyrouze and Yepsen

AUTHORIZING CONVEYANCE OF CANAL LANDS TO THE TOWN OF SARATOGA

WHEREAS, by Resolution 79 of 1940, this Board of Supervisors authorized the purchase of certain lands known as the Old Champlain Canal and located in the Town of Saratoga for use in connection with the construction of the highway now known as New York State Route 4; and

WHEREAS, by Resolution 226-02, this Board of Supervisors abandoned said lands as no longer needed for highway purposes, and authorized them to be offered for sale to the abutting landowners; and

WHEREAS, the landowners whose property abuts a portion of these abandoned lands, located in the Town of Saratoga and shown on the tax map as parcels 196.-3-2 and 209.-1-6.1, have declined to purchase these parcels; and

WHEREAS, the Town of Saratoga has indicated an interest in acquiring said parcel for the purpose of creating recreational lands for \$1,242.67, an amount equal to unpaid taxes on said parcel; and

WHEREAS, Saratoga County policy allows lands owned but not being used by the County to be conveyed to other municipal corporations for an amount equal to the taxes owed; now, therefore, be it

RESOLVED, that the Chair of the Board execute Deeds and all and any other documents necessary to convey portions of the Old Champlain land in the Town of Saratoga known and described as tax parcels 196.-3-2 and 209.-1-6.1 to the Town of Saratoga for the sum of \$1,242.67, for its use as recreational lands, the form and substance of said Deed and documents subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: The proceeds will be added to the General Fund.

RESOLUTION 93 - 06

Introduced by Supervisors Hunter, DeCerco, Grattidge, Hargrave, Johnson, Keyrouze and Yepsen

AUTHORIZING FORECLOSURE OF TAX LIEN ON PARCEL IN THE TOWN OF MOREAU AND SALE BY SEALED BID

WHEREAS, Tax parcel 63.4-1-1 belonging to Roger A. and Charlotte Weiler and located on U.S. Route 9 in the Town of Moreau is an industrial site which contains contaminants which cause it to come under the jurisdiction of the New York State Department of Environmental Conservation; and

WHEREAS, the owners of this property have failed for many years to pay the real property taxes thereon, and there is the sum of \$144,366.73 due and owing in delinquent taxes on said property; and

WHEREAS, the Saratoga County Tax Enforcing Officer has withdrawn said property from the tax enforcement proceeding pursuant to Real Property Tax Law §1138 on the grounds that, if the County took title to the property through tax foreclosure, the County would become a Responsible Party under the law and required to remediate the site, at a cost which would exceed the likely recovery if the property were sold at auction; and

WHEREAS, the Tax Enforcing Officer has requested authority pursuant to §1138 of the Real Property Tax Law to restore the property to the tax enforcement proceeding and to obtain a Judgment which would authorize its sale at public auction and conveyance directly to the highest bidder, thus avoiding the County becoming a Responsible Party for any remediation; now, therefore, be it

RESOLVED, that that Saratoga County Tax Enforcing Officer is authorized and directed to reinstate tax parcel 63.4-1-1 in the Town of Moreau to the Delinquent Tax Foreclosure Proceeding, and to complete the foreclosure of delinquent tax liens thereon, and thereupon to sell the said parcel by sealed bid with minimum bid of \$130,000.00 and to convey same to the highest bidder, upon further approval of this Board.

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

RESOLUTION 94 - 06

Introduced by Supervisors Hunter, DeCerco, Grattidge, Hargrave, M. Johnson, Keyrouze and Yepsen

AUTHORIZING CONVEYANCE OF TAX ACQUIRED LANDS TO THE CORINTH CENTRAL SCHOOL DISTRICT

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

WHEREAS, the said lands were intended to be sold in the County auction of tax acquired properties; and

WHEREAS, the Corinth Central School District has requested to buy the said lands for their municipal purposes for \$11,611.48, an amount equal to the unpaid taxes on said parcels; and

WHEREAS, Board policy and the Real Property Tax Law allow the sale of lands to a municipality under these circumstances; and

WHEREAS, the Equalization and Assessment Committee recommends the approval of the request of the Corinth Central School District; now, therefore, be it

RESOLVED, that the Chair execute and deliver a quit claim deed to the Corinth Central School District conveying the following parcel to the School District, upon their payment of the amount set forth below, and upon approval of the Corinth Central School District voters after referendum, and upon receipt by the District of all equipment approvals:

<u>CONVEY TO:</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
Corinth Central School District	Corinth	73.-2-48.11	\$11,611.48

BUDGET IMPACT STATEMENT: The proceeds will be added to the General Fund.

RESOLUTION 95 - 06

Introduced by Supervisors Hunter, DeCerco, Grattidge, Hargrave, Johnson, Keyrouze and Yepsen

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>
Robert J. Riddle, Jr. & Laura A. Riddle Kinns Road PO Box 6 Clifton Park, NY 12065	2003, 2004 & 2005	Clifton Park	250.-2-27	\$11,155.67
Frank Pearse Estate c/o Mrs. Susan Lewis 4211 NE 29 th Avenue Fort Lauderdale, FL 33308	2003, 2004 & 2005	Clifton Park	288.-1-35	\$ 5,454.20
Robert E. Smith & Sandra Sims 6 Barbara McDonald Drive Corinth, NY 12822	2003, 2004 & 2005	Corinth	87.-2-9.2	\$ 1,638.34
Daniel J. VanNostrand 111 Tennantville Road Northville, NY 12134	2003, 2004, & 2005	Edinburg	67.-1-27.13	\$ 753.66
John R. Bailey 243 Linden Street Schenectady, NY 12304	2003, 2004 & 2005	Hadley	35.7-1-15	\$ 3,632.95
John R. Bailey 243 Linden Street Schenectady, NY 12304	2003, 2004 & 2005	Hadley	35.7-1-16	\$ 1,283.30
Jeffrey T. Kay & Diane M. Kay 20 Lake Ridge Drive Mechanicville, NY 12118	2003	Malta	241.-1-36	\$ 6,681.59
Myron & Mary Jane Sawyer 7129 Antioch Road Middle Grove, NY 12850	2002, 2003, & 2004	Providence	161.-1-43	\$ 4,724.27

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

Chairman Gutheil announced the following appointments:

INTERMUNICIPAL MS4 STORMWATER STEERING COMMITTEE

- Joseph Patricke – Town of Moreau
- Heather Mallozzi – Town of Malta
- Paul Male – City of Saratoga Springs
- Dean Long – Town of Ballston
- John Hamilton – Saratoga Co. Soil & Water Conservation District
- Lawrence Benton – Saratoga Co. Planning Department
- Susan Beebe – Saratoga Co. Cornell Cooperative Ext.
- George Hodgson – Saratoga Co. Environmental Services

Mr. DeCerce stated he had the opportunity to go to Skidmore College last week to see a program on prevention control for drugs and alcohol. He said he distributed red ribbons to each Supervisor which are supposed to be tied around your vehicle's antenna.

Mr. Trottier said Supervisors should have received a letter from him regarding the Vietnam Veterans' Moving Wall Subcommittee that he is chairing. We are looking for volunteers in all phases, he said. The subcommittee will be meeting tomorrow at 3:00 p.m., he said.

Mr. Hunter mentioned the County Lands Auction will be held at 6:00 p.m. tonight.

Ms. Yepsen thanked those Supervisors who participated in the symposium held last Wednesday night. She mentioned it will be broadcast on T.V. Wednesday and Thursday at 7:00 p.m. on Channel 18.

Mrs. Johnson asked if there was a reason why we didn't pass the Sex Offender Local Law today. County Attorney Mark Rider said there was a memo that he circulated to the Committee that dealt with a suggestion to a change to the law, and the Committee didn't have a chance to review it yet. He said the vote will be delayed until next month after the suggested change is reviewed.

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

Barbara J. Plummer, Clerk