

AGENDA SESSION
February 14, 2018 4:30 p.m.
Meeting Minutes

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

Roll call was taken. PRESENT – Timothy Szczepaniak, Alan Grattidge, Philip C. Barrett, Jonathon Schopf, Richard Lucia, Preston Allen, Jean Raymond, Paul Lent, Daniel Pemrick, Kevin Tollisen, Vincent DeLucia, Thomas Richardson, Scott Ostrander, Sandra Winney, Thomas N. Wood, III, Tara N. Gaston, Matthew Veitch, Edward D. Kinowski, John Lawler – 19. ABSENT – Arthur Wright, Theodore Kusnierz, Willard H. Peck, Arthur J. Johnson – 4.

On a motion by Mr. Lucia seconded by Mr. Barrett minutes of the January 10, 2018 meeting were unanimously approved.

Mr. Tollisen asked for a motion to accept the agenda for the February 27, 2018 Board Meeting as presented and approved by the Law and Finance Committee prior to this meeting. The motion was made by Mr. Lent and seconded by Mr. Schopf. Unanimous.

Mr. Veitch thanked his colleagues present and past for the support of the Open Space and Trails programs as \$368,900 of funding has gone to his community. These funds support good projects.

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

Respectfully submitted,

Pamela Wright, Clerk

PROPOSED RESOLUTIONS
February 14, 2018

RACING & GAMING

Supporting NYS Senate Bill S6753 and Assembly Bill A8489 to amend the racing, pari-mutuel wagering law in relation to the right to hold limited night racing at Belmont Park.

HEALTH & SOCIAL SERVICES

Authorizing a Data Use Agreement between the NYS Department of Health and Saratoga County Community Mental Health and Addiction Services in order to obtain patient health services information provided by Medicaid managed care plans.

Authorizing the acceptance of additional State Aid in the form of COLA from the Office of Mental Health, amending 2018 Mental Health and Addiction Services Contracts, and amending the budget in relation thereto.

Authorizing the acceptance of additional State Aid from OASAS in the amount of \$115,700 for the Family Navigator program, amending the contract with the Alcohol and Substance Abuse Prevention Council, Inc. and amending the budget in relation thereto.

Authorizing the Chairman to enter into renewal contracts with eight homecare agencies to provide Expanded In-Home Services for the Elderly (EISEP).

Authorizing a lease agreement with Nemer CJDR of Saratoga for a van for senior transportation to medical appointments.

Accepting a \$2,500 donation from the Capital District Physicians Health Plan (CDPHP) and amending the budget in relation thereto.

LEGISLATIVE & RESEARCH

Adopt the 2018 Legislative Agenda.

Requesting Home Rule Legislation Amending the Tax Law of the State of New York to authorize Saratoga County to enact a Local Law imposing an additional mortgage recording tax in the amount of \$.25 per \$100 of principal debt recorded.

Opposing taxable NYS owned land conversion to PILOTS.

HUMAN RESOURCES & INSURANCE

Authorizing an amendment to the 2017 Dental Insurance contract with Metropolitan Life Insurance Company, Inc. to provide an additional \$2,074.23 in premium costs.

Amending the Policies and Procedures Manual relative to the use and maintenance of county owned vehicles and operation of personal vehicles for county business.

Authorizing an amendment to the 2018 Compensation Schedule to reclassify (1) Senior Real Property Information Specialist to (1) Real Property Services Specialist under Real Property, (1) Homemaker to (1) Home Service Coordinator under the Department of Social Services and (1) Store Clerk, PT to (1) Clerk P/T under General Services.

Authorizing the second position of Deputy County Treasurer created under Resolution #241-2010 to act for and in place of the County Treasurer.

Naming the Saratoga County Sewer District's Executive Director as the Appointing Authority authorized to hire, discipline or terminate any and all positions within the Sewer District.

Authorize an agreement with Express Scripts for Pharmaceutical Benefit Management Services.

REAL PROPERTY TAX

Declaring a tax parcel in the Village of South Glens Falls to be a worthless property and canceling delinquent tax lien.

Declaring a tax parcel in the Town of Malta to be a worthless property and canceling delinquent lien.

BUILDINGS & GROUNDS

Authorize a 5-year lease with the NYSDOL to continue to occupy space within in the Employment and Training Department at the Services Building.

PUBLIC SAFETY

Amending the 2018 Budget to accept \$11,300 in State Aid for Police Traffic Services to increase seat belt usage and reduce dangerous driving behaviors.

Authorize a cooperative agreement between the Sheriff and the Department of the Navy for the use of thermal imaging and night vision equipment.

Authorize an inter-municipal agreement between Saratoga County and Rensselaer County for the sharing of tactical team personnel services and equipment.

Authorize the acceptance of a domestic violence prosecution grant from the NYS Division of Criminal Justice Services in the amount of \$35,600.

Authorizing participation in 2018 state STOP-DWI program and contracts with local agency participants and amending the county budget in relation thereto.

Authorizing the reappropriation of unspent grant funds totaling \$230,172 for the Office of Emergency Services for the County's Multi-Jurisdictional Hazard Mitigation Plan and County Hazmat Plan, and amending the budget in relation thereto.

Authorizing the reappropriation of unspent grant funds totaling \$2,304,144.80 for the Office of Emergency Services for various projects related to improvements to County's interoperability communications system, the County's CAD/Mobile 9-1-1 System, and the 800 MHz Radio System, and amending the budget in relation thereto.

Authorizing an agreement with Tetra Tech in the amount of \$163,610 for services associated with updating the County's Hazard Mitigation Plan.

PUBLIC WORKS

Authorize the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds for the design services related to the replacement of the County Road 13 (Barkersville Fayville Road) over Cadman Creek in the Town of Providence.

CHAIRMAN'S ITEMS

Appointment to the Community Services Board.

LAW & FINANCE

Authorize a 5-year contract with MM Hayes Company, Inc. in the amount of \$236,639 for the annual maintenance of the County's time and attendance hardware and software system for the period from February 1, 2018 to January 31, 2024.

Authorize an amendment to the contract with New World Systems in the amount of \$156,000, additional equipment purchases in amount of \$10,000 to support the additional software modules, and amending the 2017 budget in relation thereto.

Authorizing an appropriation from the Sewer District's fund balance in the amount of \$400,000 to cover the costs associated with unanticipated repairs to a gravity sewer main in the Town of Clifton Park and amending the budget in relation thereto.

Authorizing an amendment to the contract with J & K Plumbing and Heating Co., Inc. in the amount of \$237,753 for services and equipment necessary to address unanticipated work associated with the Sewer District's odor control upgrade project.

Authorizing an amendment to the Sewer District's 2018 budget to reappropriate \$3,484,547 in unspent capital project funds for a variety of projects including the rehabilitation of 3 pump stations, sludge holding tank mixer replacement project, interceptor relining project and an Odor Control project at the treatment plant.

Authorizing amendments to the boundaries of Saratoga County Consolidated Agricultural District #2 and authorizing issuance of a negative declaration under SEQRA.

Adopting a Local Law identified as Introductory No. 1, Print No. 1 of 2018 entitled "A Local Law declaring the opioid epidemic and its effects on the County of Saratoga a public nuisance, and establishing a cost recovery procedure for the County's expenditures incurred in providing services related to the opioid epidemic".

REGULAR MEETING
TUESDAY, February 27, 2018
AT 4:00 p.m., E.S.T.

Chairman Kinowski called the meeting to order.

Roll call was taken. PRESENT – Philip C. Barrett, Jonathon Schopf, Richard Lucia, Preston Allen, Jean Raymond, Paul Lent, Arthur M. Wright, Kevin Tollisen, Vincent DeLucia, Thomas Richardson, Scott Ostrander, Theodore Kusnierz, Willard H. Peck, Sandra Winney, Thomas N. Wood, III, Tara Gaston, Matthew Veitch, Edward D. Kinowski, Arthur J. Johnson – 19. ABSENT – Timothy Szczepaniak, Alan Grattidge, Daniel Pemrick, John Lawler – 4.

PUBLIC INPUT:

Nicole Clark, Town of Galway, RE: Agendas & Early Voting Issue – Ms. Clark presented the Clerk with a petition containing 170 Saratoga County voters all urging the Board to support early voting. She urged the Board to reject the Legislative Program as it does not include positive steps the Board can take to improve participation among voters. She said unlike other states in the country, New York does not have flexible options for early voting. Ms. Clark pointed out that there is \$7M in the State budget and urged the Board to support early voting.

Sue Parry, Town of Malta, RE: Early Voting – Ms. Parry thanked the Board for the opportunity to speak and urged the Board to reject the resolution against early voting and automatic voter registration. She said she didn't think early voting would increase voter turnout. If it does, great; but if it doesn't then we should look at how early voting is being implemented. Voting should be made as easy as possible for people to exercise that right. Voters who have barriers should be allowed the right to vote and if there was early voting they could plan for it. Cost should not be an issue as the Governor put \$7M in the budget.

Barbara Thomas, Saratoga Springs, RE: Early Voting – Ms. Thomas is the co-President of the League of Women Voters and is speaking on their behalf. They wholeheartedly support early voting and automatic voter registration as it is important for all citizens have the right to participate in elections. They are opposed to item number three in the proposed legislative agenda. Ms. Thomas said the Board was right to be concerned about the cost of this proposal leading up to the Governor's \$7M funding proposal; but now that that has been included cost is a moot point. She said automatic voter registration through DMV will not cause confusion as voters will still get a post card from BOE and/or the ability to check online.

Rick Hasenauer, Saratoga Springs, RE: Proposal for Early Voting – Mr. Hasenauer said asked the Board to remove item number three from the agenda, table it or vote against it. He hopes you've heard the comments made prior to him as he won't repeat them. He said if the Board places barriers, that intent will be closely examined. He urged the Board to vote against this.

Larry Fine, Town of Greenfield, RE: Early Voting – Mr. Fine said the Board was voted in to do what's in the best interest of the County. And you have. Look at the County as it is well maintained. Early voting is going to happen. He said the Board has the power and means to allow this.

Bhavani Kurtz, Saratoga Springs, RE: Gun Control – Ms. Kurtz said she wants to speak after seeing a Senator on the news speak about the gun issues and violence in the schools. She said there was talk of arming teachers in the schools. She asked the Board to stop Marchione, Zurlo and Tedisco or anyone that wants to increase guns in the schools.

Joseph Cleveland, Town of Wilton, Voter Participation – Mr. Cleveland said he wants to see the County make voting possible for everyone and is against the resolution that undermines early voting and automatic registration. Saratoga County should be doing everything it can to encourage everyone to participate. He added that he is against the increase of guns in schools and said they should be kept out of schools.

Suzanne Kwasniewski, Saratoga Springs, Voting Access and guns/school shootings – Ms. Kwasniewski said she is a member of the Saratoga Springs Democratic Committee as well as the League of Women Voters. She said she is against agenda item number three and hopes this body bucks the trends nationally. Suppressing the vote is

wrong. Tesdico's plan to use license plate funding is reprehensible and for the Sheriff to support this is beyond disturbing. Ms. Kwasniewski suggested that it was 2018 and meetings should be live streamed.

Mr. Kinowski said once in a while the Board will provide a little feedback to what you have been speaking to and he asked Election Commissioner Roger Schierra to speak. Mr. Schierra said listening to the speakers speak of barriers and disenfranchising; he said there were none. This is a State issue not a County issue; but the County is entitled to an opinion. He said this would be an administrative nightmare as the \$7M one-time appropriation is inadequate. This would be a big expense to the County as he has costed the electronic poll books out to be between \$800,000 and \$1M. It has been a few years so that cost may have changed. The current legislation states that every voter in the County would be able to vote at any voting district which would be 3 for this County. This would be costly considering staffing, ballots, equipment and software. Mr. Schierra said he thinks this bill has been rushed through.

Mr. Barrett asked, in the proposal from the State, how many early polling are required. Mr. Schierra said 1 polling place for every 50,000 voters. Mr. Barrett said that sounded quite restrictive and if there is going to be early voting why wouldn't it be in all polling places. He then asked about the \$7M that is proposed and if it came anywhere close to covering the cost. Mr. Schierra said not in his opinion.

Ms. Gaston asked if he had a cost analysis that could be submitted to the Board of Supervisors. Mr. Schierra said that he had contacted a company about the costs about three years ago when this was proposed. She asked if there was a formal cost analysis done. He said there had not. Ms. Gaston asked if Mr. Schierra was the only Commissioner asked to come to the meeting. Mr. Kinowski said he had asked Mr. Schierra to attend.

Mr. Kinowski said the problem with the legislation is that it lacks incredible clarity so to put numbers with that is very difficult to do. He said the \$7M is a drop in the bucket compared to the needs. The Board of Supervisors looked at that when the legislation was proposed. It is a program that is lacking and the Board cannot deal with this until the circumstances are known.

Mr. Barrett said his comment about the one polling place per 50,000 being restrictive was jokingly. He said he is open to any discussion on making the process better but no member of this Board, has verbally that he has ever heard, has ever once talked about restricting voter access. Never. Not once. That hasn't happened. He added that registering to vote is a very simple process that takes very little time. On Election Day the polls are open very early in the morning until late in the evening. A wide span of time for someone to access the polls. There are polling places conveniently located throughout the Town of Clifton Park. The absentee ballot process is there for anyone to use and is a very easy process. Some of the examples heard today would be solved with the absentee ballot. Mr. Barrett said in Clifton Park they have a tremendous shortage of poll watchers. They do get paid, but not a lot and is a very long day. He said he hasn't heard anything about school voting which is interesting as that takes place on one day, at one polling location and that's most of your tax bill. The Board of Supervisors does not have the power to stop the change or enact the change.

Mr. Wright said the resolution being discussed is basically talking points that they will be taken to Albany to discuss with our Legislators. If NYS says we are going to do early voting, then we will do early voting. What we are opposed to is a State Mandate that is going to become unfunded. \$7M may seem like a lot of money but when it comes to this it is not. Then next year the State will, most likely, pull the funding. As often happens when the State proposes funding, the next budget cycle the funding disappears and becomes another unfunded mandate. If you look at #2 on the program, the County opposes any unfunded mandates. Mr. Wright said this will become an unfunded mandate. He said there is no binding resolution before them today. What is before them is talking points. In one of the emails that was received someone proposed raising taxes. Because of the tax cap, the County cannot raise taxes without exceeding it. In 2016, when he was Chairman, Saratoga County did raise taxes for public safety and infrastructure. That was needed. He said he does not feel this is the good reason to exceed the cap. Mr. Wright said just as his colleague, Mr. Barrett, said it is very easy to vote and it is very easy to register to vote. If you are busy on Election Day, then you can vote absentee ballot. He said the Board is doing their due diligence by telling the State, no. If there is going to be a budget line for this, it should be every year going forward.

Mr. Kinowski said he has watched a lot of projects and policies be pushed down without a lot of thought behind them. He said the County has never been asked for an analysis which would have been nice if a program is going to be introduced. When a program is being proposed the questions should be asked about cost before being pushed up the chain. Based on what the County got, he did his due diligence and indicated we couldn't do this and need a lot more information.

On a motion by Mr. Veitch, seconded by Mr. Johnson the minutes of the January 16, 2018 meeting was unanimously approved.

The Clerk presented the following:

Saratoga County Probation Department – 2017 Annual Report

Received and Filed

Saratoga County Youth Bureau – 2017 Annual Report

Received and Filed

STOP DWI 2017 Annual Report

Received and Filed

Department of Social Services – 2017 Annual Report

Received and Filed

Thank you letter from Assemblywoman Walsh for ThinkDIFFERENLY participation

Received and Filed

Resolution from the Town of Saratoga Town Board in support of a centralized arraignment area for Saratoga County Magistrates

Received and Filed

50 email communications regarding Early Voting.

Received and Filed

Email communication from Chris Johns regarding Senator Tedisco's proposal for Guardians for School License Plates.

Received and Filed

Resignation letter from Richard C. Drew from his position on the County Fire Advisory Board.

Received and Filed

Report No. 1 - 2017 Yearly Balance Sheet – County Clerk

Fee charged or received for recording & cert. thereof	\$1,684,885.50
Fee charged or received for official services	\$1,366,241.03
Fee received for Motor Vehicle Registrations	\$2,984,997.87

Sales Tax Motor Vehicle	\$ 30,765.36
Real Estate Transfer Tax	\$ 7,091.75
Money refunded for errors & duplication services	-589.96
Fee charged for RP-5217's	\$1,033,384.00
Fee charged for Education Fees	\$ 628,064.00
EZPass	\$ 25,875.00
Public Copiers	\$ 3,481.40
	<u>TOTAL:</u>
	\$7,764,195.96

RECEIPTS

Amount received as shown	\$ 7,764,195.95
DMV Sales Tax & Fees	\$54,713,205.50
Amount of Mtg Tax Unapportioned as of Jan. 1, 2015	\$ 61,347.25
Amount of Mtg Tax received in 2014	\$15,162,821.39
Transfer Tax	\$ 6,538,335.64
	<u>TOTAL:</u>
	\$84,239,905.73

DISBURSEMENTS

Amount paid to County Treasurer	\$5,152,534.95
Amount paid to NYS Education Dept.	\$ 628,026.00
Amount paid to RP-5217 Account	\$ 968,314.00
Amount paid State of New York for Court Fees	\$ 984,441.00
Amount of Mtg Tax paid County Treasurer	\$8,055,284.97
Amount of Mtg Tax paid Capital Dist. Tran. Authority	\$3,903,185.78
Amount paid to State of NY Mtg Tax Agency	\$3,143,709.19
Amount of Mtg Tax paid to other counties & expenses	\$ 120,406.49
Amount of Mtg Tax unapportioned Dec. 31, 2014	\$ 1,516.75
Amount paid to County Clerk ½ of Int. of Mtg Acct	\$ 65.46
Amount paid to State for Notaries	\$ 30,880.00
Amount paid to NYS RETT	\$6,531,359.89
Amount paid to Co. Treasurer for RETT	\$ 6,975.75
Amount paid to NYS Sales Tax-for DMV	\$33,849,284.05
Amount paid to NYS DMV for fees	\$20,863,921.45
	<u>TOTAL:</u>
	\$84,239,905.73

Print.

On a motion by Mr. Wright, seconded by Mr. Lucia, Resolutions 43 thru 79, with the exception of Resolutions 50 and 78, were adopted by a unanimous vote.

RESOLUTION 43 - 2018

Introduced by Supervisors Johnson, Gaston, Lawler, Lent, Veitch, Winney, and Wright

SUPPORTING THE PASSAGE OF PROPOSED LEGISLATION TO AMEND THE STATE'S RACING, PARI-MUTUEL WAGERING AND BREEDING LAW TO ALLOW LIMITED NIGHT RACING AT BELMONT PARK

WHEREAS, the sport of thoroughbred racing has experienced declining attendance at Belmont Park and Aqueduct Park over the years due to such factors as the initiation of off-track and online betting, new gambling alternatives in the form of casinos/racinos and online sports betting, and an aging clientele; and

WHEREAS, thoroughbred racetracks in other states that have initiated nighttime racing have experienced an increase in attendance and on track wagering; and

WHEREAS, Governor Cuomo has included in his 2018 Executive Budget Proposal a proposal to allow limited nighttime racing at the Belmont Park thoroughbred racetrack; and

WHEREAS, Senate Bill No. S6753 and Assembly Bill No. A8489 have been introduced in the New York State Legislature, which if enacted into law will authorize the Belmont Park to conduct limited night racing on Thursday, Friday and Saturday evenings provided the last race concludes by no later than 10:30 pm, and race times at the track are staggered so as not to conflict with harness horse race times at Yonkers Raceway; and

WHEREAS, thoroughbred horse racing at Belmont Park needs to attract new and younger patrons in order to secure the long-term future of the racetrack, and holding races during the evening and night will allow race fans who are unable to attend the track during the day because they are working the opportunity to attend the track, thereby expanding the track's fan base; and

WHEREAS, increasing the fan base for thoroughbred racing will benefit not only Belmont Park, but hopefully Saratoga Racecourse as well; and

WHEREAS, the New York Thoroughbred Horsemen's Association, the New York Thoroughbred Breeders, Capital OTB, and other OTB's across the State support the enactment into law of said Senate and Assembly bills; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby expresses its strong support for the enactment into law by the New York State Legislature and Governor Andrew Cuomo of Senate Bill No. S6753 and Assembly Bill No. A8489 entitled "An act to amend the racing, pari-mutuel wagering and breeding law, in relation to the right to hold race meetings and races at Belmont Park; and providing for the repeal of such provisions upon the expiration thereof"; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 44 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AUTHORIZING A DATA USAGE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE RELEASE OF MEDICAID CONFIDENTIAL DATA TO SARATOGA COUNTY MENTAL HEALTH AND ADDICTION SERVICES

WHEREAS, the New York State Department of Health ("NYS DOH"), Office of Health Insurance Programs, maintains a Medicaid Confidential Data database ("MCD") relative to Medicaid recipients in New York State; and

WHEREAS, Saratoga County Mental Health and Addiction Service ("SCMHAS") desires to access NYS DOH's Medicaid Confidential Data database in order to obtain Medicaid confidential data, which will allow SCMHAS to monitor and review patient health services provided by Medicaid managed care plans; and

WHEREAS, our Health & Social Services Committee and the Commissioner of Saratoga County Mental Health and Addiction Services have recommended that the County enter into a Data Use Agreement ("DUA") with the NYS DOH in order access Medicaid Confidential Data; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Commissioner of Saratoga County Mental Health and Addiction Services are hereby authorized to execute a Data Use Agreement with the New York State Department of Health, Office of Health Insurance Programs, for the release of Medicaid Confidential Data to Saratoga County Mental Health and Addiction Services for purposes of monitoring and reviewing patient health services provided by Medicaid managed care plans; and be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 45 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AMENDING RESOLUTION 224-2017, AS AMENDED BY RESOLUTION 33-2018, AND AUTHORIZING AMENDMENTS TO MENTAL HEALTH CONTRACTS TO INCLUDE STATE-FUNDED COST OF LIVING INCREASES, AND AMENDING THE 2018 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 224-2017, as amended by Resolution 33-2018, authorized ongoing contracts for mental health services, subject to State appropriations therefor; and

WHEREAS, additional funds have become available from the New York State Office of Mental Health in the amount of \$28,967 for the following purposes and in the following amounts for the following mental health service providers contractually retained pursuant to Resolution 224-2017:

- A) In the amount of \$4,392 for salary and salary-related fringe benefit cost-of-living increases related to changes in the State-mandated minimum wage effective January 1, 2018 to:

<u>PROVIDER</u>	<u>AMOUNT</u>
1) Mechanicville Area Community Services Center, Inc.	\$ 270
2) Transitional Services Association, Inc.	\$ 1,214
3) Unlimited Possibilities, Inc. d/b/a Unlimited Potential	\$ 2,908

- B) In the amount of \$8,444 for a 3.25% workforce cost-of-living increase for direct care, direct support and clinical titles effective January 1, 2018 to:

<u>PROVIDER</u>	<u>AMOUNT</u>
1) Saratoga Bridges, NYSARC, Saratoga County Chapter	\$ 266
2) The Workshop Inc., T/A Northeast Career Planning	\$ 211
3) Transitional Services Association, Inc.	\$ 6,738
4) Unlimited Possibilities, Inc. d/b/a Unlimited Potential	\$ 1,229

- C) In the amount of \$16,131 for a 3.25% workforce cost-of-living increase for direct care, direct support and clinical titles effective April 1, 2018 to:

<u>PROVIDER</u>	
1) Northeast Parent and Child Society, Inc.	\$ 181
2) Saratoga Bridges, NYSARC, Saratoga County Chapter	\$ 206
3) The Workshop Inc., T/A Northeast Career Planning	\$ 191
4) Transitional Services Association, Inc.	\$ 8,338
5) Unlimited Possibilities, Inc. d/b/a Unlimited Potential	\$ 7,215

; and

WHEREAS, an amendment to the current contracts authorized by Resolution 224-2017, as amended by Resolution 33-2018, in addition to amendments to the 2018 County Budget are needed to accept these funds; now, therefore, be it

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

<u>ORGANIZATION</u>	<u>TOTAL</u>	<u>LINE</u>
Mechanicville Area Community Services Center, Inc.	\$ 11,412	NYS OMH - \$9,941 NYS OASAS - \$1,471
Northeast Parent and Child Society, Inc.	\$ 12,773	NYS OMH - \$12,773
Saratoga Bridges, NYSARC	\$ 216,347	NYS OMH - \$8,140

Saratoga County Chapter		NYS OPWDD - \$96,673 Saratoga County-\$111,534
The Workshop Inc., T/A Northeast Career Planning	\$ 13,657	NYS OMH - \$13,657
Transitional Services Association, Inc.	\$1,423,480	NYS OMH - \$1,179,926 NYS OASAS - \$243,554
Unlimited Possibilities, Inc. d/b/a Unlimited Potential	\$ 632,802	NYS OMH - \$586,242 NYS OPWDD - \$10,137 Saratoga County - \$36,423

and, be it further

RESOLVED, that Resolution 224-2017, as amended by Resolution 33-2018, is hereby amended accordingly; and be it further

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

RESOLVED, that the 2018 County Budget is amended as follows:

MENTAL HEALTH AND ADDICTION SERVICES:

Appropriations:

Increase Acct. #1-43-441-8729.965 (Mech COLA)	\$ 270
Increase Acct. #1-43-441-8741.200 (NE Parent COLA)	\$ 181
Increase Acct. #1-43-441-8733.965 (ARC Salary COLA)	\$ 472
Increase Acct. #1-43-441-8749.965 (NE Career Salary COLA)	\$ 402
Increase Acct. #1-43-441-8726.965 (TSA COLA)	\$ 7,361
Increase Acct. #1-43-441-8727.965 (UP Salary COLA)	\$11,352
Increase Acct. #1-43-441-8726.078 (TSA SH)	\$ 8,052
Increase Acct. #1-43-441-8726.200 (TSA RF)	\$ 877
	\$28,967

Revenues:

Increase Acct.: #1-43-3479 (COLA MH)	\$28,967
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 46 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AMENDING RESOLUTION 224-2017, AUTHORIZING AN AMENDMENT TO THE MENTAL HEALTH CONTRACT WITH THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION COUNCIL OF SARATOGA, INC. TO ACCEPT ADDITIONAL FUNDS FOR THE FAMILY NAVIGATOR PROGRAM, AND AMENDING THE 2018 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 224-2017 authorized ongoing contracts for mental health services, subject to State appropriations therefor; and

WHEREAS, additional funds have become available from the New York State Office of Alcohol and Substance Abuse Services (NYS OASAS) in the amount of \$115,700 for the administration of the Family Navigator program administered by The Alcohol and Substance Abuse Prevention Council of Saratoga, Inc.; and

WHEREAS, amendments to the current contract with The Alcohol and Substance Abuse Prevention Council of Saratoga, Inc., and the 2018 County Budget, are needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board and/or Commissioner of Mental Health and Addiction Services are hereby authorized to execute any agreements and documents needed to accept additional funding from NYS OASAS in the amount of \$115,700; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute an amended contract with the following agency to provide for an increase in funding for their services to the indicated amount, and Resolution 224-2017 is hereby amended accordingly:

<u>ORGANIZATION</u>	<u>TOTAL</u>	<u>FUNDING LINE</u>
The Alcohol and Substance Abuse	\$663,990	NYS OASAS - \$648,474
Prevention Council of Saratoga, Inc.		Saratoga County- \$ 15,516

and, be it further

RESOLVED, that the 2018 County Budget is amended as follows:

MENTAL HEALTH:

Appropriations:

Increase Acct. #1-43-443-8738.013 (ASAPP ASA) \$115,700

Revenues:

Increase Acct. #1-43-3483 Alcohol Abuse Program \$115,700

and, be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 47 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AUTHORIZING THE RENEWAL OF CONTRACTS FOR THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP)

WHEREAS, Resolution 255-2017 approved the 2018-2019 Annual Implementation Plan for our Office of the Aging; and

WHEREAS, Resolution 83-2017 authorized contracts with various entities for the provision of Expanded In Home Services for the Elderly Program services under the Office for the Aging’s Annual Implementation Plan, and said contracts will soon expire and must be renewed; and

WHEREAS, it is deemed appropriate to continue contracting with the providers for said services; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to sign contracts with the following agencies to provide expanded in home services for the elderly of the nature and at the rates set forth next to their names for the term from April 1, 2018 through March 31, 2019:

Accent Health Care Services 820 5th Avenue Troy, NY 12182	Level 1 PCA-\$23.00 per hour Level 2 PCA-\$23.00 per hour
Adept Health Care Services 406 Fulton Street Troy, NY 12180	Level 1 PCA-\$23.00 per hour Level 2 PCA-\$23.00 per hour
Greater Adirondack Homes Aides 25 Willowbrook Suite 4 Queensbury, NY 12804	Level 1 PCA-\$23.00 per hour Level 2 PCA-\$23.00 per hour
HHDL, Inc. dba Home Helpers & Direct Link	Level 1 PCA-\$23.00 per hour Level 2 PCA-\$23.00 per hour

538 Maple Ave., Suite 3
Saratoga Springs, NY 12866

Home Instead Senior Care
12 Mountain Ledge, Suite 3
Gansevoort, NY 12831

Level 1 PCA-\$23.00 per hour

Home Health Care Partners Corporation
1830 Riverfront Center
Amsterdam, NY 12010

Level 1 PCA-\$23.00 per hour
Level 2 PCA-\$23.00 per hour

ENS Healthcare Management, LLC
dba Interim Healthcare
1735 Central Avenue, Suite 102
Albany, NY 12205

Level 1 PCA-\$23.00 per hour
Level 2 PCA-\$23.00 per hour

Visiting Nurses Home Care Corp.
150 Broadway, Suite 310
Menands, NY 12204

Level 1 PCA-\$23.00 per hour
Level 2 PCA-\$23.00 per hour

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 48 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AUTHORIZING A LEASE AGREEMENT WITH NEMER CJDR OF SARATOGA FOR A VAN FOR SENIOR TRANSPORTATION TO MEDICAL APPOINTMENTS

WHEREAS, pursuant to Resolution 228-2014, this board authorized a 39-month lease agreement with Nemer CJDR of Saratoga to lease a 2015 Chrysler Town and Country van for the sum of \$364.36 per month to be used to transport senior citizens within Saratoga County to medical facilities which are located outside of the County; and

WHEREAS, the current vehicle lease with Nemer CJDR of Saratoga is due to expire; and

WHEREAS, there are available State funds under the Retired and Senior Volunteer Program for the purpose of transporting Saratoga County's senior citizens to out of county medical facilities; and

WHEREAS, our Office for the Aging has obtained qualified volunteer drivers to operate a vehicle utilized for such transportation purposes; and

WHEREAS, the Director of the Office for the Aging solicited competitive bids for a lease agreement for a medical transport vehicle; and

WHEREAS, our Health & Social Services Committee and the Director of our Office for the Aging have recommended the County enter into a 39 month lease agreement with Nemer CJDR of Saratoga for the lease of a 2018 Chrysler Pacifica van for the sum of \$399.63 per month, for the term February 28, 2018 through May 29, 2021, with said vehicle to be used for the transportation of senior citizens to out of county medical facilities, with mileage not to exceed 15,000 miles per year; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to enter into an agreement with Nemer CJDR of Saratoga for the lease of a 2018 Chrysler Pacifica van for a term of 39 months from February 28, 2018 through May 29, 2021, at a rental cost of \$399.63 per month for the transportation of senior citizens to out of county medical facilities, with mileage not to exceed 15,000 miles per year; and be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 49 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Richardson, Winney and Wood

AUTHORIZING THE ACCEPTANCE OF A \$2,500 DONATION FROM CDPHP FOR THE SARATOGA COUNTY OFFICE FOR THE AGING AND AMENDING THE 2018 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Saratoga County Office for the Aging has received an offer of a donation of \$2,500 from the Capital District Physicians Health Plan (“CDPHP”); and

WHEREAS, the Office for the Aging plans to utilize said donation to supplement funding for its Senior Nutrition Program; and

WHEREAS, an amendment to the 2018 Saratoga County Budget is necessary to implement the acceptance of this generous donation; now, therefore, be it

RESOLVED, that this Board of Supervisors accepts and acknowledges the generous donation of \$2,500 by CDPHP that will be used for the Office for the Aging’s Senior Nutrition Program; and be it further

RESOLVED, that the 2018 County Budget is amended as follows:

OFFICE FOR THE AGING

Appropriations:

Increase Acct. #1-76-000-7761 Senior Nutrition Program \$ 2,500

Revenues:

Increase Acct.: #1-76-1554 Donations \$ 2,500

and, be it further

RESOLVED, that the Director of the Saratoga County Office for the Aging take the appropriate steps to express to CDPHP the gratitude of this Board for its generous gift.

BUDGET IMPACT STATEMENT: The donation will be used for the Senior Nutrition Assistance Program.

Mr. Barrett said he would like to amend the resolution to add an item back on to the legislative agenda. It was on last year and was taken off. The Association of Towns has this on their agenda. The item is related to infrastructure and a new way of disseminating funds and allocating State funds to municipality through a fair and equitable formula.

On a motion by Mr. Barrett, seconded by Mr. Schopf, Resolution #50 was amended to add an item supporting the creation of a funding program for infrastructure improvements for water supply, sanitary sewer, and stormwater projects. Motion Passed.

On a motion by Ms. Gaston, seconded by Mr. Veitch, to remove item #3 from the list of Legislative Priorities FAILED by the following vote.

AYES (56693): Timothy Szczepaniak (9776), Alan Grattidge (4133), Daniel Pemrick (7775), Tara Gaston (13293), Matthew Veitch (13293), John Lawler (8423).

NOES (162914): Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Paul Lent (3545), Arthur M. Wright (2048), Kevin Tollisen (21,535), Vincent DeLucia (14765), Thomas Richardson (5196), Scott Ostrander (18575), Theodore Kusnierz (14728), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Edward D. Kinowski (8287), Arthur J. Johnson (16173).

On a motion by Mr. Peck, seconded by Mr. Johnson, Resolution #50 was adopted, as amended by adding Mr. Barrett's item, by the following vote:

AYES (162914): Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Paul Lent (3545), Arthur M. Wright (2048), Kevin Tollisen (21,535), Vincent DeLucia (14765), Thomas Richardson (5196), Scott Ostrander (18575), Theodore Kusnierz (14728), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Edward D. Kinowski (8287), Arthur J. Johnson (16173).

NOES (56693): Timothy Szczepaniak (9776), Alan Grattidge (4133), Daniel Pemrick (7775), Tara Gaston (13293), Matthew Veitch (13293), John Lawler (8423).

RESOLUTION 50 - 2018

Introduced by Supervisors Szczepaniak, Gaston, Johnson, Kusnierz, Raymond, Schopf and Veitch

ADOPTING 2018 SARATOGA COUNTY LEGISLATIVE PROGRAM

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

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

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

Saratoga County 2018 Legislative Program

State

1. Supporting the Governor's Proposal to Enact Legislation to Impose an Internet Fairness Conformity Tax. The State has identified significant loopholes in certain internet-based sales tax collection practices and estimates that as much as \$280 million annually in state and local sales taxes are not being collected. Saratoga County supports enacting legislation to provide an easy to use platform for large highly experienced internet transaction facilitators to collect sales tax on behalf of their participating vendors to provide for a more fair and balanced marketplace for local "brick and mortar" retailers in the overall retail market.
2. Supporting a Constitutional Amendment Banning New Unfunded State Mandates and Additional Measures to Provide Mandate Relief. In 2018, the estimated net cost of unfunded mandates equals more than 103% of Saratoga County's property tax levy. Yet, new unfunded mandates are still proposed regularly in State legislation. The County urges the Legislature to immediately begin the process of passing a constitutional amendment banning new unfunded mandates, as well as a statutory ban that would provide protection until such an amendment may be ratified. We also urge the Governor and State Legislature to create a new Mandate Relief Council, the original Council's authorization having expired January 1, 2015. County officials must be represented on the new Council, and in the model of the Medicaid Redesign Team, the Council should establish specific targets quantifying mandate relief that must be delivered to counties.
3. Supporting Increased Voter Participation but Opposing the Proposal for Early Voting and Automatic Voter Registration through DMV. Early voting has been studied and it has not increased voter turnout in the states that permit it. In addition to the difficulty in administering an early voter program, the additional costs associated with staffing polling locations and renting polling space for weekend voting is problematic. Automatic voter registration through DMV will lead to confusion because voters will not know whether or where they are registered to vote. Automatic registration will swell voter rolls with residents who have no intention of voting. The material influx of voters will also require creation of new election districts that will drive the incremental election costs of inspectors, voting machines and ballot printing. Saratoga County welcomes additional voter participation but the current proposal is incomplete and lacks proper funding language.

4. Urging the Governor to Delink the State Property Tax Cap and County Eligibility for Mandated Raise the Age Costs. Current legislation requires that the County comply with the tax cap and make a case for an economic hardship before the State would authorize funding to reimburse for expenses related to Raise the Age. Of particular concern is the possibility of over-burdensome caseloads for probation officers and costs associated with required secure detention facilities for juveniles aged out with this legislation. Details regarding the requirements for secure detention facilities were only released in December 2017 and won't be finalized until February 2018. This only leaves 8 months to design and construct a facility in order to comply with the October 1, 2018 deadline.
5. Supporting Legislation to Promote the Full and Expanded Use of Video Conferencing for Court Appearances for Inmates Held at the County Jail. Under current law, video conferencing of inmates for arraignment or other court appearances is permitted in several counties, but is actually not in practice because the law requires the inmate to agree to such an appearance. Many counties have state of the art video conferencing systems which are not used for inmate court appearances, simply because inmates routinely chose to be transported to court rather than make an appearance by video conference. Expanded use of video conferencing for court appearances would save much time and county taxpayer expense by avoiding transporting inmates to court for minor or routine matters, make courtrooms safer, and avoid problems which might happen when inmates are transported by auto or van to a courtroom many miles away from the jail.
6. Supporting an Increase in the County Share of Department of Motor Vehicle's Revenues. Across New York State, 52 counties operate motor vehicle offices. Many process car dealership work such as registrations and share those proceeds with New York State. Currently, only 12.7% of that revenue is kept locally to help offset county property taxes and operate the DMV offices. The state receives the other 87.3% of the revenue despite the local DMV office completing the majority of the work. The revenue sharing percentages were established over 19 years ago and Saratoga County requests your strong support of a substantial increase in the county share of this revenue stream.
7. Supporting the Passage of Laree's Law. Heroin and opioid addiction is a growing epidemic in Saratoga County as well as New York State. Senate Bill S2761 passed the Senate in June 2017, died in the Assembly in January 2018, and was returned back to the Senate. The bill proposes to establish the crime of homicide for those that illegally sell or distribute opiates that result in death by drug overdose. Saratoga County fully supports any action that will result in the slowing of the heroin epidemic.
8. Supporting Scaffolding Law Reform. The Scaffold law generates an astounding number of expensive lawsuits that contribute to a variety of negative impacts—higher construction costs, fewer jobs and higher prices for construction related goods and services. In 2012, over half of New York's largest lawsuits were due to this single law that only exists here. But this is not the Scaffold Law's only financial consequence in our state. The law is estimated to cost \$785M in taxpayer dollars every year – schools, municipalities, and public entities like counties pay out those dollars in lawsuits and higher insurance costs. That translates into significantly higher costs for infrastructure construction and repair. The cost on private businesses is almost \$1.5B each year. That's why over 70 associations and organizations have joined the fight to reform the Scaffold Law, including public sector organizations like the NY Conference of Mayors, NYS School Boards Association, and the Intercounty Association of Western New York. To date, 35 New York counties have passed a resolution supporting reform, and the New York State Association of Counties (NYSAC) passed a model Scaffold Law resolution in 2016.
9. Urging the Governor to Restore Foster Care Block Grant Funding to 2016 Levels. In 2017, the State reduced foster care block grants, statewide, by \$62 million. Saratoga County saw a reduction of \$415,490 for this program that essentially becomes another unfunded mandate. The 2018 Executive Budget maintains the 2017 reduction to this program. We urge the Governor to restore funding to 2016 levels.
10. Urging the County's State Representatives to Assist in the Recovery of Allocated Grant Funds. In 2015, the Hudson-Hoosic Rivers Partnership was awarded State grants totaling \$767,000 through the NYS Office of Parks, Recreation and Historic Preservation for the design and construction of a Gateway Visitor Center. In order to begin the project, the County was asked to advance a total of \$500,000 for design and construction

services with the understanding that reimbursement would be facilitated once grant proceeds were funneled through the Partnership. To date, only a portion of grant funds have been dispersed to the Partnership that have been used to cover other construction costs and the County has not been made whole for the advanced sum of \$500,000. The County requests that our State representatives do everything in its power to assist in the recovery of these previously allocated grant funds.

11. Strongly Requesting that the NYS Assembly Kill Any Same As Bill to Senate Bill S3948 Related to Refunding Surplus Auction Funds to Former Owners. The process of foreclosing on a property begins with a notice to the property owner from the County. The owner has the option of selling the property and retaining any equity. The County ultimately takes title to properties that do not exercise their option to actively engaging in selling their property. Following the County's acquisition, the County expends considerable effort throughout the year to manage this effort, collect data, and conduct auctions. Returning surplus funds after tax liens are satisfied does not make the County whole. In many cases, the value from the sale of these properties does not even satisfy back taxes. The County is essentially left with all of the responsibility to conduct these efforts and County taxpayers are footing the bill. If this bill passes, this will turn out to be another unfunded mandate. The Real Property Tax Law and all court orders in foreclosure proceedings provide that upon the County taking title to a parcel, the former owner is forever barred from any right, title, interest or equity of redemption in the parcel. A New York State Attorney General's Opinion from 1978 holds that it is an unconstitutional gift to turn over excess auction proceeds to a former owner, who has no right, title or interest in the property by virtue of the foreclosure.
12. Urging Statewide Consideration for Legislation Requiring Coroners to Refer all Deaths to Federally Designated Recovery Agencies for NYS Donor Registry Verification. Presently only deaths that occur in a hospital are required to be referred as potential organ, tissue and eye donors. Currently, there are 4,802,626 on the NYS Donor Registry, 91,000 alone in Saratoga County. By requiring coroners to refer deaths would ensure 1) that those who have documented their wish to help others have their wishes honored and 2) the families of all have the opportunity to make the decision concerning donation. Coroners, as public servants, have an obligation to assist families in any way they can. This brings permanent solace to families who have lost loved ones knowing they could help others through donation. By partnering with the local federally designated recovery agency, we will not only be helping those in need of a lifesaving/enhancing organ and tissue transplant but will be going above and beyond to assist and advocate for our residents.
13. Urging the Governor to Extend the NYS Historic Commercial Properties Tax Credit and the NYS Historic Homeownership Rehabilitation Credit. The current tax credit program is set to expire on December 31, 2019 and the Governor's 2019 Executive Budget did not provide any reauthorization or extension of this tax credit. Saratoga County is concerned that without extension of this program, investor and developer confidence in pursuing important historic property rehabilitation projects will erode. In addition, we urge the State to decouple the NYS Historic Tax Credit from the Federal Historic Tax Credit to ensure that the NYS credits can be taken all at once rather than every five (5) years.
14. Urging the Governor to Maintain Current Tax Parity Formulas for Leveling the Playing Field Between VLGs and Casinos. Presently, the Rivers Casino and Resort pays a blended tax between commissions from slot machines and table games. The Saratoga Casino and Raceway (Racino) pays a much higher flat tax on its commissions. Current legislation allows for a rebate of the additional tax that the Racino pays over and above the finalized blended tax rate that the Rivers Casino realizes. As a result, the tax parity formula allows for a level playing field. Proposed legislation essentially would compare revenues from 2016 against future years and the lesser of the difference in revenues and the tax parity formula rebate calculation would be returned to the Racino under the hold harmless arrangement. It is expected that the hold harmless arrangement will always result in a smaller sum being returned to the Racino than is currently realized through tax parity. This change will significantly impact the Racino's revenues and provides no incentive for the Racino to engage in business growth.
15. Supporting the Creation of a Funding Program for Infrastructure Improvements for Water Supply, Sanitary Sewer, and Stormwater Projects. The CHIPS Program or Consolidated Highway Improvement Program is a program administered by NYSDOT since 1991 which provides funding to local municipalities for highway improvement projects. The County supports the creation of a similar fund for the purpose of improving locally

controlled public utilities including water supply, sanitary sewer and stormwater related projects in order to address aging infrastructure, provide redundancy, and prepare for catastrophic events.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 51 - 2018

Introduced by Supervisors Szczepaniak, Gaston, Johnson, Kusnierz, Raymond, Schopf, and Veitch

REQUESTING HOME RULE LEGISLATION TO AMEND ARTICLE 11 OF THE TAX LAW TO AUTHORIZE THE COUNTY OF SARATOGA TO ADOPT A LOCAL LAW IMPOSING AN ADDITIONAL MORTGAGE RECORDING TAX

WHEREAS, in an effort to help reduce the burden of unfunded State mandates, it is necessary to continually seek out new revenue sources; and

WHEREAS, Section 253 of the Tax Law of the State of New York imposes a total tax on the recording of mortgages in a County Clerk's Office of one dollar (\$1.00) for each and every one hundred dollars (\$100) and each remaining fraction thereof of principal debt or obligation secured by the mortgage being recorded, and

WHEREAS, pursuant to Section 261 of the Tax Law, the revenue received from said mortgage tax is distributed, after the deduction of the necessary expenses of the County Clerk's Office and the County Treasurer's Office, fifty percent (50%) to the city, town or village where the property is situated, twenty-five percent (25%) to the State of New York Mortgage Agency (SONYMA), and in the Capital District area twenty-five percent (25%) to the Capital District Transportation Authority; and

WHEREAS, twenty-one (21) counties in the State, including adjoining counties Albany, Rensselaer, Schenectady and Warren, have obtained home rule legislation amending Article 11 of the Tax Law of the State of New York to authorize their county to adopt a local law imposing an additional mortgage recording tax ranging from twenty-five cents (25¢) to one dollar (\$1.00) per one hundred dollars (\$100) or fraction thereof of principal debt or obligation secured by each mortgage recorded in the county; and

WHEREAS, the mortgage tax receipts received from said additional mortgage tax are retained by those counties, and provide a needed revenue source that assists in reducing the ongoing financial stress imposed by unfunded State mandates; and

WHEREAS, it is appropriate and necessary that the County of Saratoga pursue new revenue sources to reduce the financial burden imposed by unfunded State mandates by pursuing home rule legislation amending Article 11 of the Tax Law to authorize the County to adopt a local law imposing an additional mortgage recording tax in the amount of twenty-five cents (25¢) per one hundred dollars (\$100) or fraction thereof of principal debt or obligation secured by each mortgage recorded in the Saratoga County Clerk's Office; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Saratoga hereby requests the enactment of state legislation amending Article 11 of the Tax Law of the State of New York to authorize the County of Saratoga to adopt a local law imposing an additional mortgage recording tax in the amount of twenty-five cents (25¢) per one hundred dollars (\$100) and each remaining fraction thereof of principal debt or obligation secured by a mortgage on real property situated within the County of Saratoga that is being recorded in the Saratoga County Clerk's Office; and, be it further

RESOLVED, that the Clerk of the Board forward certified copies of this Resolution to our local State legislators.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 52 - 2018

Introduced by Supervisors Szczepaniak, Gaston, Johnson, Kusnierz, Raymond, Schopf and Veitch

OPPOSING GOVERNOR CUOMO'S PROPOSAL TO CONVERT TAXABLE NEW YORK STATE OWNED LANDS INTO PAYMENT IN LIEU OF TAXES (PILOT) PROGRAMS

WHEREAS, New York State-owned lands are currently assessed by the local municipality where the State-owned land is located; and

WHEREAS, Governor Andrew Cuomo is proposing to convert the local assessment of taxable State-owned lands into a Payment in Lieu of Taxes (“PILOT”) program based on existing tax amounts which will be increased each year by the allowable levy growth factor; and

WHEREAS, said proposed payment change will result in the loss of the local assessment of taxable State-owned land, as well as a loss in tax revenue to local municipalities due to changes in value which would not be reflected in a PILOT agreement; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby strongly urges that the assessment of taxable New York State-owned land remain under the control of the local municipality where such property is located; and be it further

RESOLVED, that the Saratoga County Board of Supervisors strongly opposes the proposal of Governor Cuomo to convert the assessment of taxable State-owned land into a Payment in Lieu of Taxes program, and urges the New York State Legislature to reject such proposal for the reason that it is financially detrimental to local municipalities in which State-owned lands are located; and be it further

RESOLVED, that the Clerk of the Board forward a copy of this Resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Senate Coalition Co-Leader Jeffrey Klein, Assembly Speaker Carl Heastie, Chair of the Assembly’s Real Property Taxation Committee Sandy Galef, Chair of the Senate’s Local Government Committee Senator Kathleen Marchione, Senator James Tedisco, Assemblywoman Mary Beth Walsh, Assemblyman John McDonald, Assemblywomen Carrie Woerner, and Assemblyman Dan Stec.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 53 - 2018

Introduced by Supervisors Wood, DeLucia, Grattidge, Johnson, Lucia, Peck and Wright

AMENDING RESOLUTION 217-2016 TO INCREASE AUTHORIZED EXPENDITURES PURSUANT TO THE 2017 DENTAL HEALTH CARE INSURANCE CONTRACT WITH METROPOLITAN LIFE INSURANCE COMPANY, INC.

WHEREAS, pursuant to Resolution 217-2016, this Board authorized an agreement with Metropolitan Life Insurance Company, Inc. (“MetLife”) for the provision of dental health care insurance for County employees, and the offering of voluntary dental health care insurance plans to County retirees, for the term January 1, 2017 through December 31, 2017, at a cost not to exceed \$648,641; and

WHEREAS, the actual premiums paid by the County to MetLife for dental health care insurance in 2017 exceeded the projected contract limit of \$648,641 by \$2,075; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended that Resolution 217-2016 be amended to increase the amount of authorized expenditures pursuant to the County’s contract with MetLife from \$648,641 to \$650,716; now, therefore be it

RESOLVED, that Resolution 217-2016 is hereby amended to increase the amount of authorized expenditures pursuant to the County’s contract with Metropolitan Life Insurance Company, Inc. for the provision of dental health care insurance in 2017, from a not to exceed amount of \$648,641 to a not to exceed amount of \$650,716.

BUDGET IMPACT STATEMENT: None. The additional premium is available within the Health Insurance Fund.

RESOLUTION 54 - 2018

Introduced by Supervisors Wood, DeLucia, Grattidge, Johnson, Lucia, Peck and Wright

AMENDING THE POLICIES AND PROCEDURES MANUAL RELATIVE TO THE USE AND MAINTENANCE OF COUNTY OWNED VEHICLES POLICY

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

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

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

WHEREAS, copies of the proposed revised Use and Maintenance of County Owned Vehicles policy to be retitled as “Use and Maintenance of County Owned Vehicles and Operation of Personal Vehicles for County Business” policy was provided to each member of this Board; and

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

RESOLVED, that the following chapter of the Saratoga County Policies and Procedures Manual is amended to revise the Use and Maintenance of County Owned Vehicles policy as set forth in the policy revisions distributed to this Board:

<u>CHAPTER</u>	<u>SECTION</u>	<u>ORIGINAL TITLE</u>	<u>NEW TITLE</u>	<u>LAST REVISED</u>
1	A	Use and Maintenance of County Owned Vehicles	Use and Maintenance of County Owned Vehicles and Operation of Personal Vehicles for County Business	9/19/06

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 55 - 2018

Introduced by Supervisors Wood, DeLucia, Grattidge, Johnson, Lucia, Peck and Wright

AMENDING THE 2018 COMPENSATION SCHEDULE UNDER REAL PROPERTY TAX AGENCY, GENERAL SERVICES AND SOCIAL SERVICES

WHEREAS, the Human Resources and Insurance Committee, the Director of Human Resources, and the Director of the Real Property Tax Services Agency have recommended that the 2018 Saratoga County Compensation Schedule be amended under Real Property Tax Agency to reclassify one position of Senior Real Property Information Specialist to Real Property Services Specialist to more accurately reflect the current duties of the position; and

WHEREAS, the Human Resources and Insurance Committee, the Director of Human Resources, and the Director of General Services have recommended that the 2018 Saratoga County Compensation Schedule be amended under General Services to reclassify one position of Stock Clerk (PT) to Clerk (PT) to better reflect the current duties of the position; and

WHEREAS, the Human Resources and Insurance Committee, the Director of Human Resources and the Commissioner of Social Services have recommended that the 2018 Saratoga County Compensation Schedule be amended under Social Services to reclassify one position of Homemaker to Home Service Coordinator to more accurately reflect the current duties of the position; now, therefore, be it

RESOLVED, that the 2018 Saratoga County Compensation Schedule is amended effective as of February 28, 2018 as follows:

UNDER REAL PROPERTY TAX AGENCY

Reclassify (1) Senior Real Property Information Specialist to (1) Real Property Services Specialist

UNDER GENERAL SERVICES

Reclassify (1) Stock Clerk, P/T to (1) Clerk P/T

UNDER SOCIAL SERVICES

Reclassify (1) Homemaker to (1) Home Service Coordinator

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 56 - 2018

Introduced by Supervisors Wood, DeLucia, Grattidge, Johnson, Lucia, Peck, and Wright

AUTHORIZING THE SECOND DEPUTY COUNTY TREASURER TO ACT FOR AND IN PLACE OF THE COUNTY TREASURER

WHEREAS, in accordance with Resolution 241-10, a second Deputy County Treasurer position with oversight of real property tax enforcement matters was established in the County Treasurer's Office effective January 1, 2011; and

WHEREAS, this Board wishes to clarify that the duties of this second Deputy County Treasurer position include the authority to act for and in the place of the County Treasurer when the County Treasurer is either unavailable or unable to perform his or her duties; now, therefore, be it

RESOLVED, that the second Deputy County Treasurer with oversight over real property tax enforcement matters shall have the authority to act for and in the place of the County Treasurer when the event the County Treasurer is either unavailable or unable to perform his or her duties.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 57 - 2018

Introduced by Supervisors Wood, DeLucia, Grattidge, Johnson, Lucia, Peck, and Wright

DESIGNATING SARATOGA COUNTY SEWER DISTRICT NO. 1'S EXECUTIVE DIRECTOR AS THE SEWER DISTRICT'S APPOINTING AUTHORITY WITH THE AUTHORITY TO HIRE, DISCIPLINE AND TERMINATE ALL EMPLOYEE POSITIONS IN THE SEWER DISTRICT

WHEREAS, in accordance with Resolution No. 131 of 1979, the Saratoga County Board of Supervisors amended the Saratoga County Compensation Plan to include a new department to be known as "Saratoga County Sewer District No. 1", as well as various positions within the department, including the administrative position of Executive Director; and

WHEREAS, this Board wishes to clarify that the Executive Director of Saratoga County Sewer District No. 1 is the Appointing Authority for the Sewer District, with the authority to hire, discipline and terminate all employee positions within the Sewer District; now, therefore, be it

RESOLVED, that the Executive Director of Saratoga County Sewer District No. 1 is hereby designated as the Appointing Authority for Saratoga County Sewer District No. 1, and in that capacity shall have the authority to hire, discipline and terminate all employee positions within the Sewer District.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 58 - 2018

Introduced by Supervisors Wood, DeLucia, Grattidge, Johnson, Lucia, Peck, and Wright

AUTHORIZING AN AGREEMENT WITH INSIDE RX, LLC FOR PHARMACY BENEFIT MANAGEMENT SERVICES

WHEREAS, the Saratoga County Board of Supervisors wishes to support creative and cost-neutral solutions to assist County residents who cannot afford health insurance, are underinsured, or cannot afford high out of pocket prescription costs, to obtain necessary prescription medications that they may not be otherwise able to afford; and

WHEREAS, pursuant to Resolution 65-09, the Saratoga County Board of Supervisors authorized an agreement between ProAct, Inc. and the County of Saratoga permitting Saratoga County residents to participate in ProAct, Inc.'s Discount Prescription Card Program, thereby entitling County residents to purchase brand name and generic prescription medications at discounted rates negotiated by ProAct, Inc.; and

WHEREAS, the County recently terminated its agreement with ProAct, Inc., and issued a Request for Proposals for discount pharmacy benefit management services; and

WHEREAS, our Human Resources and Insurance Committee and the County Administrator have recommended that the proposal of Inside Rx, LLC, a partially owned subsidiary of Express Scripts Holding Company, the most satisfactory proposal received, be accepted, and that the County enter into an agreement with Inside Rx, LLC for a term of three (3) years, subject to renewal for up to two (2) additional terms of one (1) year each; and

WHEREAS, Inside Rx, LLC proposes to implement a co-branded program with the County of Saratoga that will provide a discount card for brand name and generic prescription medications for County residents, as well as a website that will allow our residents to download electronic versions of the prescription drug card without having to register, all at no cost to the County; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement between the County of Saratoga and Inside Rx, LLC, a partially owned subsidiary of Express Scripts, LLC, providing for the participation of Saratoga County residents in Inside Rx, LLC's discount prescription medication program, at no cost to the County, for a term of three (3) years commencing May 1, 2018 and terminating on April 30, 2021, subject to renewal for up to two (2) additional terms of one (1) year each; and

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 59 - 2018

Introduced by Supervisors Pemrick, Gaston, Ostrander, Raymond, Schopf, Winney and Wood

DECLARING TAX PARCEL #50.22-1-29 IN THE VILLAGE OF SOUTH GLENS FALLS TO BE A WORTHLESS PROPERTY AND CANCELING THE DELINQUENT TAX LIEN ON THE PARCEL

WHEREAS, County acquired title to Tax Parcel #50.22-1-29 in the Village of South Glens Falls through the County's foreclosure of 2012 delinquent tax liens; and

WHEREAS, the County has offered Tax Parcel #50.22-1-29 for auction in the County's March 2015, September 2015, March 2016, September 2016, March 2017, and March 2017 auctions, but the parcel has failed to attract any bids; and

WHEREAS, our Real Property Tax Committee has determined that Tax Parcel #50.22-1-29 is a "worthless property" as defined in the Policies and Procedures Manual of the Real Property Tax Committee in that the property has remained unsold after at least four consecutive auctions and the nature, size and location of the property make it incontrovertibly worthless; and

WHEREAS, the Saratoga County Tax Enforcement Officer has determined that there is no practical method to enforce the collection of delinquent tax liens on said property and a supplementary proceeding to collect the taxes would be ineffective; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby declares Tax Parcel #50.22-1-29 in the Village of South Glens Falls to be a worthless property as defined in the Policies and Procedures Manual of the Real Property Tax Committee; and, be it further

RESOLVED, that the following delinquent tax lien on the following parcel is hereby canceled pursuant to Real Property Tax Law §1138:

<u>VILLAGE</u>	<u>PARCEL #</u>	<u>TAX YEARS</u>	<u>AMOUNT</u>
South Glens Falls	50.22-1-29	2012, 2013, 2014, 2015, 2016, 2017	\$1,205.56

and, be it further

RESOLVED, that Tax Parcel #50.22-1-29 (Item 67) is hereby removed from the list of parcels scheduled for auction by the County on March 20, 2018; and, be it further

RESOLVED, that the Saratoga County Tax Enforcement Officer is directed to issue and file a certificate of prospective cancellation of the 2018 taxes on Tax Parcel #50.22-1-29, and to file a copy of said certificate with the both the Assessor and the Tax Collector of the Village of South Glens Falls and with the Director of the Saratoga County Real Property Tax Services Agency; and, be it further

RESOLVED, that the Saratoga County Tax Enforcement Officer is further directed to contact the owners of the parcels adjoining Tax Parcel #50.22-1-29, and determine if any such adjoining owner would be interested in acquiring Tax Parcel #50.22-1-29 from the County and on what terms.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 60 - 2018

Introduced by Supervisors Pemrick, Gaston, Ostrander, Raymond, Schopf, Winney and Wood

DECLARING TAX PARCEL #217.15-1-97 IN THE TOWN OF MALTA TO BE A WORTHLESS PROPERTY AND CANCELING THE DELINQUENT TAX LIEN ON THE PARCEL

WHEREAS, County acquired title to Tax Parcel #217.15-1-97 in the Town of Malta through the County’s foreclosure of 2015 delinquent tax liens; and

WHEREAS, our Real Property Tax Committee has determined that Tax Parcel #217.15-1-97 is a “worthless property” as defined in the Policies and Procedures Manual of the Real Property Tax Committee in that the parcel adjoins and should be part of Damascus Way and/or East High Street, which are roads owned by the Town of Malta, and the nature, size and location of the property make it incontrovertibly worthless; and

WHEREAS, the Saratoga County Tax Enforcement Officer has determined that there is no practical method to enforce the collection of delinquent tax liens on said property and a supplementary proceeding to collect the taxes would be ineffective; and

WHEREAS, Tax Parcel #217.15-1-97 should be conveyed to the Town of Malta for incorporation into the Town-owned roads Damascus Way and East High Street, now, therefore, be it

RESOLVED, that this Board of Supervisors hereby declares Tax Parcel #217.15-1-97 in the Town of Malta to be a worthless property as defined in the Policies and Procedures Manual of the Real Property Tax Committee; and, be it further

RESOLVED, that the following delinquent tax lien on the following parcel is hereby canceled pursuant to Real Property Tax Law §1138:

<u>TOWN</u>	<u>PARCEL #</u>	<u>TAX YEARS</u>	<u>AMOUNT</u>
Malta	217.15-1-97	2015, 2016, 2017	\$ 527.88

and, be it further

RESOLVED, that Tax Parcel #217.15-1-97 (Item 50) is hereby removed from the list of parcels scheduled for auction by the County on March 20, 2018; and, be it further

RESOLVED, that the Saratoga County Tax Enforcement Officer is directed to issue and file a certificate of prospective cancellation of the 2018 taxes on Tax Parcel #217.15-1-97, and to file a copy of said certificate with both the Assessor and the Tax Collector of the Town of

Malta and with the Director of the Saratoga County Real Property Tax Services Agency; and, be it further

RESOLVED, that the Saratoga County Tax Enforcement Officer is further directed to contact the Town of Malta and make appropriate arrangements for the conveyance of Tax Parcel #217.15-1-97 to the Town.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 61 - 2018

Introduced by Supervisors Peck, Barrett, Grattidge, Kusnierz, Ostrander, Raymond, and Richardson

AUTHORIZING THE CHAIRMAN TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF NEW YORK FOR THE LEASE OF OFFICE SPACE IN THE SERVICES BUILDING FOR OCCUPANCY BY THE NEW YORK STATE DEPARTMENT OF LABOR, AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, Resolution 97-13 authorized a lease of approximately 429 square feet of office space within the Saratoga County Office of Employment and Training, located in the County’s Services Building at 152 West High Street, Ballston Spa, to the New York State Department of Labor (“NYSDOL”) for occupancy by the NYSDOL through June 30, 2018; and

WHEREAS, the NYSDOL desires to renew said lease for an additional term of five (5) years, and to increase the area of space leased from 429 sq. ft. to 610 sq. ft.; and

WHEREAS, the NYSDOL has obtained the required State approvals to renew its lease with the County for a term of five years at an average annual increase in the rental rate of 3% per annum; and

WHEREAS, our Buildings and Grounds Committee and the Commissioner of Public Works have recommended that the County execute a Memorandum of Understanding with the State of New York for the State’s lease of 610 sq. ft. of office space for occupancy by the NYSDOL for a term of five (5) years commencing on July 1, 2018, at an average annual increase in the rental rate of 3% per annum; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a Memorandum of Understanding with the State of New York for the lease of office space in the County’s Services Building within the Saratoga County Office of Employment and Training, for occupancy by the New York State Department of Labor, for a term of five (5) years upon the following terms:

- Area to be leased: 610 sq. ft.
- Term of Lease: 7/1/18 – 6/30/23
- Rental Rate: \$14.22 per sq. ft.
- Monthly Rent: \$722.75
- Annual Rent: \$8,673

and, be it further

RESOLVED, that the form of such Memorandum of Understanding shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, that the 2018 Saratoga County Budget is hereby amended as follows:

EMPLOYMENT AND TRAINING:

Appropriations:

Increase Acct.: #5-68-681-8621.I Rent of County Space \$ 1,548

Revenues:

Increase Acct.: #5-68-4790 Job Training Federal Aid \$ 1,548

GENERAL FUND:

Appropriations:

Decrease Acct.: #1-0599.M Fund Balance Appropriation \$ 1,548

Revenues:

Increase Acct.: #1-50-2418.I JTPA Rent \$ 1,548

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 62 - 2018

Introduced by Supervisors Lent, Lawler, Ostrander, Peck, Pemrick, Szczepaniak, and Tollisen

AUTHORIZING ACCEPTANCE OF A GOVERNOR’S TRAFFIC SAFETY COMMITTEE GRANT TO PAY FOR INCREASED TRAFFIC SAFETY ENFORCEMENT EFFORTS, AND AMENDING THE 2018 BUDGET IN RELATION THERETO

WHEREAS, the County is eligible to receive a Police Traffic Services Program (PTSP) grant in the amount of \$11,300 from the Governor’s Traffic Safety Committee to pay for increased traffic safety enforcement efforts by the Sheriff’s Department, to include seatbelt, distracted driver and impaired driver mobilizations; and

WHEREAS, the PTSP grant is a reimbursement program administered through the State’s eGrants system, requiring grant recipients to incur project costs according to their approved budget during the program year October 1, 2017 through September 30, 2018, and to submit quarterly claims for reimbursement of such expenditures electronically to the Governor’s Traffic Safety Committee; and

WHEREAS, our Public Safety Committee and the Saratoga County Sheriff have recommended the acceptance of this PTSP grant; and

WHEREAS, the acceptance of these PTSP grant funds requires an amendment to the 2018 County Budget; now, therefore, be it

RESOLVED, the Governor’s Traffic Safety Committee’s Police Traffic Services Program grant in the amount of \$11,300 to pay for increased traffic safety enforcement efforts by the Sheriff’s Department is hereby accepted; and, be it further

RESOLVED, that the Saratoga County Sheriff or his designee are hereby authorized to execute and submit through New York State’s eGrants system any documentation necessary to accept and receive such Police Traffic Services Program grant for the program year October 1, 2017 through September 30, 2018; and, be it further

RESOLVED, that the 2018 Saratoga County Budget is amended as follows:

SHERIFF’S DEPARTMENT:

Appropriations:

Increase Acct.: 1-30-000-6810 Overtime	\$11,000
Increase Acct.: 1-30-000-8231 Police Supplies	<u>\$ 300</u>
	\$11,300

Revenues:

Increase Acct.: 1-30-3502 Traffic Safety Grant \$11,300

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 63 - 2018

Introduced by Supervisors Lent, Lawler, Ostrander, Peck, Pemrick, Szczepaniak, and Tollisen

AUTHORIZING THE CHAIRMAN TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE NAVY FOR THE USE OF CERTAIN TACTICAL EQUIPMENT

WHEREAS, pursuant to Resolution 214-2017, this Board accepted that portion of a 2017 New York State Homeland Security Program grant which was required to be directed towards law enforcement terrorism prevention activities, which portion was in the amount of \$72,479, and was to be dedicated to purposes which included the acquisition of dive team equipment; handheld communications devices; and night vision/thermal imaging equipment; and

WHEREAS, the United States Department of the Navy's Naval Surface Warfare Center ("NAVSEA"), Crane Division, is willing to enter into a one-year Cooperative Agreement with the Saratoga County Sheriff's Department for the loan of three (3) thermal imaging cameras and twelve (12) night vision goggles owned by NAVSEA; and

WHEREAS, the cost of borrowing said equipment for a one-year term, including maintenance and replacement if required, is \$4,500, and is 100% funded by said 2017 Homeland Security grant; and

WHEREAS, the loan of said equipment is advantageous, as the estimated cost of purchasing such equipment would be \$49,500; and

WHEREAS, our Public Safety Committee and Sheriff Zurlo have recommended that the County enter into a cooperative agreement with NAVSEA for the loan of NAVSEA'S thermal imaging and night vision equipment; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Saratoga County Sheriff or his designee are hereby authorized to execute a cooperative agreement with the United States Department of the Navy's Naval Surface Warfare Center, Crane Division, for the loan of three (3) thermal imaging cameras and twelve (12) night vision goggles for a term of one year commencing from the execution of said cooperative agreement; and be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid

RESOLUTION 64 - 2018

Introduced by Supervisors Lent, Lawler, Ostrander, Peck, Pemrick, Szczepaniak, and Tollisen

AUTHORIZING THE CHAIRMAN TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE COUNTY OF RENSSELAER FOR THE PURPOSE OF SHARING TACTICAL TEAM PERSONNEL, EQUIPMENT AND RESOURCES

WHEREAS, pursuant to the provisions of New York State General Municipal Law §119-o, municipal corporations are permitted to enter into agreements for the performance amongst themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis or for the provision of a joint service; and

WHEREAS, the Saratoga County Sheriff's Department maintains a tactical team known as the Special Operations Team, and the Rensselaer County Sheriff's Department maintains a tactical team known as the Emergency Response Team; and

WHEREAS, the Saratoga County Sheriff's Department and the Rensselaer County Sheriff's Department have experienced within their jurisdictions a need for the joint response of both Departments' police tactical teams to deal with certain criminal acts or threats including, but not limited to, barricaded suspects, hostage takers, or other persons committing violent acts or other instances amounting to emergency circumstances that may be more effectively dealt with through the use of a specially trained tactical team rather than standard police operations; and

WHEREAS, our Public Safety Committee and Sheriff Zurlo have recommended that the County enter into a cooperative agreement with the County of Rensselaer for the purpose of sharing tactical team personnel, equipment and resources; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a cooperative agreement with the County of Rensselaer pursuant to General Municipal Law §119-o for the purpose of the mutual sharing of tactical team personnel, equipment and resources by the Saratoga County Sheriff's Department and the Rensselaer County Sheriff's Department; and be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 65 - 2018

Introduced by Supervisors Lent, Lawler, Ostrander, Peck, Pemrick, Szczepaniak, and Tollisen

AUTHORIZING ACCEPTANCE OF A DOMESTIC VIOLENCE PROSECUTION GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, a grant in the amount of \$35,600 is available from the New York State Division of Criminal Justice Services for the purpose of providing salary support to the District Attorney's Office for the prosecution of domestic violence cases; and

WHEREAS, the acceptance of this Violence Against Women Grant requires our approval; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the County Administrator execute all documents necessary to apply for and accept a New York State Division of Criminal Justice Services grant in the amount of \$35,600 to assist the District Attorney's Office in prosecuting domestic violence cases.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 66 - 2018

Introduced by Supervisors Lent, Lawler, Ostrander, Peck, Pemrick, Szczepaniak, and Tollisen

AUTHORIZING PARTICIPATION IN 2018 STATE STOP-DWI PROGRAM AND CONTRACTS WITH LOCAL AGENCY PARTICIPANTS, AUTHORIZING ACCEPTANCE OF ADDITIONAL STOP-DWI PROGRAM FUNDING, AND AMENDING THE 2018 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Vehicle and Traffic Law §1197 authorizes establishment of county special traffic options programs for driving while intoxicated (STOP-DWI) to reduce drug-related and alcohol-related traffic injuries and fatalities; and

WHEREAS, Resolution 91-2017 authorized renewal and implementation of our local STOP-DWI program and its participation in the 2017 State program; and

WHEREAS, 2017 County participants wish to continue their services in 2018; and

WHEREAS, the participation and cooperation of these local agencies and of the County are essential for effective action against this continuing menace to our residents; and

WHEREAS, the NYS STOP-DWI Foundation, Inc. ("the Foundation") has notified the Saratoga County STOP-DWI Coordinator that the Saratoga County STOP-DWI Program has been awarded an additional \$10,000 in STOP-DWI crackdown funding, thereby increasing total funding from the Foundation to the sum of \$25,000; and

WHEREAS, the acceptance of this additional STOP-DWI Program funding requires our approval, and an amendment to the 2018 Saratoga County Budget; now, therefore, be it

RESOLVED, that the County of Saratoga renew its annual application to participate in the New York State STOP-DWI program for 2018; and, be it further

RESOLVED, that additional STOP-DWI crackdown funding in the amount of \$10,000 from the NYS STOP-DWI Foundation, Inc. is hereby accepted, and the Chair of the Board and/or the Saratoga County STOP-DWI Coordinator are hereby authorized to execute any agreements or related documents with the Foundation necessary to accept such additional funds; and, be it further

RESOLVED, that this Board of Supervisors approves the following 2018 STOP-DWI Program and budget for Saratoga County:

<u>ADMINISTRATION:</u>	<u>\$ 24,850</u>
Personnel (Coordinator)	\$ 15,081
Training/Travel	\$ 600
Dept. Expenses	\$ 9,169

<u>ENFORCEMENT AGENCIES:</u>	<u>\$ 149,446</u>
Saratoga County Sheriff	\$ 56,000

City of Saratoga Springs	\$ 41,000
Village of South Glens Falls	\$ 8,250
Town of Waterford	\$ 8,250
City of Mechanicville	\$ 6,500
Village of Ballston Spa	\$ 8,250
Town of Stillwater	\$ 5,000
Overtime funding	\$ 16,196

CRACK DOWN \$ 25,000

<u>COUNTY DEPARTMENTS:</u>	\$ 133,000
District Attorney	\$ 48,000
Probation	\$ 38,000
Mental Health	\$ 47,000

<u>INFORMATIONAL AGENCIES:</u>	\$ 62,500
ASAPP	\$ 58,100
SADD Programs	\$ 4,400

Total 2018 Grants: \$394,796;

and, be it further

RESOLVED, the Chair of the Board shall execute any agreements and documents needed with the above agencies and the State of New York to implement the above 2018 STOP-DWI program, with the form and content of such agreements and documents being subject to the approval of the County Attorney.

and, be it further

RESOLVED, that the 2018 County Budget is amended as follows:

STOP-DWI

Appropriations:

Increase Acct. #1-33-000-7330 DWI Grants	\$ 5,000
Increase Acct. #1-33-000-7330.I DWI County	\$ 5,000
	\$10,000

Revenues:

Increase Acct.: #1-33-3502 Traf Saf Gr	\$10,000
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 67 - 2018

Introduced by Supervisors Lent, Lawler, Ostrander, Peck, Pemrick, Szczepaniak, and Tollisen

AMENDING THE 2018 COUNTY BUDGET TO REAPPROPRIATE \$230,172 IN EXPENSES AND REVENUES UNDER EMERGENCY SERVICES

WHEREAS, Resolutions 245-2017 authorized the acceptance of a 2016 Pre-Disaster Mitigation Competitive (“PDMC”) grant from the Federal Emergency Management Agency in the amount of \$225,000 for the Saratoga County Office of Emergency Services to update the County’s Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, unexpended funds from such 2016 PDMC grant in the amount of \$225,000 need to be reappropriated for the Office of Emergency Services to the 2018 County budget; and

WHEREAS, Resolutions 179-2016 authorized the acceptance of a 2016 New York State Hazardous Materials Emergency Preparedness (“HMEP”) grant from the New York State Division of Homeland Security in the amount of \$5,172 for the Saratoga County Office of Emergency Services to conduct a Tabletop exercise to test the County Hazmat Plan; and

WHEREAS, unexpended funds from such 2016 HMEP grant in the amount of \$5,172 need to be reappropriated for the Office of Emergency Services to the 2018 County budget; now, therefore, be it RESOLVED, that the 2018 Saratoga County Budget is amended as follows:

EMERGENCY SERVICES:

Appropriations:

Increase Acct.: #1-36-366-8190 Other Professional Services	\$228,072
Increase Acct.: #1-36-366-8150 Training Services	<u>\$ 2,100</u>
	\$230,172

Revenues:

Increase Acct.: #1-36-3306 Homeland Security	\$230,172
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 68 - 2018

Introduced by Supervisors Lent, Lawler, Ostrander, Peck, Pemrick, Szczepaniak and Tollisen

AMENDING THE 2018 COUNTY BUDGET TO REAPPROPRIATE \$2,304,144.80 IN EXPENSES AND REVENUES UNDER EMERGENCY SERVICES

WHEREAS, \$1,686,667.30 in unexpended funds from a New York State Division of Homeland Security Round IV Statewide Interoperable Communications Grant accepted pursuant to Resolution 216-2015 and Resolution 110-2017 for the updating of the County’s Computer Aided Dispatch (CAD)/Mobile 9-1-1 System, the improvement of interoperability communications with other counties, improvements to the 800 MHz Radio Communications System, and the purchase of 800 MHz Radio System hardware and software need to be reappropriated to the 2018 County Budget; and

WHEREAS, an additional \$617,477.50 in unexpended funds for improvements to the County’s 800 MHz Radio System need to be reappropriated to the 2018 County Budget; and

WHEREAS, an amendment to the 2018 Saratoga County Budget is needed to reappropriate said unexpended funds; now, therefore, be it

RESOLVED, that the 2018 County Budget is amended as follows:

EMERGENCY SERVICES:

Appropriations:

Increase Acct.: #1-36-366-7031 Major Computer Items	\$ 92,027.86
Increase Acct.: #1-36-366-7051 Communication Equipment	\$1,895,126.84
Increase Acct.: #1-36-366-7080 Other Equipment	\$ 19,625.00
Increase Acct.: #1-36-366-7094 Capital Building Components	\$ 13,000.00
Increase Acct.: #1-36-366-7098 Professional Services	\$ 9,750.00
Increase Acct.: #1-36-366-8130 Architects & Engineers	\$ 8,264.00
Increase Acct.: #1-36-366-8150 Training Services	\$ 12,375.14
Increase Acct.: #1-36-366-8190 Other Professional Services	\$ 92,545.97
Increase Acct.: #1-36-366-8293 Equipment Maintenance	\$ 48,337.15
Increase Acct.: #1-36-366-8294 Equipment Repairs	\$ 194.61
Increase Acct.: #1-36-366-8520 Software	<u>\$ 112,898.23</u>
	\$2,304,144.80

Revenues:

Increase Acct.: #1-36-3306 Homeland Security	\$2,304,144.80
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 69 - 2018

Introduced by Supervisors Lent, Lawler, Ostrander, Peck, Pemrick, Szczepaniak, and Tollisen

AUTHORIZING THE USE OF THE COUNTY OF WARREN'S AGREEMENT WITH TETRA TECH INC. FOR THE PROVISION OF CONSULTANT SERVICES TO UPDATE TO THE COUNTY'S MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, pursuant to Resolution 125-08 this Board authorized a contract with Tetra Tech Engineering Corporation P.C. to provide consultant services in the drafting of a County Hazard Mitigation Plan to lessen the impact of natural disasters occurring in Saratoga County; and

WHEREAS, pursuant to Resolution 193-11 this Board adopted the Saratoga County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, the Saratoga County Multi-Jurisdictional Hazard Mitigation Plan has expired and the County is required to update the plan; and

WHEREAS, pursuant to Resolution 245-2017 this Board accepted a Federal Emergency Management Agency FY 2016 Pre-Disaster Mitigation Competitive (PDMC) Grant in the amount of \$225,000 for the term August 31, 2017 through August 30, 2019 to update the County's Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, the County of Warren has an existing contract with Tetra Tech, Inc. requiring Tetra Tech, Inc. to provide assistance to the Warren County Office of Emergency Services in program areas such as disaster/emergency planning activities, training, exercises, program development and support; and

WHEREAS, General Municipal Law §103(3) authorizes a political subdivision to contract for services through the use of a contract let to any county within the State of New York, provided the political subdivision accepts sole responsibility for any payment due the contractor or vendor, which procurement process is known as "piggybacking"; and

WHEREAS, our Public Safety Committee and the County's Director of Emergency Services have recommended that the County piggyback on the County of Warren's contract with Tetra Tech, Inc. for the purpose of Tetra Tech, Inc. providing consultant services to the County and our Office of Emergency Services to update the County's Multi-Jurisdictional Hazard Mitigation Plan, at a cost not to exceed \$163,610, for the term August 31, 2017 through August 30, 2019, being the term of the PDMC paying for this service; now, therefore be it

RESOLVED, that the Chair of the Board is authorized to execute any agreements or documents necessary for the County of Saratoga to use the County of Warren's contract with Tetra Tech, Inc. of Parsippany, New Jersey, in order that Tetra Tech, Inc. may provide consultant services to our County to update the County's Multi-Jurisdictional Hazard Mitigation Plan for the term August 31, 2017 through August 30, 2019, at a total cost not to exceed \$163,610; and, be it further

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

BUDGET IMPACT STATEMENT: None. Costs associated with this agreement are covered by a State Aid grant.

RESOLUTION 70 - 2018

Introduced by Supervisors Allen, Grattidge, Lent, Peck, Raymond, Schopf and Szczepaniak

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

WHEREAS, a Project BIN 3304740, Bridge Replacement, for CR13 (Barkersville Fayville Road) over Cadman Creek, Town of Providence, P.I.N. 1760.56 (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

NOW, THEREFORE, the Saratoga County Board of Supervisors duly convened does hereby RESOLVE, that the Saratoga County Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$159,993.00 has previously been appropriated from the County's Highway Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, Saratoga County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

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

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

RESOLVED, this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. The County's share of \$8,000 is included in the 2018 budget.

RESOLUTION 71 - 2018

Introduced by Chairman Kinowski

APPOINTING A MEMBER TO THE COMMUNITY SERVICES BOARD

WHEREAS, Mental Hygiene Law §41.11 requires the appointment of a community services board to advise a local mental hygiene director on the policies and performances of the local programs; and

WHEREAS, there are vacancies on the County's Community Services Board due to term expirations and resignations; and

WHEREAS, the Director of the Community Services Board and our Community Services Board have recommended the appointment of a new member to fill one of the vacancies; now therefore, be it

RESOLVED, that the following individual is appointed as a member of the Community Services Board for the County of Saratoga for the following term:

<u>NAME/ADDRESS</u>	<u>REPRESENTING</u>	<u>EXPIRES</u>
Paul A. Morcone 50 Brampton Lane Gansevoort, NY 12831	Mental Health	12/31/21

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 72 - 2018

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

AUTHORIZING AN AGREEMENT WITH M.M. HAYES CO., INC. FOR ANNUAL MAINTENANCE OF THE COUNTY'S EMPLOYEE TIME AND ATTENDANCE REPORTING SYSTEM HARDWARE AND SOFTWARE

WHEREAS, pursuant to Resolution 26-13 this Board authorized an agreement with M.M. Hayes Co., Inc. for the purchase, installation and maintenance of an automated employee time and attendance reporting system featuring Kronos hardware and software, together with training services, for a term of five years; and

WHEREAS, the County's maintenance agreement with M.M. Hayes Co., Inc. expired on January 31, 2018; and

WHEREAS, our Law and Finance Committee and the Director of Information Technology have recommended that the County enter into a six (6) year maintenance agreement with M.M. Hayes Co., Inc. for the Kronos hardware, Kronos software and custom software purchased by the County, which agreement provides that MM Hayes will provide a 20% discount to the County on any additional Kronos hardware, software and custom software purchased by the County throughout the six (6) year term, at a total cost of \$236,639; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with M.M. Hayes, Company, Inc. of Albany, New York for the annual maintenance of the County's Kronos automated employee time and attendance reporting system hardware, software and custom software, which agreement shall include a 20% discount on any additional Kronos hardware, software or custom software purchased by the County during the term of the agreement, for a term of six years commencing on February 1, 2018 and terminating on January 31, 2024, at a cost of \$236,639 to be paid as follows:

- 1) February 1, 2018 – January 31, 2019: \$36,539
- 2) February 1, 2019 – January 31, 2020: \$37,653
- 3) February 1, 2020 – January 31, 2021: \$38,801
- 4) February 1, 2021 – January 31, 2022: \$39,984
- 5) February 1, 2022 – January 31, 2023: \$41,203
- 6) February 1, 2023 – January 31, 2024: \$42,459

RESOLVED, that the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. Funds for 2018 services are included in the 2018 budget.

RESOLUTION 73 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Lent, Pemrick, Szczpaniak, and Wright

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDMENT TO THE AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR THE PURCHASE OF ADDITIONAL SOFTWARE MODULES FOR THE COUNTY'S NEW INTEGRATED FINANCIAL SERVICES SOFTWARE SYSTEM, AND AMENDING THE 2017 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 212-2016, this Board authorized an amendment to its agreement with Tyler Technologies, Inc. to provide for the installation and maintenance of a new financial services software system, and the provision of related professional services to include project management, implementation, maintenance, tech support and training, at a cost not to exceed \$450,000; and

WHEREAS, the County desires to purchase additional hardware, including printers and scanners, as well as software modules for the new financial management software system being designed and constructed in order to improve management of County inventory, access financial, billing and payroll forms, and improve management of financial content; and

WHEREAS, Tyler Technologies, Inc. has provided a quote to the County for the software modules requested and related fees in the amount of \$147,442; and for travel expenses in the amount of \$8,000; totaling in all \$155,442; and

WHEREAS, it is appropriate to amend the agreement with Tyler Technologies, Inc. to include the purchase of the additional software modules desired by the County, and to cover the costs of related fees,

maintenance, travel and any unanticipated expenses incurred in implementing the system, at a cost not to exceed \$156,000; and

WHEREAS, an amendment to the 2017 Saratoga County Budget is needed to effect these changes to the Tyler Technologies, Inc. contract, as well as to cover the cost of additional printer and scanners desired for the new financial management software system; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Tyler Technologies, Inc. of Troy, Michigan, for the installation and maintenance of additional software modules for the County’s new financial management software system, as well as for the payment of license, maintenance and data conversion fees and related travel expenses, at an additional cost not to exceed \$156,000, thereby increasing the contract total to \$606,000; and, be it further

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

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

GENERAL FUND

Appropriations:

Increase Acct. #1-90-920-99HN IT Infrastructure \$166,000

Revenues:

Increase Acct. #1-90-1110 Sales Tax \$166,000

IT NETWORK FUND:

Appropriations:

Increase Acct. #HN-23-100-7092 Infrastructure \$166,000

Revenues:

Increase Acct. #HN-23-5031 GF Transfer \$166,000

BUDGET IMPACT STATEMENT: None. The cost of the amended contract and related equipment will be covered by a surplus in the 2017 County share of Sales Tax revenue.

RESOLUTION 74 - 2018

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

AMENDING THE 2018 COUNTY BUDGET TO APPROPRIATE FUNDS FROM THE SARATOGA COUNTY SEWER DISTRICT NO. 1 FUND BALANCE TO PAY FOR THE COST OF EMERGENCY REPAIRS TO A PORTION OF A SEWER LINE NEAR NORTHCREST DRIVE IN THE TOWN OF CLIFTON PARK

WHEREAS, the Saratoga County Sewer District No. 1 has been experiencing problems with failing manholes and other problems in sections of a sewer line located northeast of the Northcrest Drive cul-de-sac in the Town of Clifton Park; and

WHEREAS, emergency repairs to said manholes and sewer line near Northcrest Drive have been effected, however, unforeseen conditions resulted in an additional \$400,000 being expended to cover the costs of said emergency repairs; and

WHEREAS, the Sewer District Commission passed a motion requesting that this Board approve and authorize a transfer of funds in the amount of \$400,000 from the Sewer District’s fund balance to cover the costs of said additional emergency sewer repairs near Northcrest Drive in the Town of Clifton Park; and

WHEREAS, an amendment to the 2018 Saratoga County Budget is needed to transfer said funds from the Sewer District’s fund balance; now, therefore be it

RESOLVED, that the 2018 Saratoga County Budget is amended as follows:

SEWER DISTRICT:

Appropriations:

Increase Acct.: #7-81-812-8280 Sewer Components \$400,000

Revenues:

Increase Acct.: #7-0599.M Appropriated Fund Balance

\$400,000

BUDGET IMPACT STATEMENT: The amendment will reduce the Sewer District's unappropriated fund balance by \$400,000.

RESOLUTION 75 - 2018

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

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH J&K PLUMBING AND HEATING COMPANY, INC. FOR ADDITIONAL SERVICES AND EQUIPMENT RELATED TO THE SEWER DISTRICT'S ODOR CONTROL UPGRADE PROJECT

WHEREAS, the New York State Department of Environmental Conservation is requiring Saratoga County Sewer District No. 1 to undertake certain improvements to the sludge odor control system at the Sewer District's Wastewater Treatment Plant in order to bring the odor control system into compliance with the Treatment Plant's Title V air emissions permit; and

WHEREAS, pursuant to Resolution 169-2017, this Board authorized an agreement with J&K Plumbing and Heating Co., Inc. for HVAC construction services for Saratoga County Sewer District No. 1's "Odor Control Upgrades" project at a cost of \$1,418,000; and

WHEREAS, additional costs incurred in exhaust fan upsizing required a change order in the amount of \$72,594, and were approved by the Executive Director of the Sewer District and the Saratoga County Sewer District Commission pursuant to their authority to approve change orders in an amount up to 10% of the original contract amount; and

WHEREAS, in the course of installing the odor control upgrades, it became apparent that J&K Plumbing and Heating Co., Inc. would need to perform additional unanticipated work, including installing ten (10) circulator pumps, removing and replacing a small boiler, and installing ancillary piping, at a cost of \$161,371; and

WHEREAS, the Saratoga County Sewer District Commission and the Executive Director of the Sewer District have recommended that the contract with J&K Plumbing and Heating Co., Inc. be amended to authorize the installation of said circulator pumps, small boiler and ancillary piping at a cost of \$161,371; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the agreement with J&K Plumbing and Heating, Inc. of Binghamton, New York for the provision of additional HVAC construction services for Saratoga County Sewer District No. 1's "Odor Control Upgrades" project, to include the installation of ten (10) circulator pumps, a small boiler, and ancillary piping, at an additional cost of \$161,371, thereby increasing the total contract amount to \$1,651,965; and be it further

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

BUDGET IMPACT STATEMENT: None. Funds to cover these additional costs are included in the Sewer District's 2018 budget.

RESOLUTION 76 - 2018

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

AMENDING THE 2018 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO CAPITAL AND OTHER 2017 SARATOGA COUNTY SEWER DISTRICT NO. 1 PROJECTS

WHEREAS, unexpended 2017 funds for Saratoga County Sewer District No. 1's capital and other 2017 projects in the amounts of \$3,484,547 need to be reappropriated to the 2018 budget in order to complete the balance of work related to said projects in 2018; now, therefore, be it

RESOLVED, that the 2018 Saratoga County Budget is amended as follows:

SEWER DISTRICT:

Appropriations:

Increase Acct.: #7-81-812-7092 Infrastructure	\$1,310,579
Increase Acct.: #7-81-812-7098 Professional Services	\$ 85,126
Increase Acct.: #7-81-813-7095 Capital Equipment	\$1,592,508
Increase Acct.: #7-81-813-7098 Professional Services	<u>\$ 496,334</u>
	\$3,484,547

Revenues:

Increase Acct.: #7-0599.M Appropriated Fund Balance	\$3,484,547
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BUDGET IMPACT STATEMENT: The amendment will reduce the Sewer District’s unappropriated fund balance by \$3,484,547.

RESOLUTION 77 - 2018

Introduced by Supervisors Veitch, Barrett, Grattidge, Johnson, Lawler, Ostrander, and Richardson

APPROVING AMENDMENTS TO THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #2 AND AUTHORIZING ISSUANCE OF A NEGATIVE DECLARATION UNDER SEQRA

WHEREAS, New York State Agricultural and Markets Law Article 25-AA allows landowners with viable agricultural lands to petition the County Board of Supervisors to be included in agricultural districts; and

WHEREAS, pursuant to Resolution 133-98, this Board of Supervisors approved the consolidation of Saratoga County Agricultural Districts #2, #5 and #6 into Saratoga County Consolidated Agricultural District #2 within the Towns of Ballston, Charlton, Clifton Park, Galway, Malta, and Milton, and the City of Saratoga Springs; and

WHEREAS, the Board of Supervisors has received a petition from Ryan Wolpert and Tamara Baroody, landowners in the City of Saratoga Springs, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 35 acres of predominately viable agricultural land along NYS Route 29 and Ruggles Road dedicated to the boarding of police horses and other equine, and the production of fruits and vegetables, identified as Tax Parcel #167.-1-70; and

WHEREAS, the Board of Supervisors has received a petition from David Avenarius, landowner in the Town of Malta, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 41.51 acres of predominately viable agricultural land along Malta Avenue Extension dedicated to the raising of beef cows and bees, and the production of eggs and lumber, identified as Tax Parcels #205.-1-11 and #205.-1-2.2; and

WHEREAS, the Board of Supervisors has received a petition from David Avenarius and Karen Avenarius, landowners in the Town of Malta, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 23.23 acres of predominately viable agricultural land along Nelson Avenue Extension also dedicated to the raising of beef cows and bees, and the production of eggs and lumber, identified as Tax Parcel #205.-1-51; and

WHEREAS, the Board of Supervisors has received a petition from Pitney Meadows Community Farm, Inc., landowner in the City of Saratoga Springs, to include within the boundaries of Saratoga County Consolidated Agricultural District #2 approximately 166.32 acres of predominately viable agricultural land along West Avenue dedicated to a community garden, the production of vegetables, and the planned production of hay, identified as Tax Parcels #178.-1-49.1 and #178.-1-22; and

WHEREAS, the Saratoga County Agricultural and Farmland Protection Board has submitted a report to the Board of Supervisors recommending the inclusion of the respective lands of Ryan Wolpert and Tamara Baroody, David Avenarius, David Avenarius and Karen Avenarius, and Pitney Meadows Community Farms, Inc. within the boundaries of Saratoga County Consolidated Agricultural District #2; and

WHEREAS, pursuant to Agriculture and Markets Law §303-b(3) and Resolution 24-2018, this Board of Supervisors held a public hearing on February 14, 2018 to consider the petitions for inclusion and the recommendations of the Saratoga County Agricultural and Farmland Protection Board, at which public hearing there were no objections raised to said petitions; and

WHEREAS, the proposed modifications of Saratoga County Consolidated Agricultural District #2 (“Project”) are an Unlisted Action subject to the requirements of the State Environment Quality Review Act (SEQRA) pursuant to 6 NYCRR Part 617; and

WHEREAS, the Saratoga County Board of Supervisors has reviewed the proposed Project, as well as Parts 1, 2 and 3 of a Short Environmental Assessment form prepared for the Project and the proposed responses thereto; now, therefore, be it

RESOLVED, that based upon the Project as proposed and the responses set forth in Parts 2 and 3 of the Short Environmental Assessment form prepared for the Project, the Saratoga County Board of Supervisors hereby determines that the Project will not have a significant impact upon the environment; and be it further

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

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

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

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the inclusion of the lands of Ryan Wolpert and Tamara Barody consisting of 35 ± acres along NYS Route 29 and Ruggles Road in the City of Saratoga Springs, identified as Tax Parcels #167.-1-70, into Saratoga County Consolidated Agricultural District #2; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the inclusion of the lands of David Avenarius, consisting of 41.51 ± acres along Malta Avenue Extension in the Town of Malta, identified as Tax Parcel #205.-1-11 and #205.-1-2.2, into Saratoga County Consolidated Agricultural District #2; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the inclusion of the lands of David Avenarius and Karen Avenarius, consisting of 23.23 ± acres along Nelson Avenue Extension in the Town of Malta, identified as Tax Parcel #205.-1-51, into Saratoga County Consolidated Agricultural District #2; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the inclusion of the lands of Pitney Meadows Community Farm, Inc., consisting of 166.32 ± acres along West Avenue in the City of Saratoga Springs, identified as Tax Parcels #178.1-1-49.1 and #178.-1-22, into Saratoga County Consolidated Agricultural District #2.

BUDGET IMPACT STATEMENT: No budget impact.

On a motion by Mr. Veitch, seconded by Mr. Lent, Resolution No. 78 was adopted by the following vote:

AYES (176207): Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Paul Lent (3545), Arthur M. Wright (2048), Kevin Tollisen (21,535), Vincent DeLucia (14765), Thomas Richardson (5196), Scott Ostrander (18575), Theodore Kusnierz (14728), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Matthew Veitch (13293), Edward D. Kinowski (8287), Arthur J. Johnson (16173).

NOES (43400): Timothy Szczepaniak (9776), Alan Grattidge (4133), Daniel Pemrick (7775), Tara Gaston (13293), John Lawler (8423).

RESOLUTION 78 - 2018

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

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2018 ENTITLED “A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON THE COUNTY OF SARATOGA A PUBLIC NUISANCE AND ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY’S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC”

WHEREAS, Resolution 40-2018 introduced and presented a proposed Local Law identified as Introductory No. 1, Print No. 1 of 2018, to this Board of Supervisors and scheduled a public hearing thereon for February 14, 2018 at 4:28 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 27th day of February, 2018 hereby adopts a Local Law identified as Introductory No. 1, Print No. 1 of 2018, as set forth in the annexed Schedule A, which once filed with the Secretary of State of the State of New York shall be known as Local Law No. 1 of 2018.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A

INTRODUCTORY NO. 1

PRINT NO.1 OF 2018

INTRODUCED BY: Supervisors Tollisen, Allen, DeLucia, Lent, Pemrick, Szczepaniak, and Wright

COUNTY OF SARATOGA - LOCAL LAW NO. 1 of 2018

A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON THE COUNTY OF SARATOGA A PUBLIC NUISANCE, AND ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY'S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC

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

SECTION 1. TITLE

This Local Law shall be known as "A LOCAL LAW DECLARING THE OPIOID EPIDEMIC AND ITS EFFECTS ON THE COUNTY OF SARATOGA A PUBLIC NUISANCE, AND ESTABLISHING A COST RECOVERY PROCEDURE FOR THE COUNTY'S EXPENDITURES INCURRED IN PROVIDING SERVICES RELATED TO THE OPIOID EPIDEMIC".

SECTION 2. PURPOSE AND INTENT

The opioid epidemic is sweeping the country. Indeed, addiction to and abuse of opioids is one of the greatest challenges facing the County of Saratoga, New York (the "County"). A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioids were sold, distributed, and prescribed in the County over the past several years, a practice that continues today. The selling, distributing, and prescribing of large amounts of opioids in our community has created a public health and safety hazard affecting the residents of the County. This crisis has devastated families, wreaked havoc on our economy, and produced a generation of narcotic dependence. As a result of the opioid epidemic, costs related to healthcare, family and social services, criminal justice, addiction and rehabilitation, and many other areas have significantly increased. Many of these costs are paid by the County.

The purpose and intent of this Local Law is to allow the County to recover these costs, despite the existence of the common-law municipal cost recovery rule (a.k.a. free public services doctrine) and declare the opioid epidemic and its effects on the County a public nuisance. Specifically, the County provides services related to the opioid epidemic, which are funded by tax revenues. This statute clarifies that reimbursement may be sought for the costs of providing such services, whenever practicable, from the responsible party. To accomplish this, the County establishes this cost recovery procedure and declares the opioid epidemic and its effects on the County a public nuisance.

SECTION 3. DEFINITIONS

“Costs” means all expenditures related to the opioid epidemic that directly or indirectly arise from the County’s response to a responsible party’s action or inaction.

“Responsible party” means any person or corporation whose negligent, intentional, or otherwise wrongful conduct causes the incident resulting in the County incurring costs or who is found liable or made responsible by a court for the costs incurred by the County in the form of damages, regardless of the cause of action.

SECTION 4. GOVERNMENTAL FUNCTION COST RECOVERY

The County may recover the costs of governmental functions related to opioids marketed, sold, manufactured, dispensed, prescribed, and/or distributed by the responsible party. If a responsible party fails to pay the costs demanded, the County may initiate and recover costs through administrative, civil, and/or criminal action against the responsible party. In that case, the County may also recover attorney’s fees, interest, and any other payment or type of damages the court deems proper.

SECTION 5. EFFECT OF CRIMINAL OR CIVIL PROCEEDINGS ON GOVERNMENTAL FUNCTION COST RECOVERY

The initiation of administrative or civil proceedings for governmental function cost recovery does not bar the criminal prosecution of a responsible party for any associated violation. Similarly, criminal prosecution does not bar civil collection of costs for the violation giving rise to the criminal prosecution.

SECTION 6. PUBLIC NUISANCE

The County hereby finds and declares the following:

- 1) That addiction to and abuse of opioids is one of the greatest challenges facing the County;
- 2) A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioid pain pills were sold, distributed and prescribed in the County over the past several years which practice continues today;
- 3) There is evidence showing that approximately four in five heroin users began their addiction by first using and then misusing prescription pain medications containing opioids;
- 4) The selling, distributing, and prescribing of large amounts of opioid pain pills in the County has created a public health and safety hazard affecting the residents of the County, resulting in devastation to County families, a negative effect on the County economy, wasted public resources, and a generation of narcotic dependence;
- 5) That selling, distributing, and prescribing of prescription opioid pain pills is a hazard to public health and safety, which has created a public nuisance to the citizens of the County, and said nuisance remains unabated;
- 6) That, in addition to all other powers and duties now conferred by law upon the County, the County is authorized to enact ordinances, issue orders, and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the Saratoga County Board of Supervisors determines to be a public nuisance;
- 7) That manufacturers of prescription opioids and those in the chain of distribution have wrongfully abused the privilege of selling and/or providing medication to our residents and must be held accountable; and
- 8) That it is the duty of the County to vindicate the rights of the citizens of the County and take action to abate this public nuisance.

SECTION 7. RETROACTIVE APPLICATION

This Local Law shall apply retroactively.

SECTION 8. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, or business shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its specific application.

SECTION 9. EFFECTIVE DATE

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

RESOLUTION 79 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Lent, Pemrick, Szczepniak, and Wright

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR THE COUNTY'S PARTICIPATION IN THE STATE SEPTIC SYSTEM REPLACEMENT PROGRAM

WHEREAS, the New York State Clean Water Infrastructure Act of 2017 established the Septic System Replacement Fund ("the Fund") to provide property owners a source of funding for the replacement of failing cesspools and septic systems servicing residences and small businesses in New York State; and

WHEREAS, the State Septic System Replacement Program ("the Program") is a grant program that seeks to reduce the environmental and public health impacts associated with the discharge of effluent from cesspools and septic systems on groundwater used as drinking water, as well as threatened or impaired waterbodies; and

WHEREAS, the New York State Department of Environmental Conservation and the New York State Department of Health have determined priority geographic areas in the State where the Program will provide grants for eligible septic system projects, and Saratoga County has been identified as a priority geographic area; and

WHEREAS, eligible septic system projects include: 1) the replacement of a cesspool with a septic system; and 2) the installation, replacement or upgrade of a septic system or septic system components, or installation of enhanced treatment technologies, including an advanced nitrogen removal system; and

WHEREAS, under the Program, counties located in priority geographic areas can access monies from the Fund to provide grants to reimburse property owners for up to fifty percent (50%) of the eligible costs, up to a maximum of \$10,000, of their eligible septic system projects; and

WHEREAS, counties participating in the Program must notify owners of properties served by septic systems that they could be eligible for financial assistance from the Program; and once notified, interested property owners would need to apply to the participating county for a grant from the Program; and

WHEREAS, if the County of Saratoga were to participate in the Program, it would be eligible to distribute grants to property owners up to a maximum aggregate amount of \$150,000; and

WHEREAS, the Saratoga County Soil and Water Conservation District has recommended that the County participate in the State Septic System Replacement Program, and it is willing to administer the Program on the County's behalf, and

WHEREAS, the County's participation in the Program would be at no appreciable cost to the County; now, therefore, be it

RESOLVED, that the Board of Supervisors of the County of Saratoga hereby authorizes the County of Saratoga to participate in the State Septic System Replacement Program; and, be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute a County Participation Agreement with the New York State Environmental Facilities Corporation authorizing the County of Saratoga's participation in the State Septic System Replacement Program for the term March 1, 2018 through December 31, 2022, which Agreement shall be subject to the approval of the County Attorney as to form and content.

BUDGET IMPACT STATEMENT: No budget impact.

Chairman Kinowski announced the following appointments:

Office for the Aging Advisory Council
Manoj Ajmera, Town of Clifton Park
Barbara Broderson, Town of Milton
Barbara Thomas, City of Saratoga Springs
(term expiring 12/31/2018)

Hudson River PCB Superfund Site Community Advisory Group

Ed Kinowski
Tom Richardson
David Adams
Kevin Tollisen (Alternate)
Jack Lawler (Alternate)
Tom Wood (Alternate)
(term expiring 12/31/2019)

Youth Advisory Board
Meg Stevens, Town of Milton
(term expiring 12/31/2018)

Chairman Kinowski welcomed Allison Hargrave to the Planning Department.

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

Respectfully submitted,

Pamela Wright, Clerk