



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 191 - 2019

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

APPOINTING ANDREW C. BLUMENBERG AS PUBLIC DEFENDER

WHEREAS, Article 18-A of the County Law authorizes the appointment of a County Public Defender; and

WHEREAS, by reason of the retirement of Oscar L. Schreiber, a vacancy has been created in the position of Public Defender; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended the appointment of First Assistant Public Defender Andrew C. Blumenberg as Saratoga County Public Defender to fill the unexpired term of Oscar L. Schreiber; now, therefore, be it

RESOLVED, that Andrew C. Blumenberg of the City of Saratoga Springs, New York, be and is hereby appointed to the position of Public Defender for a term commencing on October 1, 2019 and terminating on December 31, 2019, at the salary set forth for the Public Defender in Step 1A of the Attorney Compensation Schedule, being \$129,849; and be it further

RESOLVED, that Andrew C. Blumenberg is hereby appointed to the Saratoga County Criminal Justice Advisory Committee effective as of October 1, 2019 to fill the vacancy on the Committee for the Saratoga County Public Defender.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 192 - 2019

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

APPOINTING ANNA STANKO AS DIRECTOR OF THE SARATOGA COUNTY REAL PROPERTY TAX SERVICE AGENCY

WHEREAS, by reason of the impending retirement of Joanne Bosley, a vacancy will exist in the position of Director of the Saratoga County Real Property Tax Service Agency effective as of September 30, 2019; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended the appointment of Anna Stanko, who is currently employed in the position of Tax Map Supervisor, to the position of Director of the Saratoga County Real Property Tax Service Agency, effective October 1, 2019;

WHEREAS, pursuant to Real Property Tax Law §1530, the term of director of a county real property tax service agency is established at six (6) years; now, therefore, be it

RESOLVED, that Anna Stanko of the Town of Milton, New York, is hereby appointed to the position of Director of the Saratoga County Real Property Tax Service Agency at Salary Grade 18, Step 1A, for a term of six (6) years to commence on October 1, 2019 and terminate on September 30, 2025, with all the powers and duties set forth in Title 1 of Article 15-A of the Real Property Tax Law.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 193 - 2019

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

AMENDING THE POLICIES AND PROCEDURES MANUAL TO REVISE THE COUNTY'S PROBATIONARY PERIOD 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 amending the Probationary Period policy to include a requirement that within four months of a probationer's start date, the probationer's supervisor shall write an objective assessment of the probationer's status and performance to be sent to the probationer's Department Head and then filed with the Human Resources Department; and

WHEREAS, our Human Resources Department has distributed to each member of this Board copies of the proposed revised "Probationary Period" policy; 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 Saratoga County Policies and Procedures Manual is hereby amended to modify the Probationary Period 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>
3	K	Probationary Period	12/5/90	5/16/17

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 194 - 2019

Introduced by Supervisors Peck, Allen, Barrett, Lawler, O'Connor, Ostrander and Szczepaniak

PROCLAIMING OCTOBER 2019 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 assist 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 Kevin J. Tollisen, Chairman, hereby proclaim the month of October 2019 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 of 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.

9/24/19



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 195 - 2019

Introduced by Supervisors Peck, Allen, Barrett, Lawler, O'Connor, Ostrander and Szczepaniak

AUTHORIZING ACCEPTANCE OF A 2019 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 \$85,193 for the performance period from October 1, 2018 through September 30, 2021; and

WHEREAS, our Office of Emergency Services proposes to utilize these funds for operational expenses in the Office of Emergency Services; 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 2019 Emergency Management Performance Grant in the amount of \$85,193 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.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 196 - 2019

Introduced by Supervisors Peck, Allen, Barrett, Lawler, O'Connor, Ostrander and Szczepaniak

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH RS TELECOM, INC. TO PERFORM REPAIR AND MAINTENANCE WORK ON THE COUNTY'S PUBLIC SAFETY MICROWAVE RADIO SYSTEM

WHEREAS, pursuant to Resolution 221-2016, the Saratoga County Board of Supervisors authorized an agreement with RS Telecom, Inc. to provide repair and maintenance services for the microwave portion of the County's Public Safety Radio System for a term of two years commencing October 1, 2016, with an option to renew for a term of one year; and

WHEREAS, the County exercised its right to renew the agreement with RS Telecom, Inc. for an additional year, which renewal term will expire on September 30, 2019; and

WHEREAS, our Office of Emergency Services and Purchasing Department issued a Request for Bids for preventive maintenance and repair services for the County's Public Safety Microwave Radio System; and

WHEREAS, our Public Safety Committee and the Commissioner of the Office of Emergency Services have recommended that the bid of RS Telecom, Inc., the only bid received, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with RS Telecom, Inc. of Shrewsbury, Vermont to provide repair and maintenance services for the microwave portion of the County's Public Safety System for a term of two years commencing October 1, 2019 and terminating September 30, 2021, with an option to renew for a term of one year, at a cost of \$85,500 per year, including the renewal year; plus the following additional costs for any tower sites that are added to the system as follows: i) \$6,000 per year for sites that can be accessed with a four wheel drive vehicle; ii) \$9,000 per year for remote sites that can only be accessed by ATV, snowmobile or hiking; and iii) \$2,500 per year for sites with fiber optic lines (no microwave facilities) that can be accessed with a four wheel drive vehicle; 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.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 197 - 2019

Introduced by Supervisors Peck, Allen, Barrett, Lawler, O'Connor, Ostrander and Szczepaniak

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH ATTORNEY KYRAN D. NIGRO FOR THE PROVISION OF INDIGENT DEFENSE SERVICES AS SARATOGA COUNTY CONFLICT DEFENDER

WHEREAS, pursuant to Resolution 251-2017, the Saratoga County Board of Supervisors authorized an agreement with Kyran D. Nigro of the City of Saratoga Springs for the provision of part-time Saratoga County Conflict Defender services as a contract employee for the term January 1, 2018 through December 31, 2019 at rate of compensation equivalent to the Grade 20 rate for 35 hours per biweekly pay period, with no standard employee benefits to which Saratoga County employees are entitled to be provided; and

WHEREAS, as part of its efforts to expand the quality of indigent public defense services beyond the five counties named as defendants in the class action lawsuit "Hurrell-Harring, et. al v. State of New York, et. al", , the New York State Office of Indigent Legal Services is providing State funding to counties that submit applications detailing specific plans for the improvement of public defense services; and

WHEREAS, pursuant to Resolution 132-2019, this Board of Supervisors authorized the acceptance of a grant awarded by the New York State Office of Indigent Legal Services to Saratoga County and the County Public Defender's Office in the amount of \$7,110,185.25 for the grant period from April 1, 2018 through March 31, 2023 to support the continued improvement of the quality of indigent legal services provided by the County pursuant to County Law Article 18-B; and

WHEREAS, in his capacity as Saratoga County Conflict Defender, Kyran D. Nigro has been contractually obligated to maintain a private law office for purposes of meeting and engaging in confidential communications with clients;

WHEREAS, Conflict Defender Nigro maintains the services of an administrative assistant at his private law office, which administrative assistant has had to provide certain services to the Conflict Defender in support of his duties as Conflict Defender, including, but not limited to, communicating with clients by telephone, greeting clients at the office, opening and maintaining case files, assisting in the drafting, execution, mailing and service of legal papers for court proceedings, and case calendar management; and

WHEREAS, the New York State Office of Indigent Legal Services has confirmed to the Saratoga County Public Defender's Office that the cost of the administrative support services rendered by the Conflict Defender's administrative assistant on Conflict Defender cases is an expense that may be reimbursed out of the aforesaid "Hurrell-Harring" grant funds awarded the County for the grant period from April 1, 2018 through March 31, 2023; and

WHEREAS, Conflict Defender Nigro has determined that his administrative assistant spends 7/10 of her time on Conflict Defender cases; and

WHEREAS, Conflict Defender Nigro has requested that his contract be amended to authorize the County's reimbursement to him of 7/10 of his administrative assistant's salary, utilizing the "Hurrell-Harring" grant funds accepted pursuant to Resolution 132-2019, for the period covering the State's fiscal year 2018-2019 from April 1, 2018 through March 31, 2019; and

WHEREAS, our Public Safety Committee has recommended that the County's contract with Kyran D. Nigro for the provision of Conflict Defender services be amended to authorize the reimbursement to Conflict Defender Nigro of 7/10 of the salary costs of his administrative assistant for time spent on Conflict Defender cases for the term April 1, 2018 through March 31, 2019, which proportionate salary costs have been determined by Conflict Defender Nigro to be in the amount of \$31,512.35; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the agreement with Kyran D. Nigro for the provision of indigent defense services as Saratoga County Conflict Defender to provide for the reimbursement to Conflict Defender Nigro of 7/10 of the salary costs of his administrative assistant for time spent on Conflict Defender cases for the term April 1, 2018 through March 31, 2019, which proportionate salary costs are in the amount of \$31,512.35; and be it further

RESOLVED, that the County's reimbursement of said proportionate salary costs of the Conflict Defender's administrative assistant shall be subject to the New York State Office of Indigent Legal Services' authorization to the County to pay said proportionate salary costs out of the "Hurrell-Harring" grant funds accepted by the County for the grant period April 1, 2018 through March 31, 2023; and be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 198 - 2019

Introduced by Supervisors Peck, Allen, Barrett, Lawler, O'Connor, Ostrander and Szczepaniak

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

WHEREAS, pursuant to Resolution 183-2017, this Board authorized the acceptance of a grant from the New York State Office of Indigent Legal Services in the amount of \$211,602 (Distribution #6) to improve the quality of indigent legal services rendered by Saratoga County; and

WHEREAS, pursuant to Resolution 205-2018, this Board authorized the Chairman to enter into a Memorandum of Understanding with The Rural Law Center of New York, Inc. ("Rural Law Center") for the provision of appellate legal services to clients of the Office of the Saratoga County Public Defender and the Saratoga County Conflict Defender for the term October 1, 2018 through September 30, 2019 at a cost of \$2,250 per appeal, and \$4,500 per appeal for appeals with court transcripts exceeding 2,000 pages, with total costs not to exceed \$85,000; and

WHEREAS, the Offices of the Saratoga County Public Defender and Saratoga County Conflict Defender wish to renew the Memorandum of Understanding ("MOU") with the Rural Law Center for an additional year; and

WHEREAS, the Rural Law Center proposes to continue to provide appellate legal services to clients of the Offices of the Saratoga County Public Defender and the Saratoga County Conflict Defender for the term from October 1, 2019 through September 30, 2020 at a cost of \$2,500 per appeal, and \$5,000 per appeal for appeals with court transcripts exceeding 2,000 pages, with total costs not to exceed \$65,000 per year; and

WHEREAS, the costs for renewing the The Rural Law Center MOU will be fully funded by New York State Office of Indigent Legal Services Grant Distribution #6; and

WHEREAS, our Public Safety Committee has recommended that the County renew its MOU with The Rural Law Center of New York, Inc. for the provision of appellate legal services for the term October 1, 2019 through September 30, 2020, at a cost of \$2,500 per appeal, and \$5,000 per appeal for appeals with court transcripts exceeding 2,000 pages, with total costs not to exceed \$65,000 per year; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a Memorandum of Understanding with The Rural Law Center of New York, Inc. for the provision of appellate legal services to clients of the Offices of the Saratoga County Public Defender and the Saratoga County Conflict Defender for the term October 1, 2019 through September 30, 2020 at a cost of

\$2,500 per appeal, and \$5,000 per appeal for appeals with court transcripts exceeding 2,000 pages, with total costs not to exceed \$65,000 per year; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 199 - 2019

Introduced by Supervisors Allen, Kinowski, Ostrander, Pemrick, Schopf, Szczepaniak and Wright

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH GENERAL CONTROL SYSTEMS, INC. FOR THE PROVISION OF ADDITIONAL ENGINEERING SERVICES AND THE PURCHASE OF COMPUTERS NEEDED FOR THE PLANNED UPGRADES TO THE SCADA SYSTEM AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT

WHEREAS, pursuant to Resolution 211-2018, this Board authorized an agreement with General Control Systems, Inc. for the provision of engineering services and the installation of upgrades and replacement equipment to the Supervisory Control and Data Acquisition ("SCADA") system at Saratoga County Sewer District No. 1's Wastewater Treatment Plant ("WWTP") to include new servers, upgraded software, licenses and system integration to ensure the SCADA system remained functional, at a cost not to exceed \$156,475; and

WHEREAS, the existing industrial PCs at the WWTP are not equipped to run the upgraded SCADA software, and it is therefore necessary to purchase two new industrial PCs along with associated hardware, and to procure additional engineering and installation services for the new PCs; and

WHEREAS, General Control Systems, Inc. has submitted a proposal to provide the two new industrial PCs and necessary engineering and installation services at the additional cost of \$18,698, thereby increasing their total contract to the not to exceed amount of \$175,173; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the County's contract with General Control Systems, Inc. be amended to authorize the purchase of two new industrial PCs and associated hardware, and the provision of additional engineering and installation services needed for the new PCs; now, therefore be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the agreement with General Control Systems, Inc. of Green Island, New York for the purchase of two new industrial PCs for the Supervisory Control and Data Acquisition system at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant, along with additional engineering and installation services for said two PCs, at an additional cost of \$18,698, thereby increasing the total contract to the not to exceed amount of \$175,173; and, be it further

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

BUDGET IMPACT STATEMENT: None. Funds are available in the Sewer District's 2019 budget.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 200 - 2019

Introduced by Supervisors Allen, Kinowski, Ostrander, Pemrick, Schopf, Szczepaniak and Wright

OPPOSING GOVERNOR CUOMO'S PLAN TO REQUIRE THE REPLACEMENT OF NEW YORK STATE'S LICENSE PLATES AT A COST TO MOTORISTS OF \$25 PER NEW PLATE PLUS AN ADDITIONAL \$20 FOR KEEPING THEIR CURRENT PLATE NUMBER

WHEREAS, Governor Cuomo and the New York State Department of Motor Vehicles have announced plans for a new license plate that will force millions of motorists to pay a \$25 per plate fee and a second \$20 fee if they want to keep their current plate number; and

WHEREAS, after ending its previous contract with 3M, the State started a new two-year \$4 million contract in September with Avery Dennison to supply the materials to produce license plates. New York's license plates are manufactured at Auburn Correctional Facility by inmates at a labor cost of up to \$300,000, at an annual cost to taxpayers of \$1.15 per plate; and

WHEREAS, based on an analysis by Senator Jim Tedisco's Office, the new license plates will cost \$2.3 million per year to produce, with the State projected to reap a \$70 million windfall from the revenue collected from the \$25 per plate fee. Said projected windfall does not include the additional revenue the State will receive from those who want to keep their current plate number and pay an extra \$20 per plate for that "convenience"; and

WHEREAS, according to Part H of NYS budget bill A.159B of 2009, the State can charge up to \$25, but is not required to levy such a fee, and for the past decade has not imposed that cost; and

WHEREAS, the current license plates work just fine for cashless tolling and red light cameras according to the New State Thruway Authority and law enforcement; and

WHEREAS, New York State law does not require that license plates be either redesigned or replaced at any specified frequency, and while some plates may be peeling or fading, motorists should not be forced to pay additional fees because of the inferior product that the state purchased. Instead, the State should pursue legal action against the previous vendor to recoup tax dollars to cover the costs of the new plates; and

WHEREAS, Senator Jim Tedisco and Senator Daphne Jordan along with Assemblywoman Mary Beth Walsh, Assemblywoman Carrie Woerner, Assemblyman Dan Stec, Saratoga County Clerk Craig Hayner and many other County Clerks, have spoken out in strong opposition to the Governor's License Plate Tax money grab; now, therefore, be it

RESOLVED, we the members of the Saratoga County Board of Supervisors hereby express our strong opposition to Governor Cuomo's plans to require all New York motorists to

replace their current license plates, and to impose mandatory fees for replacement plates of \$25 plus an additional \$20 for maintaining the same plate number; and be it further

RESOLVED, that this Board of Supervisors further urges Governor Cuomo to reverse his plan to charge New York's motorists millions of dollars in unnecessary fees for new license plates, as the Governor has the power to unilaterally rescind this proposal; and be it further

RESOLVED, that the Clerk of the Board shall send a copy of this resolution to Governor Andrew M. Cuomo, Temporary President and Majority Leader of the Senate Andrea Stewart-Cousins, Speaker of the Assembly Carl E. Heastie, Senate Minority Leader John J. Flanagan, Assembly Minority Leader Brian M. Kolb, Senator Jim Tedisco, Senator Daphne Jordan, Assemblywoman Mary Beth Walsh, Assemblywoman Carrie Woerner, and Assemblyman Dan Stec.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 201 - 2019

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

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2019 ENTITLED "A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2018 TO MODIFY THE ANNUAL PILOT PAYMENT REQUIRED FOR SOLAR ENERGY SYSTEMS"

WHEREAS, Resolution 178-2019 introduced and presented a proposed Local Law identified as Introductory No. 1, Print No. 1 of 2019, to this Board of Supervisors and scheduled a public hearing thereon for September 11, 2019 at 4:25 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 24th day of September, 2019 hereby adopts a Local Law identified as Introductory No. 1, Print No. 1 of 2019, as set forth in the annexed Schedule A, which once filed with the Secretary of State of the State of New York shall be known as Local Law No. 2 of 2019.

BUDGET IMPACT STATEMENT: No budget impact.

SCHEDULE A

INTRODUCTORY NO. 1

PRINT NO.1 OF 2019

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

COUNTY OF SARATOGA
LOCAL LAW NO. 2 of 2019

A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2018 TO MODIFY THE ANNUAL PILOT PAYMENT REQUIRED FOR SOLAR ENERGY SYSTEMS

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

SECTION 1. TITLE

This Local Law shall be known as “A LOCAL LAW AMENDING LOCAL LAW NO. 4 OF 2018 TO MODIFY THE ANNUAL PILOT PAYMENT REQUIRED FOR SOLAR ENERGY SYSTEMS”.

SECTION 2. That paragraph (h) of subdivision 1 of Section 6 of Local Law No. 4 of 2018 be amended to read as follows:

SECTION 6. Contents of PILOT Agreements

1. Each PILOT Agreement entered into shall include:

- h) That the Annual Payment for Solar Energy Systems with a Capacity greater than 1 MW shall be [~~\$3,500~~] \$1,000 per MW of Capacity.

SECTION 3. SEVERABILITY

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

SECTION 4. EFFECTIVE DATE

This Local Law shall become effective immediately upon its filing in the Office of the Secretary of State of the State of New York.

EXPLANATION – Matter that is underscored is new; matter in brackets [-] is old law to be omitted.

SECTION 5. INCORPORATION INTO CODE OF SARATOGA COUNTY

Upon its effective date as provided in Section 4 herein, the Local Law shall become incorporated into the Code of Saratoga County and made a part thereof.

EXPLANATION – Matter that is underscored is new; matter in brackets [-] is old law to be omitted.