

AGENDA SESSION
September 12, 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, Preston Allen, Jean Raymond, Michael Smith, Daniel Pemrick, Arthur Wright, Kevin Tollisen, Vincent DeLucia, Thomas Richardson, Theodore Kusnierz, Scott Ostrander, Willard H. Peck, Sandra Winney, Thomas N. Wood, III, Tara N. Gaston, Matthew Veitch, John Lawler, Arthur J. Johnson – 20. ABSENT - Jonathon Schopf, Richard Lucia, Edward D. Kinowski, – 3.

On a motion by Mr. Wood, seconded by Mr. Peck the minutes of the August 15, 2018 meeting were unanimously approved.

Mr. Tollisen asked for a motion to accept the agenda for the September 18, 2018 Board meeting as presented and approved by the Law and Finance Committee prior to this meeting. The motion was made by Mr. Peck and seconded by Mr. Richardson. Unanimous.

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

Respectfully submitted,

Therese Connolly
Deputy Clerk of the Board

PROPOSED RESOLUTIONS

ECONOMIC DEVELOPMENT

Authorizing a contract with Peter Luizzi & Bros. Contracting in the amount of \$4,831,559.10 for construction services associated with improvements to the Zim Smith Trail system.

Authorizing a contract with GPI in the amount of \$597,700 for construction administration services associated with improvements to the Zim Smith Trail.

Authorizing a contract with CHA in the amount of \$45,000 for construction administration services associated with improvements to the Champlain Canalway Trail.

Authorizing a contract with G and T Enterprises for timber harvesting services in the amount of \$35,500.29.

Declaring October as Manufacturing Month in Saratoga County.

REAL PROPERTY TAX

Authorizing acceptance of a tender offer for 1 parcel in the Town of Milton in the amount of \$13,642.18.

Requiring Borrego Solar Systems, Inc. to enter into a PILOT Agreement for a Solar Energy System to be constructed on Tax Parcel #276.-2-30.1 in the Town of Clifton Park.

PUBLIC SAFETY

Authorizing a contract with the Rural Law Center of NY for appellate attorney services in an amount not to exceed \$85,000.

Accepting a 2018 NYS Homeland Security Program Grant in the amount of \$217,437 and amending the budget in relation thereto.

BUILDINGS & GROUNDS

Authorizing a contract with Morton Building Inc. in the amount of \$122,715 to provide and construct a pre-engineered storage building at the Sheriff's Department.

LAW & FINANCE

Authorizing an agreement with Bond, Schoeneck and King for professional legal services relative to the issuance of bonds in an amount not to exceed \$24,105,000 associated with the County's Public Safety Facility project.

Authorizing the issuance of \$24,105,000 in serial bonds to finance the cost of constructing a new public safety facility.

Authorizing an amendment to the contract with Barton and Loguidice in the amount of \$32,200 for additional engineering services associated with the Sewer District's ammonia capacity analysis and aeration system upgrade project.

Authorizing a contract with General Controls in the amount of \$156,475 for services associated with the Sewer District's SCADA upgrade project at the treatment plant.

Authorizing an amendment to the County's Policies and Procedures manual to update the voucher audit procedure.

REGULAR MEETING
TUESDAY, SEPTEMBER 18, 2018
AT 4:00 p.m., E.S.T.

Chairman Kinowski called the meeting to order.

Roll call was taken. PRESENT – Timothy Szczepaniak, Alan Grattidge, Philip C. Barrett, Jonathon Schopf, Richard Lucia, Preston Allen, Jean Raymond, Michael Smith, Daniel Pemrick, 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, John Lawler, Arthur J. Johnson – 23. ABSENT – 0.

On a motion by Mr. Allen, seconded by Mr. Peck the minutes of the August 21, 2018 meeting were unanimously approved.

The Clerk presented the following:

Letter from the Saratoga County Water Authority providing their 2019 Approved Budget.

Received and Filed

Letter from Momentive Performance Materials notifying the Board they were granted temporary authorization for a procedure to clean a hazardous waste tank in preparation for a scheduled internal inspection.

Received and Filed

Reports of Committee

Mr. Wright, Veterans Committee Chair, reported on the Veterans Concert that was held on Monday, September 5th. He said the day was at least 100 degrees with very high humidity; and, even with that temperature there were about 2,000 attendees. Mr. Wright thanked his colleagues who attended, Pam & Therese, Frank & his staff and all others who came out to help. He added the event was a great success and looks forward to the County hosting another concert.

On a motion by Mr. DeLucia, seconded by Mr. Lucia Resolutions 198 through 212 were adopted by a unanimous vote. It should be noted that Mr. Schopf recused himself on Resolutions 204 and 210; Mr. Tollisen recused himself from Resolution 205.

RESOLUTION 198 - 2018

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

AUTHORIZING A CONSTRUCTION AGREEMENT WITH PETER LUIZZI & BROS. CONTRACTING, INC. FOR THE CONSTRUCTION OF THE SOUTHERN EXTENSION OF THE ZIM SMITH TRAIL AND VARIOUS IMPROVEMENTS TO THE CURRENT TRAIL

WHEREAS, pursuant to Resolution 168-11, this Board approved a proposed project to extend the Zim Smith Trail from Coons Crossing Road in the Town of Halfmoon to the City of Mechanicville; and

WHEREAS, pursuant to Resolution 34-2015, as amended by Resolution 144-2017, the County entered into an agreement with Greenman-Pedersen, Inc. ("GPI") to provide engineering services for design, survey work, permitting and rights of way acquisition services related to the southern extension of the Zim Smith Trail from Coons Crossing Road to the City of Mechanicville, and the making of improvements to the current Trail to include

paving all unpaved sections of the Trail, expanding and paving the parking lot in the Village of Round Lake, constructing bathroom facilities, and adding a park area at Coons Crossing; and

WHEREAS, pursuant to specifications prepared by GPI, competitive bids for the construction work were solicited and opened on September 7, 2018; and

WHEREAS, our Economic Development Committee and Greenman-Pedersen, Inc. have recommended the award of the Zim Smith Trail construction contract to Peter Luizzi & Bros. Contracting, Inc., the lowest complying bidder, at a cost of \$4,831,559.10; and

WHEREAS, such award requires the approval of this Board of Supervisors; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute an agreement with Peter Luizzi & Bros. Contracting, Inc. of Albany, New York, for general construction services for the construction of the southern extension of the Zim Smith Trail from Coons Crossing Road in the Town of Halfmoon to the City of Mechanicville, and the construction of various improvements to the current Trail, at a cost of \$4,831,559.10, with the form and content of such agreement to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that Supervisors Matthew Veitch, Phil Barrett and Scott Ostrander be and hereby are appointed as Change Order Committee for this project, and authorized to approve and sign change orders for this contract up to 10% of the above amount.

BUDGET IMPACT STATEMENT: None. Funds for this contract are available in the Zim Smith Capital account.

RESOLUTION 199 - 2018

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH GREENMAN PEDERSEN, INC. FOR CONSTRUCTION ADMINISTRATION, CONSTRUCTION SUPPORT AND INSPECTION SERVICES RELATED TO THE CONSTRUCTION OF THE SOUTHERN EXTENSION OF THE ZIM SMITH TRAIL AND VARIOUS IMPROVEMENTS TO THE CURRENT TRAIL

WHEREAS, pursuant to Resolution 34-2015, as amended by Resolution 144-2017, the County entered into an agreement with Greenman-Pedersen, Inc. ("GPI") to provide engineering services for the design, survey work, permitting and rights of way acquisition related to the southern extension of the Zim Smith Trail from Coons Crossing in the Town of Halfmoon to the City of Mechanicville, and the making of improvements to the current Trail to include paving all unpaved sections of the Trail, expanding and paving the parking lot in the Village of Round Lake, constructing bathroom facilities, and adding a park area at Coons Crossing

WHEREAS, GPI has completed all services to be rendered pursuant to said agreement; and

WHEREAS, pursuant to Resolution 198-2018, the County awarded a contract for the provision of construction services for the construction of the southern extension to the Zim Smith Trail and the construction of various improvements to the current Trail to Peter Luizzi & Brothers Contract, Inc.; and

WHEREAS, the County is authorized to contract with those consultants designated by the New York State Department of Transportation (NYSDOT) to provide services for locally administered federal and/or state-aided municipal highway, bridge and related projects that require architectural/engineering/surveying services in NYSDOT Region 1, and GPI has been so designated by NYSDOT; and

WHEREAS, GPI has submitted a proposal for construction administration, construction support, and inspection services for the construction of the southern extension of the Zim Smith Trail and the construction of various improvements to the current Trail, at a cost not to exceed \$597,700; and

WHEREAS, our Economic Development Committee and the Director of Planning have recommended that the proposal of Greenman-Pedersen, Inc. for construction administration, construction support, and inspection services, at a cost not to exceed \$597,700, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Greenman-Pedersen, Inc. of Albany, New York for the provision of construction administration, construction support, and inspection services for the planned southern extension of the Zim Smith Trail from Coons Crossing in the Town of Halfmoon to the City of Mechanicville, and the construction of various improvements to the current Trail, at a cost not to exceed \$597,700, with the form and content of such agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. Funds for this contract are available in the Zim Smith Capital account.

RESOLUTION 200 - 2018

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CHA CONSULTING, INC. FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES RELATED TO THE CONSTRUCTION OF A 1.2 MILE SECTION OF THE CHAMPLAIN CANALWAY TRAIL IN THE TOWN OF WATERFORD, AND AMENDING THE 2018 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 174-2018, this Board of Supervisors authorized a cooperative agreement with the Greenway Conservancy for the Hudson River Valley, Inc. providing for the County to act as contract administrator and project manager for the construction of a 1.2-mile section of the Champlain Canalway Trail as part of the Empire State Trail initiative over lands of the City of Mechanicville and Town of Waterford; and

WHEREAS, the 1.2-mile section of Champlain Canalway Trail to be constructed originates in the Town of Waterford near a remnant of the Old Canal wall/lock (Lock 5) and terminates at the Town of Waterford/Town of Halfmoon town line; and

WHEREAS, through a competitive proposal process, the Greenway Conservancy for the Hudson River Valley, Inc. previously retained CHA Consulting, Inc. to prepare the original professional engineering design work for the Champlain Canalway Trail; and

WHEREAS, the County is authorized to contract with those consultants designated by the New York State Department of Transportation (NYSDOT) to provide services for locally administered federal and/or state-aided municipal highway, bridge and related projects that require architectural/engineering/surveying services in NYSDOT Region 1, and CHA Consulting, Inc. has been so designated by NYSDOT; and

WHEREAS, CHA Consulting, Inc. submitted a proposal for the provision of construction administration and inspection services for the construction of the 1.2-mile section of the Champlain Canalway Trail, which services include, but are not limited to: preparation of contract documents, bidding services, and construction administration and inspection services, at a cost of \$45,000; and

WHEREAS, our Economic Development Committee and the Director of Planning have recommended that the proposal of CHA Consulting, Inc. for the provision of professional engineering construction bid phase, administration and inspection services at a cost not to exceed \$45,000, be accepted; and

WHEREAS, the costs incurred by the County pursuant to this contract with CHA Consulting, Inc. will be reimbursed by the Greenway Conservancy for the Hudson Valley, Inc. now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with CHA Consulting, Inc. of Albany, New York for the provision of construction bid phase, administration and inspection services for the construction of a 1.2 mile section of the Champlain Canalway Trail in the Town of Waterford, for the term October 1, 2018 through December 31, 2019, at a cost not to exceed \$45,000, with the form and content of such agreement to be subject to the approval of the County Attorney; and, be it further

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

PLANNING

Appropriations:

Increase Acct.: # A.80.000-7098 Professional Services	\$ 45,000
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Revenues:

Increase Acct.: # A.80-2770 Unclassified Revenue	\$ 45,000
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BUDGET IMPACT STATEMENT: None. Costs associated with this project are grant funded through the Greenway Conservancy for the Hudson Valley, Inc.

RESOLUTION 201 - 2018

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

AUTHORIZING A LOGGING REVENUE AGREEMENT WITH DANIEL GALUSHA D/B/A G&T ENTERPRISES FOR A TIMBER HARVEST ON A COUNTY-OWNED PARCEL IN THE TOWN OF CORINTH

WHEREAS, the County owns a parcel of forest land located within the Town of Corinth off Rte. 9N, which has been inventoried and selected for harvest in accordance with the County's Forestry Management Plan; and

WHEREAS, said parcel is known and designated as Tax Parcel #73.-2-4 and contains approximately 24 +/- acres of harvest area; and

WHEREAS, said parcel has not been harvested in the past due to the parcel being landlocked with no viable option for access to the parcel; and

WHEREAS, through the County's Tax Foreclosure proceedings, the County has acquired a parcel of land adjacent to the aforementioned parcel of land designated for harvesting; and

WHEREAS, the adjacent parcel has been removed from the September auction list so that the County may access the forest land designated for harvest and secure a right-of-way for future access; and

WHEREAS, bids were solicited for the harvesting of the timber, and Daniel Galusha d/b/a G&T Enterprises was the only bidder for this harvest; and

WHEREAS, if this bid is accepted, it is estimated that the County will receive approximately \$35,500.29 in revenue for the timber logged; and

WHEREAS, the acceptance of the bid requires the approval of this Board; now, therefore, be it

RESOLVED, that the Chairman of the Board execute an agreement with Daniel Galusha d/b/a G&T Enterprises of Johnsburg, New York, for the selective harvesting of timber on approximately 24 +/- acres of County forest land in the Town of Corinth, identified herein as Route 9N Tract, whereby the contractor will pay the County for harvested timber at rates of \$6.25 per cord for Pine Pulpwood; \$178 per thousand board feet for Red Pine Saw Timber; and \$181 per thousand board feet for White Pine Saw Timber; and, be it further

RESOLVED, that the foregoing agreement shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 202 - 2018

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

PROCLAIMING OCTOBER 2018 AS "MANUFACTURING MONTH" IN SARATOGA COUNTY

WHEREAS, for generations, manufacturing has played a critical role in Saratoga County's diverse economy; and

WHEREAS, 140 manufacturing companies are located in Saratoga County; and

WHEREAS, the manufacturing companies located in Saratoga County account for 8,108 jobs; and

WHEREAS, the annual wage paid for a manufacturing job in Saratoga County averages \$88,463 contributing to a Gross Annual Payroll for manufacturing of \$717,262,595 to the economies of the Cities, Towns and Villages in Saratoga County; and

WHEREAS, while today's global market is increasingly competitive and challenging for all manufacturing companies, Saratoga County is witnessing an increase in the growth and expansion of manufacturing in many areas – from cutting-edge semi-conductor technology and microelectronics to the food, wine, beer and spirits industry; and

WHEREAS, manufacturers are continually developing new and improved products and achieving groundbreaking advancement that bear the hallmarks of innovative thinking and inspired vision; and

WHEREAS, the existence of these manufacturing companies in Saratoga County creates a demand for other industry and services; and

WHEREAS, the Saratoga County Board of Supervisors recognizes the critical importance of the manufacturing community in providing momentum as we work to build a more robust and invigorated economy in our County; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors, and Edward D. Kinowski, Chairman, do hereby proclaim the month of October 2018 as “Manufacturing Month” in Saratoga County, and further express their sincere appreciation and congratulations to all manufacturing companies in Saratoga County for their invaluable contributions towards building and sustaining our County’s vibrant economy.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 203 - 2018

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

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

WHEREAS, unpaid taxes resulted in the County's acquisition of certain lands in various towns; and
 WHEREAS, a former owner has requested the pre-auction conveyance of one said parcel in consideration of the payment of an amount equal to the unpaid taxes, penalties, interest and charges; and

WHEREAS, our Real Property Tax Committee recommends the approval of this request; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors convey by quitclaim deed to the following party or its designee, the lands described below, upon payment of the indicated amount, which includes penalties, interest and charges:

CONVEY TO:	TAX YEAR	TOWN	S/B/L	AMOUNT .
Walter M. Wojtowecz & Jared L. Wojtowecz 1040 Middle Line Road Ballston Spa, NY 12020	2015, 2016 2017 & 2018	Milton	189.-2-36.1	\$13,642.18

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

RESOLUTION 204 - 2018

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

REQUIRING BORREGO SOLAR ENERGY SYSTEMS, INC. TO ENTER INTO A PILOT AGREEMENT FOR A SOLAR ENERGY SYSTEM TO BE CONSTRUCTED ON TAX PARCEL #276.-2-30.1 IN THE TOWN OF CLIFTON PARK

WHEREAS, Real Property Tax Law §487(2) provides that real property which includes a solar energy system shall be exempt from taxation to the extent of any increase in the value of the property by reason of the inclusion of such solar energy system for a period of fifteen (15) years; and

WHEREAS, Real Property Tax Law §487(8) authorizes a county to adopt a local law providing that the tax exemption set forth in Real Property Tax Law §487(2) shall not be applicable to any solar energy systems constructed within its jurisdiction; and

WHEREAS, Real Property Tax Law §487(9) provides that a county which has not acted pursuant to RPTL §478(8) to remove the real property tax exemption set forth in RPTL §478(2), may require the owner of real property which includes a solar energy system to enter into a contract for payments in lieu of taxes (“PILOT”) obligating such owner or developer to make annual payments to the county in an amount not to exceed the amount of the taxes that would otherwise be payable but for the foregoing real property tax exemption, for a term of up to fifteen (15) years; and

WHEREAS, RPTL §478(9)(a) provides that if the owner or developer of a solar energy system provides written notification to a taxing jurisdiction of its intent to construct a such a system, then in order to require the owner or developer of such system to enter into a PILOT agreement, the taxing jurisdiction must notify such

owner or developer of the taxing jurisdiction's intent to require the owner or developer to enter into a PILOT agreement within sixty (60) days of receiving such written notification from the owner or developer; and

WHEREAS, Borrego Solar Energy Systems, Inc. filed a notice with the County pursuant to RPTL §487(9)(a) on July 24, 2018 advising of its intent to construct a solar energy system on the lands of Duane R. Lindsey at 753 Grooms Road, in the Town of Clifton Park, identified on the County's real property tax maps as Tax Parcel #276.-2-30.1; and

WHEREAS, the exact wattage to be produced by the solar energy system proposed by Borrego Solar Energy Systems, Inc. is being determined by a utility study undertaken by National Grid, which study is projected to be completed sometime in October 2018; and

WHEREAS, the New York State Energy Research and Development Authority ("NYSERDA") has developed a Solar Energy Systems PILOT Calculator to assist taxing jurisdictions in calculating appropriate PILOT payments based on the wattage projected to be produced by the proposed solar energy system; and

WHEREAS, our Real Property Tax Committee has recommended that this Board require Borrego Solar Energy Systems, Inc. to enter into a PILOT agreement with the County for its solar energy system project proposed for the lands of Duane R. Lindsey at 753 Grooms Road, in the Town of Clifton Park, for a term of fifteen (15) years, with the amount of the annual PILOT payment to be determined pursuant to NYSERDA's solar energy system PILOT calculator based on the wattage to be produced by the proposed solar energy system as determined by National Grid's utility study; now, therefore, be it

RESOLVED, that pursuant to Real Property Tax Law §487(9)(a), Borrego Solar Energy Systems, Inc. is hereby required to enter into a PILOT agreement with the County of Saratoga for its solar energy system project proposed for the lands of Duane R. Lindsey at 753 Grooms Road, in the Town of Clifton Park, Tax Parcel #276.-2-30.1, for a term of fifteen (15) years, with the amount of the annual PILOT payment to be determined pursuant to NYSERDA's solar energy system PILOT calculator based on the wattage to be produced by the proposed solar energy system as determined by National Grid's utility study for the project; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute such PILOT agreement with Borrego Solar Energy Systems, Inc. of New York, New York, with the form and content of such PILOT agreement to be subject to the approval of the County Attorney; and be it further

RESOLVED, the Clerk of this Board shall forward a certified copy of this resolution by express mail to Borrego Solar Energy Systems, Inc., 1460 Broadway, New York, NY, 10036; Attention: Lindsey McEntire, NY Project Development.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 205 - 2018

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE RURAL LAW CENTER OF NEW YORK, INC. TO PROVIDE APPELLATE SERVICES TO CLIENTS OF THE OFFICES OF THE PUBLIC DEFENDER AND THE CONFLICT DEFENDER

WHEREAS, pursuant to Resolution 193-2014, this Board authorized the acceptance of a grant from the New York State Office of Indigent Legal Services in the amount of \$211,602 to improve the quality of indigent legal services rendered by Saratoga County; and

WHEREAS, pursuant to Resolution 85-2016, this Board authorized the appointment of Brian Quinn, Esq. as Saratoga County Appellate Defender, a part-time contract position, to provide appellate attorney services to clients of the Public Defender's Office and the Conflict Defender's Office, which position is partially funded by said grant; and

WHEREAS, Brian Quinn has resigned from the position as Saratoga County Appellate Defender, and the Saratoga County Public Defender wishes to enter into a contract with The Rural Law Center of New York, Inc. for the provision of appellate legal services to indigent litigants in both Criminal Court and Family Court for the term October 1, 2018 through September 30, 2019 at a cost of \$2,250 per appeal, \$4,500 per appeal with court transcripts exceeding 2,000 pages, with total costs not to exceed \$85,000; and

WHEREAS, our Public Safety Committee and the Saratoga County Public Defender have recommended that the County enter into an agreement with The Rural Law Center of New York, Inc. for the provision of

appellate legal services for the term October 1, 2018 through September 30, 2019, at a cost of \$2,250 per appeal, \$4,500 per appeal with court transcripts exceeding 2,000 pages, with total costs not to exceed \$85,000; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to enter into a Memorandum of Understanding with The Rural Law Center of New York, Inc. for the provision of appellate legal services to clients of the Office of the Saratoga County Public Defender and the Saratoga County Conflict Defender for the term October 1, 2018 through September 30, 2019 at a cost of \$2,250 per appeal, \$4,500 per appeal with court transcripts exceeding 2,000 pages, with total costs not to exceed \$85,000; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 206 - 2018

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES TO ACCEPT A 2018 HOMELAND SECURITY PROGRAM GRANT AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, funds are available from the New York State Division of Homeland Security and Emergency Services for a 2018 State Homeland Security Program (SHSP) grant in the amount of \$217,437; and

WHEREAS, said funds are available to pay for computers and projectors; replacing a generator at the Spruce Mountain radio site; protective clothing; Verizon charges; Spectrum charges; a renewal of the “I Am Responding” contract; Cyanokits; and copier lease charges; and

WHEREAS, the acceptance of these grant funds requires this Board’s approval; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all agreements and documents necessary to accept a 2018 New York State Homeland Security Program grant in the amount of \$217,437, with the form and content of said documents and agreements being subject to the approval of the County Attorney; and, be it further

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

DEPARTMENT OF EMERGENCY SERVICES:

Appropriations:

Increase Acct.: A.36.366-7051 Personal Computers	\$ 5,000
Increase Acct.: A.36.366-7080 Other Equipment	\$ 45,000
Increase Acct.: A.36.366-8519 Personal Safety Supplies	\$ 62,737
Increase Acct.: A.36.366-8533 Telephone	\$ 2,000
Increase Acct.: A.36.366-8190 Other Professional Services	\$101,200
Increase Acct.: A.36.366-8543 Office Equipment Rental	<u>\$ 1,500</u>
	\$217,437

Revenues:

Increase Acct.: A.36-3306 Homeland Security	\$217,437
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 207 - 2018

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

AUTHORIZING AN AGREEMENT WITH MORTON BUILDINGS, INC. FOR THE PROVISION AND CONSTRUCTION OF A PRE-ENGINEERED STORAGE BUILDING

WHEREAS, pursuant to Resolution 218-2017, this Board of Supervisors authorized the Chair to enter into an agreement with the Dormitory Authority of the State of New York to accept grant funds under the New York State and Municipal Facilities Grant Program in the amount of \$100,000 for the construction of a shared storage facility to house emergency response equipment utilized by the Saratoga County Office of Emergency Services and the Sheriff's Department; and

WHEREAS, the Saratoga County Department of Public Works solicited competitive bids for the provision of, and related construction services for, a new pre-engineered storage building to be utilized by the Saratoga County Office of Emergency Services and the Sheriff's Department; and

WHEREAS, our Public Safety Committee and the County's Commissioner of Public Works have recommended that a contract for the provision and construction of a pre-engineered storage building be awarded to Morton Buildings, Inc., the only bid received, for the bid amount of \$122,715; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Morton Buildings, Inc., of Morton, Illinois, for the provision and construction of a new pre-engineered storage building to house emergency response equipment utilized by the Saratoga County Office of Emergency Services and the Sheriff's Department, at a cost not to exceed \$122,715; with the form and content of such agreement to be subject to the approval of the County Attorney.

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

RESOLUTION 208 - 2018

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BOND, SCHOENECK & KING, PLLC FOR PROFESSIONAL LEGAL SERVICES RELATIVE TO THE ISSUANCE OF SERIAL BONDS IN AN AMOUNT NOT TO EXCEED \$24,105,000 TO FINANCE THE CONSTRUCTION OF THE NEW PUBLIC SAFETY FACILITIES BUILDING

WHEREAS, pursuant to Resolution 161-2018, this Board authorized an agreement with Fiscal Advisors & Marketing, Inc. to act as fiscal advisor in connection with the planned issuance of serial bonds to finance the construction of the new Public Safety Facilities Building; and

WHEREAS, Bond, Schoeneck & King, PLLC, of Syracuse, New York, has submitted a proposal to serve as bond counsel and to provide professional legal services to the County in connection with the upcoming issuance of said serial bonds at a cost of \$.60 (sixty cents) per thousand dollars of the principal amount of the bonds issued up to a maximum of \$10,000, \$950 for preparation of the bond resolution, plus any out-of-pocket disbursements; with any other necessary legal services provided to be compensated at the hourly rate of the staff member(s) providing such services; and

WHEREAS, our Law and Finance Committee has recommended that the proposal of Bond, Schoeneck & King, PLLC be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a retainer agreement with Bond, Schoeneck & King, PLLC of Syracuse, New York, for the provision of professional legal services as bond counsel in connection with the upcoming issuance of serial bonds in the amount of \$24,105,000 to finance the construction of the new Saratoga County Public Safety Facilities Building, with said legal services to be provided at a cost of \$.60 (sixty cents) per thousand dollars of the principal amount of the bonds issued up to a maximum of \$10,000, \$950 for preparation of the bond resolution, plus any out-of-pocket disbursements; with any other necessary legal services provided to be compensated at the hourly rate of the staff member(s) providing such services; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact. The anticipated costs for legal services will be paid by bond counsel proceeds at the closing of the sale of the bonds.

RESOLUTION 209 - 2018

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

AUTHORIZING THE ISSUANCE OF \$24,105,000 SERIAL BONDS TO FINANCE THE COST OF CONSTRUCTING A NEW PUBLIC SAFETY BUILDING

BE IT RESOLVED by the Board of Supervisors of the County of Saratoga, New York (the "County") as follows:

Section 1. The County is hereby authorized to undertake the construction of a new public safety building, including the acquisition of land or rights in land and the acquisition of original furnishings, equipment, machinery or apparatus required in connection therewith, at a maximum estimated cost of \$28,850,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$28,850,000 and the plan for the financing thereof shall consist of the following:

(a) the issuance of up to \$24,105,000 in serial bonds (the "Bonds") of the County authorized to be issued pursuant to this resolution; and

(b) the appropriation and expenditure of up to \$4,745,000 from the County General Fund.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes set forth in Section 1 is thirty (30) years pursuant to subparagraph 11(a)(1) of Section 11.00 of the Local Finance Law.

Section 4. Pursuant to Section 107.00(g) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds. An annual appropriation shall be made in the budget of the County for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00, and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for substantially level or declining annual debt service, is hereby delegated to the County Treasurer, the Chief Fiscal Officer of the County.

Section 8. The Bonds, and any bond anticipation notes issued in anticipation of the Bonds, are hereby authorized to be consolidated, at the option of the County Treasurer, with the bonds and bond anticipation notes authorized by other bond resolutions approved by the County Board of Supervisors for purposes of sale into one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the consolidation of the Bonds and bond anticipation notes with other issues of the County and the serial maturities of the Bonds are hereby delegated to the Chief Fiscal Officer of the County.

Section 9. Any federal or state grant funds obtained by the County for the capital purposes described in Section 1 of this resolution shall be applied to pay the principal of and interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds or, to the extent obligations shall not have been issued under this resolution, to reduce the maximum principal amount to be borrowed for such capital purposes.

Section 10. The County Treasurer, as Chief Fiscal Officer of the County, is hereby authorized to file an application with the New York State Comptroller pursuant to Section 124.10 of the Local Finance Law to exclude the proposed indebtedness authorized herein from the constitutional and statutory debt limits of the County.

Section 11. This resolution shall constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes

authorized herein, as required by Treasury Regulation Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 12. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if:

(a) Such obligations are authorized for an object or purpose for which the County is not authorized to expend money, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(b) The provisions of law which should be complied with at the date of publication of this resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(c) Such obligations are authorized in violation of the provisions of the Constitution of New York.

Section 13. The County Treasurer, as Chief Fiscal Officer of the County, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the bonds, requiring the County to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 14. This resolution, or a summary hereof, shall be published in The Daily Gazette and The Saratogian, the official newspapers of the County for such purpose, together with a notice of the Clerk of the County Board of Supervisors in substantially the form provided in Section 81.00 of the Local Financial Law.

Section 15. This resolution is not subject to a mandatory or permissive referendum.

Section 16. The Saratoga County Board of Supervisors hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 17. This resolution shall take effect immediately upon its adoption.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 210 - 2018

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

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH BARTON & LOGUIDICE, D.P.C. FOR ADDITIONAL ENGINEERING SERVICES TO INCLUDE AN ANALYSIS OF ALTERNATIVE AMMONIA REDUCTION TECHNOLOGIES AND POSSIBLE UPGRADES TO AERATION TANKS 5-8 AT THE SEWER DISTRICT'S WASTEWATER TREATMENT PLANT

WHEREAS, pursuant to Resolution 266-2017, this Board authorized an agreement with Barton & Loguidice, D.P.C. to perform an Ammonia Capacity Analysis and to design necessary upgrades to Aeration Tanks 1-4 at Saratoga County Sewer District No.1's Wastewater Treatment Plant, at a cost not to exceed \$283,500; and

WHEREAS, the New York State Department of Environmental Conservation ("NYSDEC") recently notified Saratoga County Sewer District No. 1 that it was requiring the Sewer District to evaluate alternative ammonia reduction technologies as well as the possible need for upgrades to Aeration Tanks 5-8; and

WHEREAS, Barton & Loguidice, D.P.C. submitted a proposal for the provision of the additional engineering services required by NYSDEC, at a cost of \$32,200; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the proposal of Barton & Loguidice, D.P.C. be accepted, and that the County's contract with Barton & Loguidice, D.P.C. be amended to authorize the provision of said additional engineering services required by NYSDEC, at an additional cost of \$32,200; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Barton & Loguidice, D.P.C. of Albany, New York, for the provision of additional engineering services to include the evaluation of alternative ammonia reduction technologies and the possible need for upgrades to Aeration Tanks 5-8 at Saratoga County Sewer District No. 1's Wastewater Treatment Plant, at an additional cost of \$32,200, thereby increasing the total contract to the not to exceed amount of \$315,700; 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. Amendment costs are included in the Sewer District's 2018 budget.

RESOLUTION 211 - 2018

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

AUTHORIZING AN AGREEMENT WITH GENERAL CONTROL SYSTEMS, INC. FOR THE PROVISION OF ENGINEERING SERVICES AND THE INSTALLATION OF AN UPGRADED SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT

WHEREAS, the 2018 Capital Budget approved by this Board for Saratoga County Sewer District No. 1 includes an upgrade to the Supervisory Control and Data Acquisition ("SCADA") system at Saratoga County Sewer District No. 1's Wastewater Treatment Plant ("WWTP"); and

WHEREAS, the Sewer District's SCADA system monitors and controls are critical to WWTP equipment and operations; and

WHEREAS, the proposed upgrades/replacements include new servers, upgraded software, licenses and system integration to ensure the SCADA system remains functional; and

WHEREAS, the Saratoga County Sewer District Commission solicited and received proposals from engineering firms for engineering services and the installation of upgrades the WWTP's SCADA system, and the Commission has recommended that a contract for such engineering services be awarded to General Control Systems, Inc., the company that designed the system and the most satisfactory bid received, at a cost of \$156,475; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with General Control Systems, Inc. of Green Island, New York for engineering services and the installation of upgrades and replacement equipment to the Supervisory Control and Data Acquisition system at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant, at a cost not to exceed \$156,475; 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: None. This project is included in the Sewer District's 2018 budget.

RESOLUTION 212 - 2018

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

AMENDING THE POLICIES AND PROCEDURES MANUAL RELATIVE TO THE VOUCHER AUDIT PROCEDURE

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 County Auditor has proposed revisions to the County's "Voucher Audit Procedure" to reflect the current procedures for electronically approving vouchers as a result of the installation of the County's New World Systems financial management software from Tyler Technologies; and

WHEREAS, copies of the proposed "Voucher Audit Procedure" 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 Voucher Audit Procedure policy as set forth in the policy revisions distributed to this Board:

<u>CHAPTER</u>	<u>SECTION</u>	<u>TITLE</u>	<u>LAST REVISED</u>
2	G	Voucher Audit Procedure	1/1/1985

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Kinowski asked Mrs. Potter, DSS Commissioner to join him at the podium. Mr. Kinowski presented Mrs. Potter with \$1,000 which were the proceeds from the 2018 Supervisors Golf Outing. Mrs. Potter thanked the Chairman and the Board for this donation which will be used to purchase duffle bags for the children in the Foster Care Program. She added many times these children are given a garbage bag to put their belongings in. This donation will give each of them a duffle bag to call their own.

Mr. Kinowski read a proclamation he prepared and will present to the Stillwater Boy Scout Troup 4035. The Stillwater Boy Scout Troop 4035 was selected the top honor of Boy Scout Troop of the Year for New York State by the American Legion State Boy Scout Chairman. This Troop has set high moral and ethical standards that exemplify the Scouts of America, as the nation’s foremost youth program of character development and values-based leadership.

Mr. Lawler asked Mr. Johnson, Mr. Szczepaniak, Mr. Cumm and Mr. Hernandez (Executive Director) to join him at the podium and said who the members that could not be with them today: Anita Daly; Darren O’Connor and James Smith. Mr. Lawler gave an update on the Saratoga County Water Authority. He said the Authority currently provides water to 7 municipalities which services over 100,000 residents and 2 corporations. He is pleased to announce that by the end of 2019, three (3) more municipalities will be added and they are Halfmoon, Waterford and the City of Mechanicville. Mr. Lawler said the Authority wouldn’t have been possible without the backing of the Saratoga County Board of Supervisors who loaned the Authority funding to get started. Mr. Lawler and the Authority Board members present, presented a check for \$1M to Chairman Kinowski and County Administrator Spencer Hellwig.

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

Respectfully Submitted,

Pamela Wright
 Clerk of the Board