

AGENDA SESSION  
October 10, 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, Michael Smith, Daniel Pemrick, Arthur Wright, Kevin Tollisen, Theodore Kusnierz, Scott Ostrander, Sandra Winney, Thomas N. Wood, III, Tara N. Gaston, Matthew Veitch, Edward D. Kinowski, John Lawler, Arthur J. Johnson – 20. ABSENT - Vincent DeLucia, Thomas Richardson, Willard H. Peck – 3.

On a motion by Mr. Grattidge, seconded by Mr. Allen the minutes of the September 12, 2018 meeting were unanimously approved.

Mr. Tollisen asked for a motion to accept the agenda for the October 16, 2018 Board meeting as presented and approved by the Law and Finance Committee prior to this meeting. The motion was made by Mr. Wood and seconded by Mr. Schopf. Unanimous.

On a motion by Mr. Kinowski, seconded by Mr. Winney the meeting was unanimously adjourned.

Respectfully submitted,

Pamela Wright  
Clerk of the Board

PROPOSED RESOLUTIONS

HUMAN RESOURCES

Authorizing an amendment to the County's Health Insurance Policy to update language associated with policy exceptions.

ECONOMIC DEVELOPMENT

Designating the Saratoga County Chamber of Commerce as the County's Tourism Promotion Agency and authorizing the Saratoga County Chamber of Commerce to apply for an "I Love New York" grant in 2019.

REAL PROPERTY TAX

Approving and confirming the auction sale of county-owned lands acquired for unpaid taxes.

Authorizing a tax credit in the amount of \$1,000.90 on outstanding taxes owed to the county for tax year 2018 on a parcel in the Town of Providence.

Introducing a proposed Local Law identified as Introductory No. 3, Print No. 1 of 2018, entitled "A Local Law Requiring Payment In Lieu of Taxes (PILOT) agreements for Solar Energy Systems Located or installed in Saratoga County", and setting a date for a public hearing thereon.

BUILDINGS & GROUNDS

Authorizing a 5-year contract with the Unified Court System for County services associated with maintenance and cleaning of court facilities.

Authorizing a lease agreement with CCM Associates of Clifton Park, LLC for DMV offices in the Clifton Country Mall and authorizing the capital construction costs associated with the expansion of the leased space.

PUBLIC SAFETY

Proclaiming October as Domestic Violence Awareness Month in Saratoga County.

Authorizing the acceptance of a NYS Homeland Security State Law Enforcement Terrorism Prevention Program grant in the amount of \$72,479.

Authorizing the acceptance of a NYS Homeland Security PSAP Operations grant in the amount of \$133,450.

Authorizing the acceptance of a Division of Criminal Justice Services grant in the amount of \$22,500 and amending the budget in relation thereto.

Authorizing an amendment to the 2018 budget to recognize revenue from the County's School Resource Officer program.

Authorizing the acceptance of a FEMA Emergency Management Performance grant in the amount of \$86,553.

Authorizing a 1-year contract with Motorola Solutions in the amount of \$188,347.32 for maintenance of the County's 800 MHz radio system.

Authorizing a contract with Motorola Solutions in the amount of \$540,748 to replace the County's fire paging system.

Introducing a Local Law to establish certain powers and duties for the County EMS Coordinator and the County Fire Coordinator and setting a date for a public hearing.

Authorizing acceptance of a donated utility truck from the Halfmoon-Waterford Fire District.

Authorizing a transfer from the DWI Reserve in the amount of \$3,290 and amending the budget in relation thereto.

#### HEALTH & SOCIAL SERVICES

Authorizing a contract amendment with TenEleven Group to add additional software licenses.

Authorizing the Youth Bureau's 2018 RHYA funding application and contract.

Accepting additional federal and state aid from the US Department of Agriculture, Food and Nutrition Service in the amount of \$88,376 and amending the budget in relation thereto.

#### LAW & FINANCE

Authorizing a transfer from the open space reserve in the amount of \$14,905 to fund previously approved Farmland Open Space projects in the Towns of Charlton and Wilton and amending the budget in relation thereto.

Awarding 2018 Trail Grants and amending the budget in relation thereto.

Authorizing inter-agency transfers necessary to close out the 2018 budget.

Authorizing an update to the County's Investment Policy.

Authorizing a contract with Arcadis in the amount of \$48,600 for professional engineering services associated with SPDES permit compliance testing.

Designating Atlas Copco's equipment and maintenance services as the standard to be used in purchase contracts involving the repair, replacement or additions to the Sewer District's aeration blower systems at the treatment plant for reasons of efficiency and economy.

REGULAR MEETING  
TUESDAY, OCTOBER 16, 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, Arthur J. Johnson – 22. ABSENT – John Lawler, 1.

PRESENTATION:

Ms. Libby Swatling, Saratoga County Dairy Princess thanked the Board for their continued support and spoke of her involvement in Cooperative Extension.

PUBLIC INPUT:

Ms. Darlene McGraw, Saratoga Springs RE: Transportation and Safety. Ms. McGraw said Saratoga County is a happy place to live but there is still the struggle of getting from one town to the other. She would like to see more options for commuting as many times she has chosen to walk.

On a motion by Mr. Lucia, seconded by Mr. Peck the minutes of the September 18, 2018 meeting were unanimously approved.

The Clerk presented the following:

Letter from Saratoga Soundtrack Chorus thanking the Chairman and the Board for the proclamation in recognition of their 10<sup>th</sup> anniversary.

Received and Filed

Letter from Daniel J. Kuhn, Saratoga County Coroner, resigning his elected position effective November 1, 2018.

Received and Filed

Letter from Saratoga Plan thanking the Chairman and the Board for their donation of \$32,144 for the Tooker Farm Conservation Easement.

Received and Filed

Mr. Kinowski said that he and Mr. Johnson attended a function at the Saratoga Casino Hotel. He said he is very proud to have become a part of the Board of Supervisors and one item he has taken away is that the Board has on many occasions stepped out, with a lot of foresight in mind and made choices. The Saratoga Casino has produced a billion dollars since this Board voted that VLT facility here. And while he was not on the Board at the time of the vote, he thanks the Board for making the choice, many years ago, to support this.

On a motion by Mr. Veitch, seconded by Ms. Gaston, Resolutions 213 through 239, with the exception of Resolution 238, were adopted by an unanimous vote. Mr. Schopf recused himself from voting on Resolution #238.

RESOLUTION 213 - 2018

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

AMENDING THE POLICIES AND PROCEDURES MANUAL RELATIVE TO THE HEALTH INSURANCE 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 the County’s “Health Insurance” policy provisions for authorizing case by case exceptions to the County employee and retiree eligibility requirements for health insurance coverage; and

WHEREAS, copies of the proposed revised Health Insurance policy were 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 Health Insurance policy as set forth in the policy revisions distributed to this Board:

<u>CHAPTER</u>	<u>SECTION</u>	<u>TITLE</u>	<u>ORIGINALLY ADOPTED</u>	<u>LAST REVISED</u>	<u>PER RESOLUTION</u>
4	E	Health Insurance	9/27/1994	6/19/2018	140-2018

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 214 - 2018

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

DESIGNATING THE SARATOGA COUNTY CHAMBER OF COMMERCE AS THE COUNTY’S TOURISM PROMOTION AGENCY AND AUTHORIZING THE SARATOGA COUNTY CHAMBER OF COMMERCE TO APPLY FOR AN “I LOVE NEW YORK” GRANT FOR 2019

WHEREAS, Article 5-A of the Economic Development Law authorizes matching funds for tourism promotion to be administered through a County's Tourism Promotion Agency; and

WHEREAS, approval of any application for such State funds requires the designation of a Tourism Promotion Agency and a local commitment for an amount at least equal to the grant request; and

WHEREAS, the maximum possible grant for tourism promotion for 2019 approximates \$245,400; and

WHEREAS, the County’s projected 2019 Budget for tourism promotion includes a sufficient amount for the required local commitment for that maximum grant request with a total possible program expenditure of \$245,400; and

WHEREAS, tourism promotion has long been a commitment of the Boards of Supervisors of Saratoga County; and

WHEREAS, the Saratoga Chamber of Commerce has been successful in the promotion of tourism for Saratoga County for many years, and is well suited to be designated as Tourism Promotion Agency for Saratoga County; now, therefore, be it

RESOLVED, that the Saratoga County Chamber of Commerce is designated as Tourism Promotion Agency for Saratoga County for 2019; and, be it further

RESOLVED, that the Chairman of this Board of Supervisors is authorized and directed to execute and file necessary applications, acceptance and sub recipient documents required by the New York State Department of Economic Development for the maximum award of tourism promotion matching funds for 2019 with a possible total program expenditure of \$245,400.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 215 - 2018

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

APPROVING AND CONFIRMING THE AUCTION SALE OF COUNTY-OWNED LANDS ACQUIRED FOR UNPAID TAXES

WHEREAS, pursuant to Resolution 166-96, this Board, by its Real Property Tax Committee, did offer at auction sale on September 18, 2018 certain parcels of land in several Towns and Villages within the County, which parcels are more particularly described below; and

WHEREAS, the persons named below were the highest responsible bidders for each parcel; and

WHEREAS, the Committee finds that the return of these properties to the tax rolls is in the best interest of County residents; and

WHEREAS, all proposed conveyances of County lands require approval of this Board; now, therefore, be it

RESOLVED, that the following proposed conveyances of County lands to the following bidders at the auction of September 18, 2018, or to their designee, are hereby approved and confirmed; and, be it further

RESOLVED, that the Chairman of the Board convey the following lands to the following parties or their designee upon their payments of the indicated amount and certain administrative fees to the County Treasurer:

<u>HIGH BIDDER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>FORMER OWNER</u>	<u>AMOUNT</u>
Diana Wright 36 Summit Avenue Albany, NY 12209	Day	42.12-1-99	Derrick Spitzer	\$ 5,500
Scott Michell 112 South Shore Road Northville, NY 12134	Galway	185.-2-1.11	Charles W. Hoerauf	\$22,000
Adam J. Gardner 5380 Lake Road Galway, NY 12074	Milton	203.5-1-24.1	Kelly H. McKay	\$72,500
Ryan C. McCann 62 Van Buren Street Ballston Spa, NY 12020	Moreau	50.-1-13 & 50.-1-37	Clarence Elms	\$ 500
Kathleen Marie Kemmet 276 Wilbur Road Schuylerville, NY 12871	Saratoga	170.38-1-25	Mark Wadsworth	\$ 1,200
Peter Mickalonis P.O. Box 372 Stillwater, NY 12170	Stillwater	253.-2-41.1	Camelot Assoc. Development, LLC	\$13,500
Noelle Long 8 Berkshire Drive W.	Stillwater	261.44-1-20	John W. Perilli, III	\$ 50

Clifton Park, NY 12065

Jeremy Wilson                      Wilton                      140.7-1-20                      Michele M. Powers                      \$165,000  
 1113 Rock City Falls Road  
 Rock City Falls, NY 12863

**BUDGET IMPACT STATEMENT:** The total revenue of \$283,850 represents a profit of \$186,320.22 over the foreclosed delinquent taxes.

RESOLUTION 216 - 2018

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

CORRECTING A 2018 TAX BILL IN THE TOWN OF PROVIDENCE AND AUTHORIZING A TAX CREDIT

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls; and

WHEREAS, Real Property Tax Law §550 (3)(b) defines an “error in essential fact” as an incorrect entry on the taxable portion of the assessment roll, or the tax roll, or both, of the assessed valuation of an improvement to real property which was not in existence; and

WHEREAS, the owners of the following property have timely submitted proof of an error in essential fact relative to their 2018 tax bill, to wit: Tax Parcel # 135.7-1-1 was erroneously classified on the Town of Providence’s 2017 assessment roll as a seasonal residence, when in fact the parcel is vacant land. As a result, the land assessed value of \$22,200 and the taxable assessed value of \$44,200 must be reduced to \$7,100; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a new tax bill generated which recalculates the 2018 tax levy based upon a land assessed value and a taxable assessed value of \$7,100 for the parcel; now, therefore, be it

RESOLVED, that the application of the following property owners for correction of the 2018 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNERS</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORRECTED TAX</u>
Dr. Thomas and Patricia Vanderloo	Providence	135.7-1-1	\$193.86

and, be it further

RESOLVED, that the County Treasurer is authorized to apply a tax credit in amount of \$1,000.90 to the outstanding 2018 Town and County and relieved School tax bills of the property owners; and, be it further

RESOLVED, that the property owners shall have eight (8) days from the date a corrected tax bill is mailed to pay the Corrected Tax without interest and penalties; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward a copy of this Resolution to the Town Assessor of the Town of Providence and the Saratoga County Treasurer.

**BUDGET IMPACT STATEMENT:** No budget impact.

RESOLUTION 217 - 2018

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

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 3, PRINT NO. 1 OF 2018, ENTITLED “A LOCAL LAW REQUIRING PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENTS FOR SOLAR ENERGY SYSTEMS LOCATED OR INSTALLED IN SARATOGA COUNTY”, AND SETTING A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, a proposed Local Law, identified as Introductory No. 3 of 2018, Print No. 1, entitled “A LOCAL LAW REQUIRING PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENTS FOR SOLAR

ENERGY SYSTEMS LOCATED OR INSTALLED IN SARATOGA COUNTY” is being introduced before this Board and is attached hereto as SCHEDULE A, which if adopted will promote the installation of solar energy generating systems in Saratoga County by requiring the owners and/or developers of such systems to enter into a Payment in Lieu of Taxes (PILOT) agreement with the County of Saratoga, thereby granting reduced costs to system developers and energy consumers, and providing a revenue stream to the County; and

WHEREAS, Municipal Home Rule Law §20(5) requires this Board of Supervisors to hold a public hearing on said proposed Local Law; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 3 of 2018, Print No. 1, entitled “A LOCAL LAW REQUIRING PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENTS FOR SOLAR ENERGY SYSTEMS LOCATED OR INSTALLED IN SARATOGA COUNTY” which is attached hereto as SCHEDULE A, is hereby introduced before the Saratoga County Board of Supervisors, and the Board of Supervisors shall hold a Public Hearing on November 14, 2018 at 4:20 p.m., or as soon thereafter as the Board can convene, in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of this Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

#### SCHEDULE A

INTRODUCTORY NO. 3 OF 2018

PRINT NO. 1

INTRODUCED BY: Supervisors Pemrick, Gaston, Ostrander, Raymond, Schopf, Winney and Wood

COUNTY OF SARATOGA - LOCAL LAW NO. OF 2018

A LOCAL LAW REQUIRING PAYMENT IN LIEU OF TAX (PILOT) AGREEMENTS FOR SOLAR ENERGY SYSTEMS LOCATED OR INSTALLED IN SARATOGA COUNTY

#### SECTION 1. TITLE

This Local Law shall be known as “A Local Law Requiring Payment in Lieu of Tax (PILOT) Agreements for Solar Energy Systems Located or Installed in Saratoga County.”

#### SECTION 2. PURPOSE

This Local Law is adopted to ensure that the benefits of solar energy resource are available to Saratoga County residents, by promoting the installation of solar energy generating equipment through a payment-in-lieu-of-taxes (PILOT), granting reduced costs to system developers and energy consumers, and providing a revenue stream to local communities.

#### SECTION 3. AUTHORITY

This Local Law is adopted under the authority granted by:

1. Article IX of the New York State Constitution, §2(c)(8),
2. New York Statute of Local Governments, §10 (5),
3. New York Municipal Home Rule Law, §10 (1)(i) and (ii) and §10 (1)(a)(8), and
4. New York Real Property Tax Law §487(9).

#### SECTION 4. DEFINITIONS

1. “AC” means alternating current.
2. “Annual Payment” means the payment due under a PILOT Agreement entered into pursuant to Real Property Tax Law § 487(9), as the same may be amended, superseded or replaced.

3. "Annual Payment Date" means January 1<sup>st</sup> of each year for the duration of the PILOT Agreement.
4. "Capacity" means the manufacturer's nameplate capacity of the Solar Energy System as measured in kilowatts (kW) or megawatts (MW) AC.
5. "Owner" means the owner of the property on which a Solar Energy System is located or installed, or their lessee, licensee or other person authorized to install and operate a Solar Energy System on the property.
6. "Residential Solar Energy Systems" means a Solar Energy System with a nameplate generating capacity less than 50 kW AC in size, installed on the roof or the property of a residential dwelling (including multi-family dwellings), and designed to serve that dwelling.
7. "SBL number" means Section-Block-Lot number on the County of Saratoga's Real Property Tax maps.
8. "Solar Energy Equipment" means collectors, controls, energy storage devices, heat pumps and pumps, heat exchangers, windmills, and other materials, hardware or equipment necessary to the process by which solar radiation is (i) collected, (ii) converted into another form of energy such as thermal, electrical, mechanical or chemical, (iii) stored, (iv) protected from unnecessary dissipation and (v) distributed. It does not include pipes, controls, insulation or other equipment which are part of the normal heating, cooling, or insulation system of a building. It does include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards required by New York law.
7. "Solar Energy System" means an arrangement or combination of Solar Energy Equipment designed to provide heating, cooling, hot water, or mechanical, chemical, or electrical energy by the collection of solar energy and its conversion, storage, protection and distribution.

#### SECTION 5. PILOT REQUIRED

1. The owner of a property on which a Solar Energy System is located or installed (including any improvement, reconstruction, or replacement thereof), shall enter into a PILOT Agreement with the County of Saratoga consistent with the terms of this Local Law, except for:
  - a) Residential Solar Energy Systems; and
  - b) Solar Energy Systems that do not seek or qualify for an exemption from real property taxes pursuant to Real Property Tax Law § 487(4) as the same may be amended, superseded or replaced.
2. The Lessee or licensee of any owner of a property required to enter into a PILOT Agreement by this section, which owns or controls the Solar Energy System, may enter into the PILOT Agreement on behalf of the owner of the property.
3. Any owner or developer of a solar energy system that meets the requirements under Real Property Tax Law §487(4) MUST notify the Saratoga County Real Property Tax Services Agency via certified mail of its intent to construct a solar energy system. Such notice must be sent to: Director of Real Property Tax Services, Saratoga County Real Property Tax Services Agency, 35 West High Street, Ballston Spa, New York, 12020. Upon receipt of such notification from an owner, developer or other person of intent to install a Solar Energy System, the Director of Real Property Tax Services or his or her designee shall immediately, but in no case more than sixty (60) days after receipt of the notification, notify the owner, developer or other person by certified mail of the mandatory requirement for a PILOT Agreement pursuant to the terms of this Local Law.
4. In the event of the failure of an owner, developer or other person of a Solar Energy System to provide the County of Saratoga with the sixty (60) days' notice of intent to install such Solar Energy System as required by the foregoing Subsection 3, the County may, at its option, require the owner, developer or other person to enter into a PILOT Agreement for the full amount of the real property taxes that would otherwise be due but for the real property tax exemption authorized by Real Property Tax Law §487.
5. The failure or refusal of an owner, developer or other person of a Solar Energy System to enter into and execute a PILOT agreement with the County of Saratoga as required by this law, shall result in the real property on which such solar energy system is situated being ineligible for the real property tax exemption authorized by Real Property Tax Law §487.
6. Nothing in this Local Law shall exempt any requirement for compliance with state and local codes for the installation of any solar energy equipment or a solar energy system, or authorize the installation of any solar



energy equipment or a solar energy system. All solar energy systems must file a Real Property Tax Exemption application pursuant to Real Property Tax Law § 487 to receive a tax exemption.

7. The Annual Payments under the PILOT Agreement shall not exceed the amounts that would be otherwise payable but for the exemption under Real Property Tax §487 as the same may be amended, superseded or replaced.

#### SECTION 6. Contents of PILOT Agreements

1. Each PILOT Agreement entered into shall include:

- a) Name and contact information of the Owner or other party authorized to act upon behalf of the Owner of the Solar Energy System.
- b) The SBL number for each parcel or portion of a parcel on which the Solar Energy System will be located.
- c) A requirement for fifteen successive annual payments, to be paid commencing on the first Annual Payment Date after the effective date of the Real Property Tax Exemption granted pursuant to Real Property Tax Law § 487 as the same may be amended, superseded or replaced.
- d) The Capacity of the Solar Energy System, and that if the Capacity is increased or decreased as a result of a system upgrade, replacement, partial removal or retirement of Solar Energy Equipment, the annual payments shall be increased or decreased on a pro rata basis for the remaining years of the Agreement.
- e) That the parties agree that under the authority of Real Property Tax Law § 487 as the same may be amended, superseded or replaced, the Solar Energy System shall be considered exempt from real property taxes for the fifteen-year life of the PILOT Agreement.
- f) That the PILOT Agreement may not be assigned without the prior written consent of the County of Saratoga, which consent may not be unreasonably withheld if the Assignee has agreed in writing to accept all obligations of the Owner, except that the Owner may, with advance written notice to the County of Saratoga but without prior consent, assign its payment obligations under the PILOT Agreement to an affiliate of the Owner or to any party who has provided or is providing financing to the Owner for or related to the Solar Energy System, and has agreed in writing to accept all payment obligations of the Owner.
- g) That a Notice of this Agreement may be recorded by the Owner at its expense, and that the County of Saratoga shall cooperate in the execution of any Notices or Assignments with the Owner and its successors.
- h) That the Annual Payment for Solar Energy Systems with a Capacity greater than 1 MW shall be \$3,500 per MW of Capacity.
- i) That the Annual Payment shall escalate \$50.00 per MW per year over the amount of the previous year's Annual Payment, starting with the second Annual Payment.
- j) That if the Annual Payment is not paid when due, that upon failure to cure within thirty (30) days, the County of Saratoga may cancel the PILOT Agreement without notice to the Owner, and the Solar Energy System shall thereafter be subject to taxation at its full assessed value.
- k) In addition, if the Annual Payment is not paid when due, a late fee equal to twelve percent (12%) of the amount due shall be assessed on an annual basis.

#### SECTION 7. SEVERABILITY

Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

#### SECTION 8. EFFECTIVE DATE

This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law, and shall apply to all solar energy systems constructed.

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

**AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE UNIFIED COURT SYSTEM FOR THE CLEANING, MAINTENANCE AND IMPROVEMENT OF COURT FACILITIES**

WHEREAS, Chapter 686 of the laws of 1996 requires the State of New York to contract with the County for the cleaning, maintenance, repair and improvement of Supreme and County Court facilities; and

WHEREAS, it is necessary to enter into a contract with the New York State Unified Court System for the supplying of cleaning services, maintenance, repairs and improvements to the Supreme and County Court facilities in Saratoga County by County personnel for the period April 1, 2018 through March 31, 2023; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized and directed to execute an agreement with the New York State Unified Court System for the provision of cleaning services, maintenance, repair and improvements of the Supreme and County Court facilities in Saratoga County by Saratoga County personnel, for the period April 1, 2018 through March 31, 2023; 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. Expected revenue for 2018 is \$378,501.

**RESOLUTION 219 - 2018**

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

**AUTHORIZING THE AMENDMENT AND RENEWAL OF THE LEASE WITH CCM ASSOCIATES OF CLIFTON PARK, LLC FOR THE LEASE OF SPACE FOR A SATELLITE OFFICE FOR THE COUNTY DEPARTMENT OF MOTOR VEHICLES AND THE CONSTRUCTION OF TENANT IMPROVEMENTS AT CLIFTON PARK CENTER MALL**

WHEREAS, Resolution 163-02 authorized a lease agreement with ITW Mortgage Investments, Inc. for the lease of space at the Clifton Park Center Mall for a satellite office for the County's Department of Motor Vehicles for a term of five (5) years, subject to renewal for up to two additional terms of five (5) years each; plus, a renovation cost of \$250,000; and

WHEREAS, the County and ITW Mortgage Investments, Inc. exercised the first renewal of the lease for a term expiring on December 31, 2012; and

WHEREAS, CCM Associates of Clifton Park, LLC subsequently purchased Clifton Park Center Mall in 2011; and

WHEREAS, CCM Associates of Clifton Park, LLC ("CCM Associates") exercised the second renewal of the lease for a term expiring on December 31, 2017; and

WHEREAS, the County's Department of Motor Vehicles has been on a month to month lease with CCM Associates since January 1, 2018, at the same rental rate of \$14.07 sq.ft. as the previous five-year renewal term, while the County Clerk and CCM Associates have negotiated the expansion of DMV's leased space into an adjoining unoccupied space at the Mall; and

WHEREAS, the DMV office at Clifton Park Center Mall is the busiest of the three (3) DMV offices in the County, and additional space is needed to accommodate increased customer traffic and the processing of transactions at this site; and

WHEREAS, the County Clerk desires to expand DMV's office space at the Mall by an additional 1,375 sq.ft., increasing DMV's total leased space at the Mall to 4,868 sq.ft.; and

WHEREAS, CCM Associates has retained Bast Hatfield Construction, LLC to perform the necessary renovations to DMV's current space and the adjoining 1,375 sq.ft. space at a cost of \$384,763 for construction only, which costs the County shall be responsible for paying to CCM Associates; and

WHEREAS, additional related costs for architectural design, permits, etc. in an amount not to exceed \$28,873 are to be reimbursed by the County to CCM Associates, bringing total renovation costs to be paid by the

County to CMM Associates to an amount not exceed \$413,636, which CCM Associates has requested be paid in four (4) installments; and

WHEREAS, CCM Associates is agreeable to temporarily extending the County's lease for its current space at the rate of \$14.07 sq. ft. until the planned renovations are completed and a certificate of occupancy is issued for the additional 1,375 sq.ft. of space to be leased; and

WHEREAS, CCM Associates proposes to enter into an amended lease with the County for the lease of 4,868 sq.ft. of space at Clifton Park Center Mall, at a cost of \$16.57 sq.ft. for a term of five (5) years commencing when a certificate of occupancy is issued for the renovated and expanded space, estimated to be on or about April 1, 2019, subject to renewal for up to two (2) additional terms of five (5) years each at a cost of \$19.07 sq.ft for the first five (5) renewal term and at a cost of \$21.57 sq.ft. for the second five (5) year renewal term; and

WHEREAS, our Buildings and Grounds Committee and the County Clerk have recommended that the County enter into a temporary lease extension with CCM Associates, and accept the proposal of CCM Associates for the lease of 4,868 sq.ft. of space at Clifton Park Center Mall for a term of five (5) years, subject to renewal for up to two (2) additional terms of five (5) years each, and the payment of renovation costs to CCM Associates in the amount of \$413,636; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to enter into a temporary extension of the County's lease with CCM Associates of Clifton Park, LLC for the lease of 3,493 sq.ft. of space at Clifton Park Center Mall for the County's Department of Motor Vehicles, at a cost of \$14.07 sq.ft. for a term ending upon the issuance of a certificate of occupancy for the additional 1,375 sq.ft. of adjoining space; and

RESOLVED, that the Chair of the Board is further authorized to enter into a lease amendment and renewal agreement with CCM Associates of Clifton Park, LLC for the lease of 4,868 sq.ft. of space at Clifton Park Center Mall at a cost of \$16.57 sq.ft. for a term of five (5) years commencing when a certificate of occupancy is issued for the adjoining 1,375 sq.ft. of office space, subject to renewal for up to two (2) additional terms of five (5) years each at a cost of \$19.07 sq.ft for the first five (5) renewal term and at a cost of \$21.57 sq.ft. for the second five (5) year renewal term, plus payment of renovation and tenant improvement costs in an amount not to exceed \$413,636 payable in four installments; and be it further

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

BUDGET IMPACT STATEMENT: No budget impact. Funds for the capital improvements were included in the 2018 Adopted Budget.

#### RESOLUTION 220 - 2018

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

#### PROCLAIMING OCTOBER 2018 AS "DOMESTIC VIOLENCE AWARENESS MONTH" IN SARATOGA COUNTY

WHEREAS, the horror of domestic violence continues to plague our society; and

WHEREAS, acts of domestic violence occur in Saratoga County; and

WHEREAS, our Sheriff's Office, District Attorney's Office and our Department of Social Services, in conjunction with many other local agencies work hard to prevent domestic violence and provide hope and healing to its victims; and

WHEREAS, domestic violence causes emotional damage, physical harm and, sometimes, death to its victims; and

WHEREAS, heightened public awareness is an effective tool against this serious problem; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors, and Edward D. Kinowski, Chairman, hereby proclaim the month of October 2018 as "Domestic Violence Awareness Month" in Saratoga County and urge all of our citizens to support and participate in ongoing programs designed for the reduction and eventual elimination of domestic violence; and be it further

RESOLVED, that the Clerk to the Board of Supervisors forward a copy of this resolution to Wellspring, 480 Broadway, Saratoga Springs, New York 12866 and Mechanicville Domestic Violence Advocacy Program, 6 South Main Street, Mechanicville, New York 12118.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 221 - 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 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT**

WHEREAS, funds are available from the New York State Division of Homeland Security and Emergency Services for a 2018 State Law Enforcement Terrorism Prevention Program (SLETPP) Grant in the amount of \$72,479; and

WHEREAS, said funds are available to pay for enhanced counter terrorism and response programs and equipment, including the Lexipol policy development and training program, dive team equipment, night vision equipment, and video monitors for conference and training rooms at the Sheriff's Department; 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 Law Enforcement Terrorism Prevention Program (SLETPP) grant in the amount of \$72,479 for the term September 1, 2018 through August 31, 2021; and, be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 222 - 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 \$133,450 PUBLIC SAFETY ANSWERING POINTS (PSAP) GRANT TO OFFSET CERTAIN OPERATING EXPENSES ASSOCIATED WITH PSAP OPERATIONS IN THE SHERIFF'S DEPARTMENT**

WHEREAS, funds are available from the New York State Division of Homeland Security and Emergency Services for a Public Safety Answering Points (PSAP) Grant in the amount of \$133,450 to offset operating expenses, including salaries and benefits, of the Sheriff's Department's PSAP system; and

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

RESOLVED, that the Chair of the Board and/or the County Administrator are hereby authorized to execute all agreements and documents with the New York State Division of Homeland Security and Emergency Services necessary to accept a Public Safety Answering Points (PSAP) grant in the amount of \$133,450 to offset operating expenses, including salaries and benefits, associated with the operation of the County's PSAP network for the term January 1, 2019 through December 31, 2019; and, be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 223 - 2018

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

**AUTHORIZING THE CHAIR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT STATE GRANT FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE SHERIFF’S UNMANNED AIRCRAFT SYSTEM PROGRAM, AND AMENDING THE 2018 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, through the efforts of Senator James Tedisco, legislative grant funds in the amount of \$22,500 are available from the New York State Division of Criminal Justice Services for the purchase of equipment for the Sheriff’s Unmanned Aircraft System Program which equipment will include a commercial grade drone with high resolution cameras and thermal/night vision cameras; and

WHEREAS, said drone shall assist with search and rescue operations and have the capability of viewing large scale fire scenes, hazardous materials incidents, mass gatherings and other events from the air; and

WHEREAS, the acceptance of this grant requires our approval and an amendment to the 2018 Adopted Saratoga County Budget; now therefore, be it

RESOLVED, that the Chair of the Board and/or the County Sheriff are hereby authorized to execute all documents necessary to apply for and accept a New York State Division of Criminal Justice Services legislative grant in an amount not to exceed \$22,500 for the purchase of a commercial grade drone with high resolution cameras and thermal/night vision cameras for the Sheriff’s Department Unmanned Aircraft System Program; and, be it further

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

**UNDER SHERIFF’S DEPARTMENT:**

Appropriations:

Increase Acct. #A.30-000-7080 Other Equipment	\$22,500
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Revenues:

Increase Acct. #A.30-3389 State Aid-Other Public Safety	\$22,500
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**BUDGET IMPACT STATEMENT:** None. 100% State Aid.

**RESOLUTION 224 - 2018**

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

**AMENDING THE BUDGET UNDER SHERIFF’S DEPARTMENT TO INCLUDE REVENUE RECEIVED FROM LOCAL SCHOOL DISTRICTS CONTRACTING FOR SCHOOL RESOURCE OFFICERS**

WHEREAS, pursuant to Resolution 156-2018, the County entered into agreements with the following nine (9) school districts for the provision of one or more Saratoga County Road Patrol Deputies to serve as School Resource Officer: Ballston Spa Central School District, Burnt Hills-Ballston Lake Central School District, Corinth Central School District, Galway Central School District, Mechanicville City School District, Schuylerville Central School District, Shenendehowa Central School District, South Glens Falls Central School District and Stillwater Central School District; at a cost to be paid by each school district of \$72,413.35 per assigned Deputy Sheriff serving in the capacity of School Resource Officer for the 2018-2019 school year to cover the school district’s approximate pro-rata share of the County’s employee, transportation, equipment and patrol car costs for each assigned Deputy; and

WHEREAS, it is necessary to amend the 2018 Saratoga County Budget under the Sheriff’s Department to include the revenue received in 2018 from these nine school districts through the School Resource Officer (“SRO”) contracts, and to amend the corresponding expense accounts to fund necessary upfront purchases for the 2018-2019 SRO program year; now, therefore, be it

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

**SHERIFF’S DEPARTMENT:**

Appropriations:

Increase Acct.: A.30.000-7050 Other Production Equipment	\$ 38,880
Increase Acct.: A.30.000-7080 Other Equipment	\$134,478

Increase Acct.: A.30.000-8150 Training Services	\$ 8,250
Increase Acct.: A.30.000-8160 Data Processing Fees	\$ 15,950
Increase Acct.: A.30.000-8518 Uniform Expenses	\$ 28,930
Increase Acct.: A.30.000-8619 Miscellaneous Vehicle Ex	<u>\$171,785</u>
	\$398,273

Revenues:

Increase Acct.: A.30.2262 Reimbursement For Sheriff's Services	\$398,273
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BUDGET IMPACT STATEMENT: None. Revenue received will be used to offset County costs associated with the School Resource Officer Program.

RESOLUTION 225 - 2018

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

AUTHORIZING ACCEPTANCE OF A 2018 EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, a federal Emergency Management Performance Grant is available through the New York State Division of Homeland Security and Emergency Services in the amount of \$86,553 for the performance period from October 1, 2017 through September 30, 2019; and

WHEREAS, our Office of Emergency Services proposes to utilize these funds for operational expenses in the Office of Emergency Services, maintenance of the County's 800 MHZ Radio System Generator and CAD/Mobile/E911 System, and enhancement of broadband and cellular connectivity; 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 any and all documents necessary to apply for and accept a 2018 Emergency Management Performance Grant in the amount of \$86,553 from the New York State Division of Homeland Security and Emergency Services, with the form and substance of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 226 - 2018

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO A ONE YEAR MAINTENANCE SERVICE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR MAINTENANCE OF THE COUNTY'S PUBLIC SAFETY RADIO INFRASTRUCTURE

WHEREAS, pursuant to Resolution 107-13, this Board authorized a five-year system maintenance agreement with Motorola Corporation for the maintenance of Saratoga County's Emergency Radio infrastructure to include network components, base stations, data hardware and dispatch consoles for Saratoga County's 800 MHz radio system at a cost of \$283,032 per year, subject to an annual increase of 3% per year commencing June 1, 2014; and

WHEREAS, said maintenance agreement with Motorola Corporation expired on May 31, 2018; and

WHEREAS, recent improvements to the 800 MHz Radio Communications System, including the installation of new hardware and software, have been completed and are covered under a one-year warranty; and

WHEREAS, Motorola Solutions, Inc. has submitted a quote for the renewal of its maintenance service agreement for the continued maintenance of the County's 800 MHz radio system for an additional year to cover non-warranty covered radio system infrastructure at a cost of \$188,347.32; and

WHEREAS, our Public Safety Committee and the Director of the Office of Emergency Services have recommended that the County's maintenance agreement with Motorola Solutions, Inc. be renewed for an

additional term of one year commencing on June 1, 2018 and continuing through May 31, 2019 at a cost of \$188,347.32; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with Motorola Solutions, Inc. of Montvale, New Jersey, for the provision of maintenance services for the County's 800 MHz Public Safety Radio infrastructure, for a term of one year commencing on June 1, 2018 and continuing through May 31, 2019 at a cost not to exceed \$188,347.32; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 227 - 2018

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

AUTHORIZING AN AGREEMENT WITH MOTOROLA SOLUTIONS, INC. TO REPLACE THE COUNTY'S ANALOG BASED FIRE PAGING SYSTEM WITH AN IP BASED SYSTEM

WHEREAS, the County's VHF Analog Simulcast Fire Paging Radio System was recently damaged by a lightning strike, and cannot be repaired due to the age of the system; and

WHEREAS, the County submitted an insurance claim to its carrier for the damage to the Fire Paging Radio System, and received an insurance payment in the amount of \$143,917; and

WHEREAS, Motorola Solutions, Inc. submitted a proposal to replace the analog based Fire Paging System with an upgraded IP based VHF GTR8000 network at a cost of \$540,748; and

WHEREAS, our Public Safety Committee and the Director of Emergency Services have recommended that the proposal of Motorola Solutions, Inc. for the provision and installation of an IP based network to replace the current analog based Fire Paging System at a cost of \$540,748 be accepted; now therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Motorola Solutions, Inc. of Montvale, New Jersey, for the provision and installation of a new County Fire Paging System consisting of an IP based VHF GTR8000 radio system network at a cost of \$540,748; 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 228 - 2018

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

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 4, PRINT NO. 1 OF 2018, ENTITLED "A LOCAL LAW ESTABLISHING CERTAIN POWERS AND DUTIES FOR THE COUNTY EMS COORDINATOR AND COUNTY FIRE COORDINATOR" AND SETTING A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, this Board wishes to clarify and confirm the authority of the Saratoga County EMS Coordinator and Saratoga County Fire Coordinator to establish and implement countywide policies and procedures for Emergency Medical Services ("EMS") dispatch, radio communications, response, mutual aid, treatment and transportation of the sick and injured in Saratoga County, with clear lines of authority and responsibility among EMS officials and first responders; and

WHEREAS, a proposed Local Law, identified as Introductory No. 4, Print No. 1 of 2018, entitled "A LOCAL LAW ESTABLISHING CERTAIN POWERS AND DUTIES OF THE COUNTY EMS COORDINATOR AND COUNTY FIRE COORDINATOR" is being introduced before this Board and is attached hereto as SCHEDULE A, which if adopted will clarify and confirm the authority of the County EMS Coordinator

and County Fire Coordinator to establish and implement such countywide policies and procedures for EMS response; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 4 of 2018, Print No. 1 of 2018, entitled "A LOCAL LAW ESTABLISHING CERTAIN POWERS AND DUTIES OF THE COUNTY EMS COORDINATOR AND COUNTY FIRE COORDINATOR", which is attached hereto as SCHEDULE A, is hereby introduced before the Saratoga County Board of Supervisors, and the Board of Supervisors shall hold a Public Hearing on November 14, 2018 at 4:23 p.m., or as soon thereafter as the Board can convene, in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of this Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

## SCHEDULE A

INTRODUCTORY NO. 4

PRINT NO. 1 OF 2018

INTRODUCED BY: Supervisors Peck, Allen, Lawler, Ostrander, Pemrick, Szczepaniak, and Tollisen

COUNTY OF SARATOGA - LOCAL LAW NO. of 2018

A LOCAL LAW ESTABLISHING CERTAIN POWERS AND DUTIES OF THE COUNTY EMS COORDINATOR AND COUNTY FIRE COORDINATOR

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 ESTABLISHING CERTAIN POWERS AND DUTIES OF THE COUNTY EMS COORDINATOR AND COUNTY FIRE COORDINATOR".

### SECTION 2. LEGISLATIVE INTENT

The County of Saratoga, through the Saratoga County Board of Supervisors, recognizes the need to establish and implement comprehensive countywide policies and procedures for Emergency Medical Services (hereinafter referred to as "EMS") dispatch, radio communications, response, mutual aid, treatment and transportation of the sick and injured in Saratoga County, with clear lines of authority and responsibility among EMS officials and first responders. This Local Law will clarify and confirm the authority of the County EMS Coordinator and County Fire Coordinator in these critical areas.

### SECTION 3. POWERS AND DUTIES OF THE SARATOGA COUNTY EMS COORDINATOR

The County EMS Coordinator shall have all the powers and duties prescribed by County Law §223-b, as it may be amended from time to time. In addition, the County EMS Coordinator, in conjunction with the County Director of Emergency Services, shall develop and implement countywide policies and procedures that assure the effective and efficient administration of EMS dispatch, radio communications, response, mutual aid, treatment and transportation of the sick and injured in Saratoga County.

### SECTION 4. POWERS AND DUTIES OF THE SARATOGA COUNTY FIRE COORDINATOR

The County Fire Coordinator shall have all the powers and duties prescribed by County Law §225-a, as it may be amended from time to time. In addition, the County Fire Coordinator, in conjunction with the County Director of Emergency Services, shall develop and implement countywide policies and procedures that assure the effective and efficient administration of fire dispatch, radio communications, response, and mutual aid in Saratoga County.



SECTION 5. APPOINTMENT

The County EMS Coordinator and the County Fire Coordinator shall each be appointed by the Saratoga County Board of Supervisors for a term of two years to coincide with the term of the Board of Supervisors.

SECTION 5. EFFECTIVE DATE

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

## RESOLUTION 229 - 2018

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

**AUTHORIZING THE ACCEPTANCE OF A DONATION OF A 1996 FORD F350 UTILITY BOX TRUCK FROM THE HALFMOON-WATERFORD FIRE DISTRICT FOR USE BY THE COUNTY HAZARDOUS MATERIALS RESPONSE TEAM**

WHEREAS, County Law §215 authorizes a county's board of supervisors to accept donations of personal property for lawful county purposes; and

WHEREAS, pursuant to Resolution 68-12, the County entered into a cooperative agreement with the Halfmoon-Waterford Fire District for the loan of a 1996 Ford F350 utility box truck by the District to the County commencing April 1, 2012; and

WHEREAS, the loaned utility box truck has been utilized by the Saratoga County Fire Investigation Unit to assist in the conduct of investigations to determine the origin and cause of fires at fire scenes; and

WHEREAS, the Halfmoon-Waterford Fire District has purchased a replacement truck for the loaned 1996 Ford F350 utility box truck, and the District's Board of Fire Commissioners has voted to declare the loaned utility box truck as a surplus vehicle and offered to donate the truck to the County; and

WHEREAS, if the Halfmoon-Waterford Fire District's offer to donate the utility box truck is accepted, the Saratoga County Hazardous Materials Response Team plans to utilize the truck as a Decontamination Support Unit; and

WHEREAS, our Public Safety Committee and the Saratoga County Fire Coordinator have recommended that the County accept the Halfmoon-Waterford Fire District's donation of the 1996 Ford F350 utility box truck; now, therefore be it

RESOLVED, that the Saratoga County Board of Supervisors hereby accepts the donation of a 1996 Ford F350 utility box truck for use by the Saratoga County Hazardous Materials Response Team as a Decontamination Support Unit; and, be it further

RESOLVED, that the Commissioner of the Saratoga County Department of Public Works is hereby authorized to execute any and all documents necessary to register the donated 1996 Ford F350 utility box truck from the Halfmoon-Waterford Fire District in name of the County of Saratoga; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby expresses its sincere appreciation and gratitude to the Halfmoon-Waterford Fire District for its generous donation of the 1996 Ford F350 utility box truck, which will provide valuable support to the Saratoga County Hazardous Materials Team.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 230 - 2018

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

**AUTHORIZING THE TRANSFER OF FUNDS FROM THE STOP-DWI PROGRAM RESERVE, AND AMENDING THE 2018 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, unexpended County STOP-DWI Program funds roll over into the County's Reserve for DWI Program at the end of each fiscal year; and

WHEREAS, the Sheriff and the STOP-DWI Coordinator wish to provide funding for two Saratoga County Sheriff’s deputies to attend the Drug Recognition Expert Training program at the 2018 International Association of Chiefs of Police Annual Conference on Drugs, Alcohol, and Impaired Driving in Nashville, Tennessee; and

WHEREAS, the use of funds in the County’s Reserve for DWI Program to pay for two deputies to attend said Drug Recognition Expert Training program is an appropriate use of the Reserve’s funds; now, therefore, be it

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disburse a sum not to exceed \$3,290 from the Reserve for DWI Program to pay for two (2) Saratoga County Sheriff’s deputies to attend the Drug Recognition Expert Training program at the 2018 International Association of Chiefs of Police Annual Conference on Drugs, Alcohol, and Impaired Driving in Nashville, Tennessee; and, be it further

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

STOP-DWI

Appropriations:

Increase Acct. #A.33-000-7330.I DWI Grants \$ 3,290

Revenues:

Increase Acct.: #A.33-2615 STOP DWI Fines and Forfeitures \$ 3,290

BUDGET IMPACT STATEMENT: None. This transfer will reduce the balance in the Reserve for DWI Program to \$111,716.09.

RESOLUTION 231 - 2018

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

AMENDING RESOLUTION 225-2017 TO AUTHORIZE AMENDMENTS TO THE AGREEMENT WITH TENELEVEN GROUP, LLC FOR THE PROVISION OF AN ELECTRONIC HEALTH RECORD SYSTEM FOR SARATOGA COUNTY MENTAL HEALTH AND ADDICTION SERVICES

WHEREAS, pursuant to Resolution 225-2017, the County of Saratoga entered into a Software License Agreement with TenEleven Group, Inc. for the installation and support of an Electronic Health Record (“EHR”) system for Saratoga County Mental Health and Addiction Services (“SCMHAS”) for a term of five years commencing December 17, 2017 at an annual cost of \$54,680 for hosting, maintenance and claims/eligibility transactions, plus one-time setup and travel costs in the amount of \$107,040, with total costs not to exceed \$379,815; and

WHEREAS, SCMHAS wishes to amend the agreement with TenEleven Group, Inc. to add seven (7) named EHR user licenses needed for additional staff and interns at a cost of \$45.50 per user per month, not to exceed \$3,822 per year; and

WHEREAS, SCMHAS further wishes to amend the agreement with TenEleven Group, Inc. to authorize the addition of up to five (5) additional named EHR user licenses should they be needed in the future for additional staff and interns at a cost of \$45.50 per user per month, not to exceed \$2,730 per year; and

WHEREAS, the Commissioner of Mental Health and Addiction Services also anticipates the need for up to twenty (20) additional VPN licenses to allow staff remote access to TenEleven Group, LLC’s electronic Clinical Record Suite (eCR) at an additional cost of \$5 per month per user, not to exceed \$1,200 per year, and to; and

WHEREAS, our Health and Social Services Committee and the Commissioner of Mental Health and Addiction Services have recommended that the County’s contract with TenEleven Group, LLC be amended to: i) increase the total EHR user licenses by seven (7) licenses, with an option to add up to five (5) additional EHR licenses, at a cost of \$45.50 per user per month; ii) add up to twenty (20) additional VPN licenses to allow staff remote access to TenEleven Group, LLC’s eCR at an additional cost of \$5 per month per user; and iii) increasing the not to exceed amount of the contract from \$379,815 to \$440,592 over the five year term of the contract to cover the costs of the additional EHR user licenses and VPN licenses, as well an anticipated increase in the number of insurance billing and claims eligibility transactions to be processed each year at a cost of \$.25 per transaction; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Commissioner of Mental Health and Addiction Services are authorized to execute an amendment to the County’s software license agreement with TenEleven Group, LLC of East Amherst, New York to: i) increase the total EHR user licenses by seven (7) licenses, with an option to add up to five (5) additional EHR licenses, at a cost of \$45.50 per user per month; ii) add up to twenty (20) additional VPN licenses to allow staff remote access to TenEleven Group, LLC’s eCR at an additional cost of \$5 per month per user; and iii) increasing the not to exceed amount of the contract from \$379,815 to \$440,592 over the five year term of the contract to cover the costs of the additional EHR user licenses and VPN licenses, as well an anticipated increase in the number of insurance billing and claims eligibility transactions to be processed each year at a cost of \$.25 per transaction; and be it further

RESOLVED, the Resolution 225-2017 is hereby amended accordingly; 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: No budget impact.

RESOLUTION 232 - 2018

Introduced by Supervisors Lucia, DeLucia, Gaston, Kusnierz, Raymond, Schopf and Veitch

AUTHORIZING A 2018 FUNDING APPLICATION AND CONTRACT FOR THE YOUTH BUREAU

WHEREAS, the Director of the Saratoga County Youth Bureau has proposed a 2018 Resource Allocation for the Youth Bureau’s Runaway Homeless Youth Act (RHYA) program; and

WHEREAS, the State Office of Children and Family Services (OCFS) offers 60% state funding, 40% local share, for qualified local services or agencies participating in its Runaway Homeless Youth Act (RHYA) program; and

WHEREAS, this application for possible State funds requires the authorized signatures of the Chair of this Board and our Youth Bureau Director; now, therefore, be it

RESOLVED, that the Chair of this Board and the Youth Bureau Director execute all documents required by the State OCFS for the approval, reimbursement and implementation of the Youth Bureau’s 2018 Resource Allocation for its Runaway Homeless Youth Act program; and, be it further

RESOLVED, that the Chair of this Board execute the following subcontract for the provision of runaway homeless youth shelter services utilizing 2018 RHYA funds for the term January 1, 2018 through December 31, 2018 by the following agency:

<u>AGENCY</u>	2018
CAPTAIN Community Human Services/Youth Shelter	<u>RHYA</u> \$27,973

BUDGET IMPACT STATEMENT: No budget impact. Funding is included in the Youth Bureau’s 2018 budget.

RESOLUTION 233 - 2018

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

AUTHORIZING ACCEPTANCE OF A USDA FOOD AND NUTRITION SERVICE SNAP HIGH PERFORMANCE BONUS AWARD THROUGH THE NEW YORK STATE OFFICE OF DISABILITY ASSISTANCE, AND AMENDING THE 2018 BUDGET IN RELATION THERETO

WHEREAS, the New York State Office of Disability Assistance (OTDA) has awarded funds received from the United States Department of Agriculture, Food and Nutrition Service (“USDA-FNS”) for a Supplemental Nutrition Assistance Program (“SNAP”) High Performance Bonus Award to Saratoga County Department of Social Services (“DSS”) in the amount of \$88,376; and

WHEREAS, as required by OTDA, DSS submitted a plan that demonstrated how the funds would be used for SNAP- related expenses which included items such as physical plant improvements to improve accessibility

for disabled clients in compliance with SNAP program access requirements, the purchase of hardware or software to support the administration of the County’s SNAP program, and the hiring of temporary staff needed to determine SNAP eligibility and to issue SNAP benefits; and

WHEREAS, DSS proposes to utilize these funds to purchase automatic doors, document scanners, computers, replacement printers and supplies, wireless headsets, smart televisions with brackets and flash drives, privacy screens, and to hire a temporary Social Welfare Examiner for the estimated period of November 1, 2018 through April 30, 2019; and

WHEREAS, the acceptance of this one-time SNAP High Performance Bonus Award requires this Board’s approval and an amendment to the 2018 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Commissioner of Social Services are hereby authorized to execute any and all documents necessary to accept a SNAP High Performance Bonus Award for the period April 1, 2018 to September 30, 2019 in the amount of \$88,376 from the New York State Office of Disability Assistance, with the form and substance of such documents being subject to the approval of the County Attorney; and be it further

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

SOCIAL SERVICES

Appropriations:

Increase Acct.: #A.60.603-8221 Building Materials	\$15,000
Increase Acct.: #A.60.603-7020 Office Equipment	\$48,860
Increase Acct.: #A.60.603-7033 Personal Computers	\$ 2,250
Increase Acct.: #A.60.603-6000 Regular Wages	<u>\$22,266</u>
	\$88,376

Revenues:

Increase Acct.: #A.60.4611 Food Stamp Administration	\$44,188
Increase Acct.: #A.60.3610 Social Services Administration	<u>\$44,188</u>
	\$88,376

BUDGET IMPACT STATEMENT: None. 100% Federal and State Aid.

RESOLUTION 234 - 2018

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

AMENDING THE BUDGET TO AUTHORIZE THE TRANSFER OF FUNDS FROM THE FARMLAND/OPEN SPACE PRESERVATION RESERVE FUND, AND DISBURSING FARMLAND/OPEN SPACE PRESERVATION ACCOUNT FUNDS TO THE TOWNS OF CHARLTON AND WILTON

WHEREAS, pursuant to Resolution 222-2015 as amended by Resolution 67-2017, this Board awarded a 2015 Farmland/Open Space Preservation grant in the amount of \$35,900 to the Town of Charlton upon the condition that Saratoga PLAN contributed funds in the amount of no less than \$183,909 from a New York State Department of Agriculture and Markets grant, plus in-kind donations, towards an estimated purchase price of \$245,309 for the purchase of a 63 acre farmland conservation easement over the Saratoga Draft Power/Biello Farm (Tax Parcel #213.-1-7.1); and

WHEREAS, pursuant to Resolution 249-2016, this Board awarded a 2016 Farmland/Open Space Preservation grant in the amount of \$32,144 to the Town of Wilton for payment of ancillary expenses such as title search, title insurance, survey costs, environmental assessment costs, etc. associated with the John Tooker Living Trust’s donation of 95 acres (Tax Parcel #141.-1-31) of prime farmland along Old Gick Road, Jones Road and Putnam Lane to Saratoga PLAN, contingent upon the Trust’s donation of the land with an estimated value of \$1,008,250, and a contribution in the sum of \$28,287 from Saratoga PLAN; and

WHEREAS, pursuant to Resolution 221-2015, this Board established a capital reserve fund to be known as the “Farmland/Open Space Preservation Reserve” for the purpose of accumulating monies to finance the costs of a type of capital project consisting of the financing of the acquisition of development rights by towns, villages and cities within Saratoga County of real property parcels within such towns, village and cities that have been

approved by our Farmland/Open Space Preservation Committee and the Board of Supervisors as worthy of preservation from future development; and

WHEREAS, unexpended 2015 and 2016 Farmland/Open Space Preservation Account funds transferred into the Farmland/Open Space Preservation Reserve on January 1, 2016 and January 1, 2017 respectively; and

WHEREAS, the Towns of Charlton and Wilton have requested the disbursement of their 2015 and 2016 Farmland/Open Space Preservation grant awards and have submitted the required documentation supporting their requests; and

WHEREAS, the transfer of Farmland/Open Space Preservation Reserve funds to the Farmland/Open Space Preservation Account, and the disbursement of monies from the Farmland/Open Space Preservation Account requires our approval and an amendment to the 2018 County Budget; now, therefore be it

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

PLANNING

Appropriations:

Increase Acct. #A.80.000-7091.9 Acq. Of Development Rights	\$14,905
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Revenues:

Increase Acct. #A.80-2408.I Open Space Reserve Transfer	\$14,905
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and, be it further

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disburse a sum not to exceed \$35,900 from the Farmland/Open Space Preservation Account to the Town of Charlton upon the condition that Saratoga PLAN contributes funds in the amount of no less than \$183,909 from a New York State Department of Agriculture and Markets grant, plus in-kind donations, towards an estimated purchase price of \$245,309 for the purchase of a 63 acre farmland conservation easement over the Saratoga Draft Power/Biello Farm (Tax Parcel #213.-1-7.1); and be it further

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disburse a sum not to exceed \$32,144 from the Farmland/Open Space Preservation Account to the Town of Wilton for ancillary expenses such as title search, title insurance, survey costs, environmental assessment costs, etc. associated with the John Tooker Living Trust's donation of 95 acres (Tax Parcel #141.-1-31) of prime farmland along Old Gick Road, Jones Road and Putnam Lane to Saratoga PLAN, contingent upon the Trust's donation of the land with an estimated value of \$1,008,250, and a contribution in the sum of \$28,287 from Saratoga PLAN; and be it further

RESOLVED, that the Chair of this Board is authorized to execute any and all agreements and other documents necessary to ensure the fulfillment of said conditions and transfer said funds, with such agreements and documents to be subject to the approval of the County Attorney as to form and content.

BUDGET IMPACT STATEMENT: None. The transfer will reduce the balance in the open space reserve by \$14,905.

RESOLUTION 235 - 2018

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

AWARDING 2018 TRAILS GRANTS AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, the 2018 Saratoga County Budget included a Trails Grant Program to give matching grants to local municipalities to fund trail development and construction projects; and

WHEREAS, the 2018 Trails Grant Program provides a pool of up to \$50,000 to fund trail feasibility studies, engineering work, and construction in local municipalities; and

WHEREAS, the Trails Committee received eight applications for funding totaling \$69,083.18; and

WHEREAS, as the available funding of \$50,000 was 72.38% of the total funding requested, the Trails Committee decided to approve all eight applications received and to award each applicant 72.38% of the funding amount it requested; and

WHEREAS, our Economic Development Committee approved a recommendation to the Law and Finance Committee to fully fund all eight grant applications received at a cost of \$69,083.18; and

WHEREAS, our Law and Finance Committee has accepted and approved the recommendation of the Economic Development Committee; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the payment under the Trails Grant Program of the sum of \$50,000, plus \$19,083.18 from Fund Balance, to be distributed among the following municipalities in the amounts and for the purposes stated, upon the condition that each municipality provide matching funds or services in kind:

1. Town of Charlton – in the amount of \$5,000 for the construction of a trail through Gideon Hawley Park linking to the sidewalk system at the adjacent Charlton Town Hall.
2. Town of Edinburg – in the amount of \$9,095.68 for the construction of improvements to a 3,000 ft. long nature and walking trail on an 87-acre Town-owned parcel. Proposed improvements include resurfacing the trail with bulk wood fiber.
3. Town of Halfmoon – in the amount of \$10,000 for the construction of a 2.18-mile trail through the Halfmoon Vosburgh Road Preserve owned by the Town. The proposed trail is sited near several subdivision neighborhoods and will provide increasing connectivity throughout the Town. Long-term plans call for connecting the Town’s trail network with regional trail systems to include the Champlain Canalway Trail and the County’s Zim Smith Trail.
4. Town of Malta – in the amount of \$4,987.50 for the construction of 250± linear ft. of sidewalk within the Town’s right-of-way along Raylinski Road to fill in an existing sidewalk gap. The project will include the installation of ADA warning pads, a sidewalk crosswalk and appropriate signage to enhance pedestrian mobility and safety.
5. City of Mechanicville – in the amount of \$10,000 for the construction of a trail commencing from the southern termination point of the soon to be constructed Zim Smith Trail extension on Elizabeth Street Extension and traversing down to the Hudson River waterfront to connect to the Champlain Canalway Trail.
6. City of Saratoga Springs – in the amount of \$10,000 for the construction of improvements to the Bog Meadow Trail to include raising the trail bed in low lying areas and constructing a new 45 ft. long bridge over the Bog Meadow Brook.
7. Town of Saratoga – in the amount of \$10,000 for the Sword Surrender March Trail Phase II project to construct a trailhead and parking lot with two mini bridges on a 2.34-acre Town-owned parcel at the southern end of the Sword Surrender March Trail.
8. Town of Wilton – in the amount of \$10,000 for the construction of a .5-mile trail segment along Scout Road with access for hiking, biking and horseback riding. This trail is part of a larger Town project to provide continuous trail connections between State, County and Town-owned lands in and around Camp Saratoga.

and, be it further

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

PLANNING:

Appropriations:

Increase Acct. #: A.80.000-8492 Local Assistance	\$19,083.18
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Revenues:

Increase Acct. #: A.0599.M Appropriated Fund Balance	\$19,083.18
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BUDGET IMPACT STATEMENT: No budget impact.

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

#### AUTHORIZING INTER-AGENCY TRANSFERS NECESSARY TO CLOSE OUT 2018 COUNTY BUDGET

WHEREAS, inter-agency transfers are necessary to accommodate various adjustments to balance and close out the 2018 County Budget; and

WHEREAS, a delegation of the authority to approve these transfers is necessary to implement them in a timely and lawful manner; now, therefore, be it

RESOLVED, that, effective October 16, 2018, the County Administrator is authorized to make any inter-agency transfers necessary to close out the 2018 County Budget and he shall submit a written report thereof to the Law and Finance Committee in 2019.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 237 - 2018

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

#### AMENDING AND RESTATING THE SARATOGA COUNTY INVESTMENT POLICY

WHEREAS, Resolution 118-2014 last amended and restated the Comprehensive Investment Policy of the County of Saratoga (“Saratoga County Investment Policy”); and

WHEREAS, our County Treasurer has proposed numerous revisions to the Saratoga County Investment Policy, which revisions if adopted by this Board would make a restatement of the Policy appropriate; and

WHEREAS, the revisions proposed by the County Treasurer include, but are not limited to: the addition of objectives of the Investment Policy; updating the criteria for “qualified banks” where County funds may be deposited; reducing the collateralization rate for banks securing County deposits to eliminate the need for banks to create specialized collateralization programs to accept County funds at increased costs which are passed on to the County; increasing the maximum total deposit amount that may be deposited with qualified banks; and removed from the list of qualified banks First Niagara Bank which was acquired by Key Bank in 2016 and NBT Bank which no longer accepts county municipal deposits; and

WHEREAS, copies of the proposed amendments to, and restatement of, the Saratoga County Investment Policy have been provided to all members of this Board; and

WHEREAS, our Law and Finance Committee has recommended the adoption of the proposed amendments to, and restatement of, the Saratoga County Investment Policy; now, therefore, be it

RESOLVED, that pursuant to General Municipal Law §39, the Board of Supervisors of the County of Saratoga hereby approves the amendments proposed by the Saratoga County Treasurer to the Saratoga County Investment Policy, and as amended, hereby approves and adopts the following restatement of the Comprehensive Investment Policy of the County of Saratoga:

#### COMPREHENSIVE INVESTMENT POLICY OF THE COUNTY OF SARATOGA

While the Saratoga County Treasurer, the County’s chief fiscal officer, has the principal responsibility for safeguarding the financial assets of the County of the Saratoga (hereinafter referred to as “Saratoga County” or “County”) and for obtaining a reasonable return on the investment of those assets, the Board of Supervisors also shares the responsibility for protecting County funds. Moreover, the Board has an obligation, under New York State Law, to define and limit those instruments, which it regards as acceptable for the investment of Saratoga County funds. Therefore, both to comply with applicable statutes and regulations and to offer appropriate guidance to the Saratoga County Treasurer, the Board of Supervisors establishes this investment policy.

#### SECTION I – OBJECTIVES

The Treasurer may hold county funds in qualified investments (per Section III) or in deposits with qualified banks (per Section II). The Treasurer shall make such investments and/or deposits while pursuing the following objectives, in order of priority:

- A. Ensuring funds are available to pay the County's expenses and meet cash demands as they arise,
- B. Minimizing the risk of loss of invested capital,
- C. Maximizing net interest earnings on cash not needed to meet expenses or cash demands in the short-term or that is not needed for any short-term County purpose,
- D. Minimizing the fees incurred through the conducting of business with banks and financial institutions.

#### SECTION II – DEPOSITS WITH BANKS

The Treasurer may deposit county funds in qualified banks in accordance with the limitations set forth by this Section.

#### A. QUALIFIED BANKS

To qualify as, and to remain qualified as, a qualified bank, a bank must:

- i. Be a financial institution chartered as a commercial bank by the U.S. Treasury, Federal Reserve, and/or the State of New York, and a member of the Federal Deposit Insurance Corporation (FDIC),
- ii. Maintain a primary office, branch office, or other physical presence within Saratoga County,
- iii. Be rated by a nationally-recognized rating agency – including but not limited to Standard & Poor's Financial Services, Moody's Investors Service, Fitch Ratings, or Bauer Financial - and maintain a second-best or better rating from at least one such rating agency for three out of the four most recent consecutive fiscal quarters,
- iv. Execute a depository undertaking and an assignment-of-collateral agreement with the Treasurer,
- v. Be proposed by the Treasurer to the Board of Supervisors to be a depository of county funds and be so approved by the Board of Supervisors.

With respect to any bank which is a subsidiary of another bank, the foregoing criteria will be applied to the parent bank.

The Treasurer shall periodically review each qualified bank's ratings and operations to determine its continued compliance with this Section. Should a bank fail to maintain these qualification criteria, it will cease to be a qualified bank.

If a previously qualified bank ceases to maintain qualified status, the Treasurer shall take prudent action to discontinue depositing county funds at that bank or maintaining deposits in excess of FDIC insurance coverage limits, and begin transferring the county's banking business toward other qualified banks while minimizing disruption to the Treasurer's day-to-day banking duties and activities.

Should the Treasurer believe a bank's failure to meet or maintain qualified status is temporary or extraordinary, that the circumstances causing such qualification failure do not present the county with an increased risk of the loss of capital, and that depositing funds into that bank or otherwise conducting business with that bank is in the county's best interests, the Treasurer may present to the Board his rationale for issuing or maintaining the bank's qualified status in exception to this Section and the Board may elect to approve such exception thereby establishing or re-establishing the bank's qualified status. The Board may elect to remove such exception at any time.

#### B. COLLATERALIZATION OF DEPOSITS

Each qualified bank must continually secure Saratoga County's deposits that have cleared the Federal Reserve banking system and that are held therein. To secure the County's deposits, the bank must hold collateral designated for securing those county deposits not already insured by the Federal Deposit Insurance Corporation (FDIC). Should a bank fail to secure any portion of Saratoga County's deposits held therein by the end of the business day on which the deposits were made or held, the Treasurer shall, as soon as reasonably and logistically possible, withdrawal deposits that are unsecured and place them in some other secured deposit or investment.

Collateral must consist of either:

- i. securities acceptable to the County as detailed in Exhibit B with an aggregate market value of one hundred two per cent (102%) of those deposits for which it is designated to secure,



- ii. a letter of credit defined in General Municipal Law Section 10(1)(h) for a term not to exceed ninety (90) days payable to Saratoga County as security for the payment of one hundred forty per cent (140%) of the aggregate amount of county funds deposited with the bank, or
- iii. an irrevocable letter of credit issued in favor of and payable to Saratoga County by a federal home loan bank, whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of one hundred percent (100%) of the aggregate amount of county funds deposited with the bank and the amount of agreed upon interest, if any, or a combination thereof.

Collateral in the form of securities must be held by a third party, in trust for, in safekeeping, in a restrained account, or otherwise specifically segregated as collateral for the public funds of Saratoga County. That third party shall be a financial institution of the qualified bank's choice, subject to the approval of the Treasurer, which has entered into an escrow/custodian agreement with the qualified bank and the Treasurer. Under that collateral agreement, the bank will have the right to the income from the collateral and the right to substitute alternative, acceptable collateral. The Treasurer shall be notified of any substitution or reduction of collateral and will have an undisputed right of delivery of the collateral in the event of default by the bank. The third-party custodian need not have physical possession of the collateral but may hold the collateral in book entry form acceptable to the Treasurer.

Collateral in the form of a letter of credit or an irrevocable letter of credit shall be in place and received by the Treasurer either prior to or at the time of the County's making, renewing, or continuing its deposit or deposits with the bank and must be approved by the Treasurer as to its form and content.

#### C. REDEPOSIT PROGRAMS

The Treasurer shall also have the option of depositing county funds with any qualified bank to arrange for the redeposit of the county's funds in one or more banking institutions, as defined in section 9(r) of the Banking Law of the State of New York, for the account of Saratoga County, through a deposit placement program that meets all of the following conditions:

- i. On or after the date that Saratoga County's funds are received, the designated bank or trust company a) arranges for the redeposit of such funds into deposit accounts in one or more banking institutions and b) serves as custodian for Saratoga County with respect to the funds redeposited into such accounts.
- ii. Saratoga County funds deposited in a designated bank or trust company in accordance with this paragraph and held in the designated bank or trust company in excess of the amount insured by FDIC pending redeposit of the funds pursuant to this paragraph shall be secured in accordance with subdivision three of General Municipal Law Section 10 of the State of New York.
- iii. The full amount of Saratoga County funds redeposited by the designated bank or trust company into deposit accounts in banking institutions, pursuant to this paragraph (plus accrued interest, if any), shall be insured by the FDIC.
- iv. At the same time that the money of Saratoga County is redeposited pursuant to this paragraph, the selected depository receives an amount of deposits from customers of other financial institutions pursuant to the deposit placement program that are at least equal to the amount of Saratoga County's funds redeposited by the designated bank or trust company.

#### D. MAXIMUM TOTAL DEPOSIT AMOUNT

For the purpose of this Section, "Primary Capital" is defined as the sum of common stock, perpetual preferred stock, capital surplus, undivided profits, reserves for contingencies and other capital reserves, mandatory convertible instruments, the allowance for possible loan and lease losses, and any minority interest in the equity accounts of consolidated subsidiaries.

Saratoga County's deposits in any qualified bank are limited in aggregate amount to the lesser of seventy five per cent (75%) of the bank's Primary Capital or the bank's "maximum total deposit amount" set forth in Exhibit A.

### SECTION III – INVESTMENTS

The Treasurer may invest County funds not immediately needed for county purposes by purchasing securities and/or obligations permitted by Section 11 of the General Municipal Law of the State of New York and authorized by the Board of Supervisors as set forth in Exhibit B. Such investments must be made in accordance with Section I of this Investment Policy. To maintain liquidity and ensure the county’s ability to meet cash demands, at any given time the amount of county funds invested in securities shall not exceed sixty per cent (60%) of the county’s total funds.

**SECTION IV – REPORTING**

The Treasurer shall provide a Cash and Investment report monthly to the Board’s Law & Finance Committee summarizing the status of all county deposits and investments. Such report shall include, but is not limited to, deposit balances at each bank and investment values of each investment type. Such report shall also include the amount of county funds held by the Treasurer on behalf of each of the county’s accounting funds (e.g., the General Fund, the County Roads Fund, the Sewer Fund, the Trust & Agency Fund, etc.). The Law & Finance Committee may alter the required form and content of the Treasurer’s Cash and Investment report at any time by notifying the Treasurer of its altered requirements in writing.

**EXHIBIT A**

**QUALIFIED BANKS AND MAXIMUM TOTAL DEPOSIT AMOUNTS**

BE IT RESOLVED, that pursuant to Section 10 of the General Municipal Law of the State of New York, the following commercial banks have qualified as, and will remain so long as they maintain adherence to the qualification criteria detailed in Section II(A) of the Saratoga County Investment Policy as amended and restated on October 16, 2018, qualified depositories for all monies received by the County Treasurer, and that the maximum total deposit amount for each bank, in accordance with Section II(D) of the Saratoga County Investment Policy as amended and restated on October 16, 2018, is as follows:

<u>Company</u>	<u>Maximum Total Deposit Amount</u>
The Adirondack Trust Company	\$ 50,000,000
Ballston Spa National Bank	\$ 40,000,000
Bank of America	\$ 40,000,000
Capital Bank, a division of Chemung Canal Trust Company	\$ 40,000,000
Glens Falls National Bank and Trust Company	\$ 40,000,000
KeyBank, N.A.	\$ 40,000,000
M&T Bank	\$ 40,000,000
Saratoga National Bank and Trust Company	\$ 40,000,000

**EXHIBIT B**

**AUTHORIZED SECURITIES**

The below list of securities shall be acceptable to Saratoga County both for the purpose of collateralizing county bank deposits not already secured by FDIC insurance in accordance with Section II(B)(i) of the Saratoga County Investment Policy and for direct investment by the Treasurer per Section III of the Saratoga County Investment Policy.

- 1) Obligations issued by the United States of America, an agency thereof of a United States sponsored corporation or obligation fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof of a United States government sponsored corporation.
- 2) Obligations partially insured or fully guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represent the amount of the insurance or guaranty.
- 3) Obligations issued or fully insured or guaranteed by the State of New York, and, except for obligations issued by or fully or partially insured or guaranteed by the County of Saratoga, obligations by a municipal corporation, school district, or district corporation of the State of New York, or obligations of any public benefit corporation, which under a specific state statute may be accepted as security of deposit of public monies.

- 4) Zero-coupon obligations of the United States Government marketed as “Treasury Strips”.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 238 - 2018

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH ARCADIS OF NEW YORK, INC. FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH SARATOGA COUNTY SEWER DISTRICT NO.1’S COMPLIANCE WITH ITS SPDES PERMIT

WHEREAS, Saratoga County Sewer District No. 1 operates pursuant to the terms and conditions of a State Pollution Discharge Elimination System (“SPDES”) Permit issued and regulated by the Department of Environmental Conservation (“DEC”); and

WHEREAS, Saratoga County Sewer District No. 1 is under an Order on Consent issued by DEC for various exceedances of certain effluent limits, including ammonia, set in the Sewer District’s SPDES’s Permit; and

WHEREAS, in connection with its enforcement of the Order on Consent, DEC is requiring Saratoga County Sewer District No. 1 to perform professional wastewater sampling services to determine the effect the Sewer District’s current ammonia discharge is having on the Hudson River and to establish interim limits for the Sewer District’s discharge of ammonia; and

WHEREAS, DEC is requiring that said Hudson River sampling is to be completed as soon as possible during low wastewater flow conditions; and

WHEREAS, Arcadis of New York, Inc. has submitted a proposal to conduct the sampling of the Hudson River required by DEC at a cost of \$48,600; and

WHEREAS, Arcadis of New York, Inc. is well versed in the requirements of such a wastewater sampling, is experienced with the requirements of the New York State departments involved with the Hudson River, and is believed to be the best choice for performing the required sampling; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District’s Executive Director have recommended that Arcadis of New York be retained to perform the Hudson River sampling services required by DEC at a cost not to exceed \$48,600; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute an agreement with Arcadis of New York, Inc. of Clifton Park, New York, to perform professional wastewater sampling service of the Hudson River mandated by DEC, at a cost not to exceed \$48,600; with the form and content of such agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. Funds are available in the Sewer District’s 2018 budget.

RESOLUTION 239 - 2018

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

DESIGNATING ATLAS COPCO COMPTec, LLC REPLACEMENT PARTS, REPAIR AND MAINTENANCE SERVICES AS THE STANDARD TO BE USED IN PURCHASE CONTRACTS INVOLVING THE REPAIR, REPLACEMENT OR MAINTENANCE OF THE BLOWERS THAT OPERATE THE SOUTHERN AERATION SYSTEMS AT SARATOGA COUNTY SEWER DISTRICT NO. 1’S WASTEWATER TREATMENT PLANT, FOR REASONS OF EFFICIENCY AND ECONOMY

WHEREAS, Saratoga County Sewer District No. 1 maintains two blowers that operate the aeration system on the south side of its Wastewater Treatment Plant as part of handling up to 43 million gallons of sewage effluent per day collected from throughout the County of Saratoga, New York; and

WHEREAS, the blowers were designed by Atlas Copco Comptec, LLC (“Atlas Copco”) as a single unit for the specific parameters of the Treatment Plant; and

WHEREAS, each blower cost \$1,000,000, and is deemed the most important piece of equipment at the Treatment Plant; and

WHEREAS, the replacement of any part of the blowers with a part that may not be in accordance with the original design done by Atlas Copco may damage the blower or render it inoperable; and

WHEREAS, the blowers have numerous parts which require periodic preventive maintenance and which deteriorate and break down over time requiring repair or replacement; and

WHEREAS, the Sewer District maintenance staff have become very familiar with and rely upon the performance of the equipment manufactured and services provided by Atlas Copco; and

WHEREAS, there are significant efficiency and economic benefits to the Sewer District in using only Atlas Copco replacement parts, repair and preventive maintenance services to maintain the blowers in good working order; and

WHEREAS, Atlas Copco and their local authorized service representatives have provided superior repair, replacement and preventative maintenance services to the blowers operating the southern aeration basins at the Sewer District's Wastewater Treatment Plant; and

WHEREAS, General Municipal Law §103(5) authorizes this Board by a three-fifths vote to declare that for reasons of efficiency and economy there is a need for standardization of purchase contracts for a particular type or kind of equipment, material, supplies or services that exceed \$10,000 in cost; and

WHEREAS, the Saratoga County Sewer District Commission has adopted a resolution designating, for reasons of efficiency and economy, Atlas Copco replacement parts, repair and preventive maintenance services as the standard to be used in procuring the necessary items to repair, replace and maintain the two blowers that operate the south side aeration basins at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby designates, for reasons of efficiency and economy as stated herein, Atlas Copco Comptec, LLC replacement parts, repair and preventive maintenance services as the standard to be used in procuring the necessary items to repair, replace and maintain the two blowers that operate the south side aeration basins at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant.

BUDGET IMPACT STATEMENT: No budget impact.

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

Respectfully Submitted,

Pamela Wright  
Clerk of the Board