

AGENDA SESSION
June 10, 2020 4:45 p.m.
Meeting Minutes

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

Roll call was taken. PRESENT – Eric Connolly, Philip C. Barrett, Richard Lucia, Preston Allen, Jean Raymond, Michael Smith, Daniel Pemrick, Arthur Wright, Kevin Tollisen, Thomas Richardson, Darren O’Connor, Theodore Kusnierz, Benny Zlotnick, Willard H. Peck, Sandra Winney, Thomas N. Wood, III, Tara N. Gaston, Matthew Veitch, Edward D. Kinowski, John Lawler – 20. ABSENT - Alan Grattidge, John Lant, Jonathon Schopf – 3.

On a motion by Mrs. Winney, seconded by Mr. Kusnierz the minutes of the May 13, 2020 meeting were unanimously approved.

Mr. Pemrick asked for a motion to accept the agenda for the June 16, 2020 Board meeting as presented and approved by the Law and Finance Committee prior to this meeting. The motion was made by Mr. Wright and seconded by Mr. Smith. Unanimous.

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

Respectfully submitted,

Pamela Wright
Clerk of the Board

PROPOSED RESOLUTIONS

HEALTH & SOCIAL SERVICES

Authorizing a 3-year agreement and 1-year extension option with Tech Valley Hospitality Shuttle, LLC in the amount of \$36 per client per day round trip for transportation services to the Saratoga County Mental Health and Addiction Services Department or to Unlimited Potential, Inc.
(Michael Prezioso, Commissioner of Mental Health & Addiction Services)

Authorize acceptance of a grant in the amount of \$522,499 from the Families First Coronavirus Response Act & Coronavirus Aid Relief and Economic Security Act and amend the budget in relation thereto.
(Sandi Cross, Director of Aging)

Authorize a 1-year renewal agreement with Berkshire Farms in the amount of \$100,608 for the provision of intensive family-based in-home case management services to at-risk youth.
(Tina Potter, Commissioner of Social Services)

Authorizing the acceptance of a performance incentive award in the amount of \$41,914 from the New York State Department of Health and amending the budget in relation thereto.
(Cathi Duncan, Director of Public Health)

Authorizing the acceptance of additional state aid from the Healthy Families New York grant in the amount of \$70,493 and amending the budget in relation thereto.
(Cathi Duncan, Director of Public Health)

HUMAN RESOURCES & INSURANCE

Amending the County’s Policies and Procedures Manual to repeal the Election Day Voting Policy.
(Marcy McNamara, Director of Human Resources)

Amending the 2020 Compensation Schedule under Public Health Services.
(Marcy McNamara, Director of Human Resources)

Amending the County's Policies and Procedures manual to add additional vacation carry over language to address staffing circumstances during the COVID-19 pandemic.

(Marcy McNamara, Director of Human Resources)

Extending the use of Personal Time accrued due to the Covid-19 Pandemic to employees' 2021 accrual anniversary date.

(Marcy McNamara, Director of Human Resources)

PUBLIC SAFETY

Authorizing the acceptance of an additional \$2,500 in STOP-DWI grant funding for Crackdown Patrols and Activities and amending the 2020 budget in relation thereto.

(J. Wes Carr, Stop DWI)

Authorizing an agreement with ONSOLVE, LLC in the amount of \$67,696.44 for an initial term of 1-year and 257 days plus a renewal 1-year option in the amount of \$50,000 for CodeRED emergency notification services.

(Carl Zeilman, Commissioner of Emergency Services)

Authorizing a 3-year agreement with Motorola Solutions in the amount of \$1,168,355.18 for a maintenance contract on the County's public safety radio infrastructure.

(Carl Zeilman, Commissioner of Emergency Services)

Requesting review and change of APA policies related to new telecommunications towers in the Adirondack Park.

(Spencer Hellwig, County Administrator)

REAL PROPERTY TAX

Authorizing cancellation of 2019 and 2020 taxes on the airport hangar parcel in the Town of Milton that was acquired by Saratoga County in June 2019.

(Anna Stanko, Director of Real Property)

Authorizing tax refund to Saratoga Hospital in the amount of \$4,322.25.

(Anna Stanko, Director of Real Property)

PUBLIC WORKS

Authorizing implementation and funding for Clark Road over Snook Kill and West River Road over Snook Kill in the Town of Moreau.

(Keith Manz, Commissioner of Public Works)

Authorizing an agreement with Creighton Manning in the amount of \$20,000 for construction inspection services related to the Clark Road Bridge project over Snook Kill in the Town of Moreau.

(Keith Manz, Commissioner of Public Works)

Authorizing an agreement with Creighton Manning in the amount of \$20,000 for construction inspection services related to the West River Road Bridge project over Snook Kill in the Town of Moreau.

(Keith Manz, Commissioner of Public Works)

Authorizing a contract with ING Civil in the amount of \$933,400 for the replacement of the North Shore Road bridge over Paul Creek in the Town of Day.

(Keith Manz, Commissioner of Public Works)

BUILDINGS & GROUNDS

Authorizing a contract with Twinstare Inc. in the amount of \$20,545.47 for installation of the public address (PA) system in the new Public Safety Facility.

(Keith Manz, Commissioner of Public Works)

Accepting FAA CARES grant funding in the amount \$69,000.
(Keith Manz, Commissioner of Public Works)

Authorizing an Intermunicipal agreement with the Village of Ballston Spa to allow the temporary public use of the County parking lots on West High Street.
(Chad Cooke, Deputy County Administrator)

ECONOMIC DEVELOPMENT

Authorizing an amendment to the agreement with GPI in the amount of \$45,500 for additional engineering services related to improvements to the Zim Smith Trail.
(Jason Kemper, Director of Planning)

Authorizing an amendment to the agreement with Peter Luizzi and Brothers Construction in the amount of \$55,000.
(Jason Kemper, Director of Planning)

Authorizing application for and acceptance of Federal Funds for the Workforce Innovation And Opportunity Act Program for the 2020-2021 program year and amending the budget in relation thereto.
(Jenniffer McCloskey, WIA Program Director)

Authorizing a contract with J. J. Young, LLC to provide administrative services for the Workforce Development Board.
(Jenniffer McCloskey, WIA Program Director)

Authorizing an agreement with the Saratoga County Chamber of Commerce to fund a \$50,000 promotional campaign to support Saratoga County businesses during the reopening of the County's economy.
(Chad Cooke, Deputy County Administrator)

LAW & FINANCE

Authorizing an agreement with Trinity Construction, Inc. in the amount of \$359,583 and CKW Electrical Services, Inc. in the amount of \$111,815 for construction services related to upgrades to the Sewer District's Knox Woods and Riverside pump stations.
(Dan Rourke, Executive Director of Sewer District)

REGULAR MEETING
TUESDAY, June 16, 2020
AT 4:00 p.m., E.S.T.

Chairman Allen called the meeting to order and asked for the roll call.

Roll call was taken by Mrs. Connolly. PRESENT – Eric Connolly, Alan Grattidge, Philip C. Barrett, Jonathon Schopf, Richard Lucia, Preston Allen, Jean Raymond, Michael Smith, Daniel Pemrick, Arthur M. Wright, Kevin Tollisen, Darren O'Connor, Thomas Richardson, Benny Zlotnick, Theodore Kusnierz, Willard H. Peck, Sandra Winney, Thomas N. Wood, III, Matthew E. Veitch, Tara Gaston, Edward D. Kinowski, John Lawler, John Lant - 23.

On a motion by Mr. Peck, seconded by Mr. Kinowski the minutes of the May 19, 2020 meeting were unanimously approved.

PRESENTATION

Todd Shimkus said he brought lawn signs and ribbons for the ribbon cutting that was being planned for Friday, June 19th. This will be the largest ribbon cutting with every municipality being able to participate signifying the reopening of Saratoga County economy. The Reopening Committee came up with a budget and a campaign to let the region know Saratoga County is open for business. The idea was to help small businesses get the word out they are open. A video created and posted by the Chamber had over 50,000 views. "Feel the Freedom" is the campaign slogan. Kevin Hedley, CPA in the Town of Halfmoon, President of the Saratoga Chamber of Commerce and President of the Saratoga County Prosperity Partnership, said those roles help him see exactly what is happening in this County. Small businesses are struggling and have suffered during this pandemic. The funding request is an investment in the community. The campaign is for all of Saratoga County communities, as it will show we are open for business drawing people here to spend money to generate sales tax. Melissa Ward of New Ward Development also a member of the Chamber's Board, said businesses are struggling and there is an opportunity now to help them. Most small businesses cannot afford television advertising so they would benefit from this effort as well. Now is the time to help these businesses. Mr. Bove said he is a business owner from Mechanicville, GA Bove Fuel. The people that have spoken before him have covered this very well. The businesses that he delivers to have been struggling and have felt stranded. They need help and really need this.

Mr. Lawler said the development of a website has been part of this campaign. A website is up and running. Mr. Lawler asked County employees Matt Rose (Administration) and Nick Mauro (IT) to show the reopening website. Mr. Rose with the assistance of Mr. Mauro spoke on the contents of the website as Mr. Mauro scrolled through it. Mr. Lawler thanked Mr. Rose and Mr. Mauro for their work on this and for working with the Reopening Group. He said one important part of this website is for businesses to get their questions directly to Spencer Hellwig who is on daily control room calls. He thanked Adirondack Trust, Stewarts and the Chamber for their website graphic support. He thanked Mr. Rose and Mr. Mauro for their work on this website. This website has had over 26,000 visits to this site.

The Clerk presented the following:

Statement of support from SCPP Board Chairman Kevin Hedley

On a motion by Mr. Wright, seconded by Mr. Connolly Resolutions 112 thru 138 were approved by a unanimous vote with the exception of Resolutions 118, 119, 124 and 137. It should be noted that Mr. Veitch recused himself on voting on Resolution #123.

RESOLUTION 112 - 2020

Introduced by Supervisors Lucia, Connolly, Kusnierz, O'Connor, Winney, Wood and Zlotnick

AUTHORIZING AN AGREEMENT WITH TECH VALLEY HOSPITALITY SHUTTLE, LLC TO PROVIDE TRANSPORTATION SERVICES TO CLIENTS OF SARATOGA COUNTY MENTAL HEALTH AND ADDICTION SERVICES

WHEREAS, the Community Services Board assists our Commissioner of Mental Health and Addiction Services in administering the County’s many varied mental health programs; and

WHEREAS, Saratoga County Mental Health and Addiction Services issued a Request for Bids for the transportation of clients of Saratoga County Mental Health and Addiction Services to appointments at the offices of Saratoga County Mental Health and Addiction Services and to Unlimited Potential, Inc. located in Saratoga Springs; and

WHEREAS, our Health and Social Services Committee and the Commissioner of Saratoga County Mental Health and Addiction Services have recommended that the bid of Tech Valley Hospitality Shuttle, LLC be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute the following subcontract for transportation services for a term of three (3) years commencing on July 1, 2020 and terminating on June 30, 2023, with an option to renew for an additional term of one (1) year upon the mutual agreement of the parties, with the following provider for the indicated funding for their services, subject to State appropriations therefor:

<u>PROVIDER</u>	<u>FUNDING</u>	<u>SERVICE</u>	<u>AMOUNT PER DAY</u>
Tech Valley Hospitality Shuttle, LLC 71 Columbia Street \$18.00/Person One-Way Cohoes, NY, 12047	NYS OMH	Transportation	\$36.00/Person Round Trip

and; be it further

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

BUDGET IMPACT STATEMENT: None. Services are covered 100% by State Aid.

RESOLUTION 113 - 2020

Introduced by Supervisors Lucia, Connolly, Kusnierz, O’Connor, Winney, Wood and Zlotnick

AUTHORIZING THE ACCEPTANCE OF FAMILIES FIRST CORONAVIRUS RESPONSE ACT AND CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT FUNDING ADMINISTERED THROUGH THE NEW YORK STATE OFFICE FOR THE AGING, AND AMENDING THE 2020 COUNTY BUDGET IN RELATION THERETO

WHEREAS, federal legislation passed in response to the ongoing COVID-19 pandemic, known as Families First Coronavirus Response Act (“FFCRA”) and the Coronavirus Aid, Relief and Economic Security Act (“CARES Act”) includes funding to localities for the provision of additional meals to seniors who are home-bound, have disabilities or multiple chronic illnesses, or who have caregivers that are also home-bound due to the COVID-19 pandemic; and

WHEREAS, the New York State Office for the Aging has advised our County Office for the Aging that the County is eligible to receive FFCRA funding in the amount of \$122,394 and CARES Act funding in the amount of \$400,105 for the purpose of supplementing the County’s Senior Nutrition Program and increasing the number of home-delivered meals to seniors in need; and

WHEREAS, the approval of this Board of Supervisors and an amendment to the 2020 Saratoga County Budget is needed to accept these FFCRA and CARES Act funds through the New York State Office for the Aging; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby accepts FFCRA and CARES Act funding in the total amount of \$522,499 allocated through the New York State Office for the Aging for the purpose of providing additional home-delivered and pre-packaged meals to seniors participating in the County’s Senior Nutrition program; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all agreements and documents needed to accept said \$522,499 in FFCRA and CARES Act funding from the New York State Office

for the Aging; with the form and content of such agreements and documents to be subject to the approval of the County Attorney; and be it further

RESOLVED, that the 2020 Saratoga County Budget is hereby amended as follows:

OFFICE FOR THE AGING:

Appropriations:

Increase Acct.: #A.76.761-7761 Senior Nutrition Program	\$400,105
Increase Acct.: #A.76.762-7761 Senior Nutrition Program	<u>\$122,394</u>
	\$522,499

Revenues:

Increase Acct.: #A.76-4484 Federal Aid – COVID-19 Stimulus	\$522,499
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BUDGET IMPACT STATEMENT: None. 100% Federal Aid

RESOLUTION 114 - 2020

Introduced by Supervisors Lucia, Connolly, Kusnierz, O’Connor, Winney, Wood and Zlotnick

AUTHORIZING THE CHAIRMAN TO ENTER INTO A RENEWAL AGREEMENT WITH BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH, INC. FOR THE OPERATION OF THE ENHANCED STEPPING STONES PROGRAM

WHEREAS, as a result of the Raise the Age legislation enacted by the New York State Legislature and the Governor in 2017, the age of criminal responsibility for youths who commit crimes as defined in the Penal Law was raised from 16 years of age to 17 years of age on October 1, 2018, and 18 years of age effective October 1, 2019; and

WHEREAS, under the provisions of the Raise the Age (“RTA”) law, counties are to be reimbursed for all incremental costs associated with the implementation and ongoing services associated with raising the age of criminal responsibility, including local costs incurred in such areas as law enforcement, local detention, court services, Sheriff’s transportation, probation, youth services and capital expenditures; and

WHEREAS, in order to qualify for reimbursement of RTA related expenditures, counties are required to adhere to the New York State imposed property tax cap and submit to the State for approval a comprehensive plan of work for raising the age locally which identifies eligible incremental costs for which reimbursement will be requested; and

WHEREAS, Saratoga County’s Comprehensive 2019-2020 RTA Plan was approved by the New York State Office of Children and Family Services, Division of Criminal Justice Services and the Division of the Budget; and

WHEREAS, due the Coronavirus pandemic, the State has yet to provide instructions to the Saratoga County Department of Social Services (“DSS”) on the submittals for approval of DSS’s Comprehensive 2020-2021 RTA Plan and funding requests; however, DSS has included full funding for RTA services in its 2020 Budget, and anticipates approval of 100% of the funding associated with its proposed 2020-2021 RTA plan; and

WHEREAS, pursuant to Resolution 144-2019, the County entered into an agreement with Berkshire Farm Center and Services for Youth, Inc. (“Berkshire Farm Center”) for the provision of intensive family-based in-home case management services to youth at risk in order to reduce and prevent the costly placement of 16 and 17 year old juvenile delinquents and adolescent offenders in specialized secure detention facilities for a term of one (1) year commencing on July 1, 2019 and terminating on June 30, 2020, at a cost of \$100,608; and

WHEREAS, our Health and Social Services Committee and the County’s Commissioner of Social Services have recommended the County enter into a renewal agreement with Berkshire Farm Center for the provision of intensive family-based in-home case management services to youth at risk in order to reduce and prevent the placement of 16 and 17 year old juvenile delinquents and adolescent offenders in specialized secure detention facilities for a term of one (1) year commencing July 1, 2020 and terminating on June 30, 2021, at a cost of \$100,608; now therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a renewal agreement with Berkshire Farm Center and Services for Youth, Inc. of Canaan, New York, for the provision of its Enhanced Stepping Stones program services which render intensive family-based in-home case management services to

youth at risk in Saratoga County in order to reduce and prevent the placement of 16 and 17 year old juvenile delinquents and adolescent offenders in specialized secure detention facilities; which renewal agreement shall be for a term of one (1) year commencing on July 1, 2020 and terminating on June 30, 2021, and at a cost of \$100,608; and, be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid

RESOLUTION 115 - 2020

Introduced by Supervisors Lucia, Connolly, Kusnierz, O'Connor, Winney, Wood and Zlotnick

AUTHORIZING ACCEPTANCE OF YEAR 7 LOCAL HEALTH DEPARTMENT PERFORMANCE INCENTIVE AWARD FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, AND AMENDING THE 2020 BUDGET IN RELATION THERETO

WHEREAS, the New York State Department of Health (DOH) has awarded a Year 7 Local Health Department (LHD) Performance Incentive Award in the amount of \$41,914 to Saratoga County Public Health Services for its participation in two programs within DOH's Bureau of Immunization: the Perinatal Hepatitis B Prevention Program and the Assessment, Feedback, Incentive and eXchange (AFIX) Program in 2019; for which Public Health Services achieved a perfect score (100%) for timeliness and completeness in reporting at a county level; and

WHEREAS, Public Health Services proposes to utilize these funds for state-aid eligible purchases which include: a vaccine refrigerator; scanners; sensa-phone for their vaccine refrigerators; promotional items; television for the waiting area; a printer, printer ink; vaccine pins and shot blocker; performance software; a new and independent Public Health Services website; a replacement trailer for Emergency Preparedness services; and miscellaneous department supplies for the Public Health Services' offices in the new Public Safety Facilities Building; and

WHEREAS, the acceptance of this LHD Performance Incentive Award requires this Board's approval and an amendment to the 2020 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to accept a Year 7 Local Health Department Performance Incentive Award in the amount of \$41,914 from the New York State Department of Health, with the form and substance of such documents being subject to the approval of the County Attorney; and, be it further

RESOLVED, that the 2020 Saratoga County Budget is hereby amended as follows:

PUBLIC HEALTH SERVICES

Appropriations

Increase Acct.: #A.40.409-7020 Office Equipment	\$ 750
Increase Acct.: #A.40.409-7033 Personal Computers	\$ 6,525
Increase Acct.: #A.40.409-7045 Trailer	\$ 6,000
Increase Acct.: #A.40.409-7053 Medical Equipment	\$ 5,600
Increase Acct.: #A.40.409-8190 Other Professional Services	\$13,584
Increase Acct.: #A.40.409-8200 Department Supplies	\$ 3,270
Increase Acct.: #A.40.409-8243 Minor Medical Equipment	\$ 85
Increase Acct.: #A.40.409-8520 Software	\$ 5,000
Increase Acct.: #A.40.409-8550 Central Stores	<u>\$ 1,100</u>
	\$41,914

Revenue

Increase Acct.: # A.40-3401 Nursing Service/State Aid	\$41,914
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 116 - 2020

Introduced by Supervisors Wood, Grattidge, Lawler, Lucia, Peck, Winney and Wright

AMENDING THE POLICIES AND PROCEDURES MANUAL TO REPEAL THE COUNTY’S ELECTION DAY VOTING 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, last year’s adopted 2019-2020 New York State Budget included a provision enacting Election Law §3-110 of the State of New York which required all employers in the State to allow an employee who was a registered voter such time off from work as will enable him or her to vote in any election, up to three working hours at the beginning or end of his or her shift, without loss of pay; and

WHEREAS, pursuant to Resolution 142-2019, this Board enacted and incorporated a new Election Day Voting Policy into the Policies and Procedures Manual which established procedures for a County employee desiring to request time off from work to vote on an election day; and

WHEREAS, this year’s adopted 2020-2021 New York State Budget, Chapter 55 of the Laws of 2020, revised Election Law §3-110 effective April 3, 2020, to provide that if an employee has four consecutive hours either between the opening of the polls and the beginning of his or her work shift, or between the end of his or her working shift and the closing of the polls, he or she shall be deemed to have sufficient time outside his or her working hours within which to vote; and

WHEREAS, the County has no employees working a shift in which the employee would not have either four hours at the beginning or four hours at the end of his or her work shift in which to vote; and

WHEREAS, the Human Resources and Insurance Committee and the Director of Human Resources have recommended that the County’s Election Day Voting Policy be repealed as it is no longer needed; 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 section of the Saratoga County Policies and Procedures Manual is hereby repealed:

<u>CHAPTER</u>	<u>SECTION</u>	<u>TITLE</u>	<u>ORIGINALLY ADOPTED</u>
1	W	Election Day Voting Policy	6/18/19

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 117 - 2020

Introduced by Supervisors Wood, Grattidge, Lawler, Lucia, Peck, Winney and Wright

AMENDING THE 2020 COMPENSATION SCHEDULE UNDER PUBLIC HEALTH SERVICES

WHEREAS, Catherine Duncan has announced her retirement from the position of Director of Community Public Health effective as of July 24, 2020; and

WHEREAS, the New York State Department of Health (“DOH”) has advised the County that it will no longer provide environmental health services in the County effective as of January 1, 2022; and

WHEREAS, Catherine Duncan’s replacement at Saratoga County Public Health Services must be approved by DOH, and DOH has indicated that it will require that Director Duncan’s replacement be a physician given the County’s increasing population and demand for environmental health services; and

WHEREAS, the Human Resources and Insurance Committee and the Director of Human Resources have recommended that the 2020 Saratoga County Compensation Schedule be amended under “Public Health Services” to create one (1) position of Commissioner of Public Health in the Compensation Schedule; now, therefore, be it

RESOLVED, that the 2020 Saratoga County Compensation Schedule is amended effective June 17, 2020 as follows:

UNDER PUBLIC HEALTH SERVICES:

Create (1) Commissioner of Public Health, Grade 24, Base \$132,446

BUDGET IMPACT STATEMENT: None. The differential between the Director and Commissioner salaries is \$22,259 and is available in Public Health's 2020 budget.

Mr. Kusnierz asked for clarification on whether this policy will be applied equally to all classes of County employees whether they are classified as MC or by a labor union. Mr. Hellwig asked for clarification on MC. Mr. Kusnierz rephrased the question and asked if all County employees whether covered by a union or otherwise be treated the same. Mrs. McNamara said all employees with staggered accrual dates. Mr. Kusnierz indicated that did not answer his question. He wanted to know if it applied equally to all employees of the County. Mr. Hellwig said that it did not. It does not apply to Road Patrol or to Corrections. It applies to CSEA and to Management/Confidential. Mrs. McNamara said it applies to any employee that does not have a January 1st anniversary date.

On a motion by Mr. Peck, seconded by Mr. Wood Resolution No, 118 was adopted by the following vote:
AYES (152001) Eric Connolly (9776), Alan Grattidge (4133), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), Daniel Pemrick (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Darren O'Connor (14765), Thomas Richardson (5196), Benny Zlotnick (18575), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Tara Gaston (13293), Matthew E. Veitch (13293), Edward D. Kinowski (8287), John Lawler (8423),
NOES (67606): Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Theodore Kusnierz (14728), John Lant (16173).

RESOLUTION 118 - 2020

Introduced by Supervisors Wood, Grattidge, Lawler, Lucia, Peck, Winney and Wright

AMENDING THE POLICIES AND PROCEDURES MANUAL TO REVISE THE VACATION CARRYOVER POLICY AND PROCESS

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

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

WHEREAS, the County of Saratoga has complied with Governor Cuomo's Executive Order 202.4, issued on March 16, 2020 and last extended through June 17, 2020 by his Executive Order 202.39, requiring non-essential County personnel to work from home or take leave without charging accruals, which non-essential personnel were required to total no less than 50% of the total number of employees in the County's workforce; and

WHEREAS, all Saratoga County offices will be opening to the public on June 17, 2020, and employee staffing must support the needs of all County departments; and

WHEREAS, County employees have staggered accrual anniversary dates that in conjunction with the reopening of County offices could compromise the efficiencies of department operations were a significant number of employees to concurrently use accrued personal and vacation time that they were not required to use between March 16, 2020 and June 17, 2020; and

WHEREAS, authorizing County employees who have staggered accrual anniversary dates an extension of time in which to use their unused vacation time will minimize the impact on department operations and help ensure adequate staffing to serve the public; and

WHEREAS, our Human Resources and Insurance Committee has recommended that the time in which County employees with staggered accrual anniversary dates through December 31, 2020 must use their accrued vacation time be extended through the employee's accrual anniversary date in 2021 in accordance with the Collective Bargaining Agreements; and that the following section be added at the end of the County's Vacation Carryover Policy:

TEMPORARY VACATION CARRYOVER AMENDMENTS RESULTING FROM THE COVID-19 PANDEMIC

Effective June 16, 2020 any currently approved vacation carryover request will be extended until the employee’s 2021 accrual anniversary date. Upon the employee’s 2021 accrual anniversary date, any unused vacation time will be removed from the employee’s vacation accrual bank.

Upon the approval of an employee’s Department Head and the Human Resources Department, all vacation carryover requests made by the employee through December 31, 2020 will expire on the employee’s accrual anniversary in 2021. Upon the employee’s 2021 accrual anniversary date any unused vacation accruals will be removed from the employee’s vacation accrual bank.

The provisions set forth in this section shall expire on January 1, 2022.

and, be it further

WHEREAS, implementation of any legislative revisions to the Manual requires the approval of the Board; now, therefore, be it

RESOLVED, that the time in which County employees with staggered accrual dates through December 31, 2020 are required to use their accrued vacation time is hereby extended through the employee’s accrual anniversary date in 2021 in accordance with the Collective Bargaining Agreements; and be it further

RESOLVED, that the following section of the Saratoga County Policies and Procedures Manual is amended to revise the Vacation Carryover Policy, as more particularly described in the Human Resources and Insurance Committee’s proposal hereinabove:

<u>CHAP/SECTION</u>	<u>TITLE</u>	<u>ORIGINALLY ADOPTED</u>	<u>LAST REVISED</u>
4 M	Vacation Carryover Policy	5/13/80	Resolution 183-08

and, be it further

RESOLVED, that the Human Resources Department shall distribute copies of the revised Vacation Carryover Policy to all County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Kusnierz asked if this would apply equally to all employees. Mr. Hellwig said it is the same answer as the vacation time. This applies to CSEA and Management/Confidential. This does not apply to Road Patrol and to Corrections. Mr. Kusnierz asked if there would be any conversations in the immediate future with the Road Patrol or Corrections about this. Mr. Hellwig said there were discussions at the HR Committee and Law & Finance. It is not an issue at this point with those two unions because they have until the end of the year to use their time. In the event those employees have concerns or have trouble using their time prior to then, they can bring it to the Sheriff’s attention. He can make the accommodations that he feel appropriate. Mr. Peck said those two unions have anniversary dates of January 1. The Undersheriff had said if it became an issue later in the year it would be addressed at that time. Ms. Gaston asked if any additional time that was accrued in response to the COVID pandemic was included in this resolution. Mrs. McNamara said any time that the employee has in their bank now would be included in this and would give that employee an additional year from their accrual date to use it.

On a motion by Mr. Grattidge, seconded by Mr. Wood Resolution #119 FAILED by the following vote:
 NOES (123730): Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Richard Lucia (6531), Kevin Tollisen (21535), Darren O’Connor (14765), Theodore Kusnierz (14728), Tara Gaston (13293), John Lant (16173).
 AYES (95877) Eric Connolly (9776), Alan Grattidge (4133), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), Daniel Pemrick (7775), Arthur M. Wright (2048), Thomas Richardson (5196), Benny Zlotnick (18575), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Matthew E. Veitch (13293), Edward D. Kinowski (8287), John Lawler (8423)

RESOLUTION 119 – 2020 (FAILED)

Introduced by Supervisors Wood, Grattidge, Lawler, Lucia, Peck, Winney and Wright

EXTENDING THE USE OF ACCRUED EMPLOYEE PERSONAL TIME DUE TO THE COVID-19 PANDEMIC

WHEREAS, the County of Saratoga has complied with Governor Cuomo’s Executive Order 202.4, issued on March 16, 2020 and last extended through June 17, 2020 by his Executive Order 202.39, requiring non-essential

County personnel to work from home or take leave without charging accruals, which non-essential personnel were required to total no less than 50% of the total number of employees in the County’s workforce; and

WHEREAS, personal accruals were granted to employees to support staffing between the dates of March 20, 2020 and April 30, 2020; and

WHEREAS, all Saratoga County offices will be opening to the public on June 17, 2020, and employee staffing must support the needs of all County departments; and

WHEREAS, County employees have staggered accrual anniversary dates that in conjunction with the reopening of County offices could compromise the efficiencies of department operations were a significant number of employees to concurrently use accrued personal and vacation time that they were not required to use between March 16, 2020 and June 17, 2020; and

WHEREAS, authorizing County employees who have staggered anniversary accrual dates an extension of time in which to use their unused personal time will minimize the impact on department operations and help ensure adequate staffing to serve the public; and

WHEREAS, our Human Resources and Insurance Committee has recommended that the time in which County employees with staggered accrual anniversary dates through December 31, 2020 must use their accrued personal time be extended through the employee’s accrual anniversary date in 2021 in accordance with the Collective Bargaining Agreements; now, therefore, be it

RESOLVED, that the time in which County employees with staggered accrual anniversary dates through December 31, 2020 are required to use their accrued personal time is hereby extended through the employee’s accrual anniversary date in 2021 in accordance with the Collective Bargaining Agreements; and be it further

RESOLVED, that any personal accruals granted to an employee to support staffing needs during the COVID-19 crisis shall remain available to the employee until the employee’s 2021 accrual anniversary date. Upon the employee’s accrual anniversary date in 2021, any unused personal time accruals will be removed from the employee’s personal accrual bank and placed into the employee’s sick leave accrual bank; and be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 120 - 2020

Introduced by Supervisors Peck, Lant, Lawler, O’Connor, Raymond, Veitch and Wright

AUTHORIZING THE ACCEPTANCE OF ADDITIONAL STATE AID FROM THE NEW YORK STATE STOP-DWI FOUNDATION, INC. FOR ADDITIONAL DWI CRACKDOWN PROGRAM PATROLS AND ACTIVITIES AND AMENDING THE 2020 BUDGET IN RELATION THERETO

WHEREAS, Resolution 49-2020 authorized renewal and implementation of our local STOP-DWI program and its participation in the 2020 New York State program; and

WHEREAS, additional state funding is available in the amount of \$2,500 through the New York State STOP-DWI Foundation, Inc. for use in local DWI Crackdown Program patrols and activities during the grant cycle of October 1, 2019 through September 30, 2020; and

WHEREAS, our Public Safety Committee and the STOP-DWI Coordinator would like to accept these additional program funds in the amount of \$2,500 and appropriate the funds into Saratoga County’s 2020 STOP-DWI Program budget for the aforementioned purpose; and

WHEREAS, the acceptance of these additional funds requires our approval; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the County STOP-DWI Coordinator are hereby authorized and directed to execute any and all documents necessary to apply for and accept additional aid from the New York State STOP-DWI Foundation, Inc. in the amount of \$2,500 for use in Saratoga County’s STOP-DWI Crackdown Program patrols and activities; and it is further

RESOLVED, that the 2020 County Budget is amended as follows:

STOP-DWI

Appropriations:

Increase Account #A.33.000-7330 DWI Grants	\$1,000
Increase Account #A.33.000-7330.I DWI County	<u>\$1,500</u>

\$2,500

Revenues:

Increase Account #A.33-3502 Traffic Safety Grant

\$2,500

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 121 - 2020

Introduced by Supervisors Peck, Lant, Lawler, O'Connor, Raymond, Veitch and Wright

AUTHORIZING AN AGREEMENT WITH ONSOLVE, LLC TO PROVIDE ENHANCED REVERSE 911 EMERGENCY NOTIFICATION SERVICES

WHEREAS, pursuant to Resolution 242-2016, the Saratoga County Board of Supervisors authorized an agreement with Emergency Communications Network, LLC ("ECN") for the provision of Reverse 911 Emergency Notification services by subscription to ECN's CodeRED Emergency Notification System for a term of five (5) years commencing December 1, 2016, subject to renewal for an additional term of one year, at a cost of \$24,482.55 per year; and

WHEREAS, Emergency Communications Network, LLC is now known as ONSOLVE, LLC; and

WHEREAS, with the onset of the COVID-19 pandemic, our Office of Emergency Services undertook immediate action to upgrade and enhance the Reverse 911 Emergency Notification Services provided by ONSOLVE, LLC, which enhancements included giving the towns in the County the ability to make Reverse 911 calls to their residents; and

WHEREAS, the County has also been utilizing the enhanced CodeRED Emergency Notification System to undertake Census outreach services which had been stalled by the COVID-19 pandemic; and

WHEREAS, the enhanced services provided by ONSOLVE, LLC will continue through the remainder of its current contract term which expires on November 30, 2021, at a cost of \$50,000 per year, prorated for the term March 19, 2020 through November 30, 2020, with a credit of \$17,236.99 applied for the previous payment made by the County under the initial agreement; and

WHEREAS, our Public Safety Committee and the County's Commissioner of Emergency Services have recommended that the County enter into a service agreement with ONSOLVE, LLC for the provision of enhanced Reverse 911 Emergency Notification services by subscription to ECN's CodeRED Emergency Notification System for a term of one (1) year and 257 days commencing on March 19, 2020 and terminating on December 1, 2021, at a cost of \$67,969.44, subject to renewal for an additional term of one year, at a cost of \$50,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with ONSOLVE, LLC of Ormond Beach, Florida, for the provision of enhanced Reverse 911 Emergency Notification services by subscription to ECN's CodeRED Emergency Notification System for a term of one (1) year and 257 days commencing on March 19, 2020 and terminating on December 1, 2021, at a cost of \$67,969.44, subject to renewal for an additional term of one year, at a cost of \$50,000, 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 Emergency Services 2020 budget.

RESOLUTION 122 - 2020

Introduced by Supervisors Peck, Lant, Lawler, O'Connor, Raymond, Veitch and Wright

AUTHORIZING THE CHAIRMAN TO EXECUTE A THREE 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, pursuant to Resolution 226-2018, this Board authorized a renewal of said maintenance service agreement with Motorola Solutions, Inc. 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

WHEREAS, in 2018, the County's Office of Emergency Services installed various upgrades to the County's 800 MHz Radio System, including its system Core, and the one year warranty on the system Core and project improvements expired in 2019; and

WHEREAS, pursuant to Resolution 147-2019, this Board authorized a renewal of said maintenance services agreement with Motorola Solutions, Inc. for the provision of maintenance services for the County's 800 MHz Public Safety Radio infrastructure not covered by warranty, including said upgrades and system Core installed in 2018, for a term of one year commencing on July 1, 2019 and continuing through June 30, 2020 at a cost of \$285,912.60; 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, covering non-warranty covered radio system infrastructure, at a discounted rate of 15% for a term of three years commencing on July 1, 2020 and continuing through June 30, 2023 at a total cost of \$1,168,355.18; and

WHEREAS, our Public Safety Committee and the Commissioner 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 three years commencing on July 1, 2020 and continuing through June 30, 2023 at a cost of \$1,168,355.18; 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, covering all non-warranty covered radio system infrastructure, for a term of three years commencing on July 1, 2020 and continuing through June 30, 2023 at a cost not to exceed \$1,168,355.18, with the form and content of such renewal agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. Funds are available in Emergency Services' 2020 budget.

RESOLUTION 123 - 2020

Introduced by Supervisors Peck, Lant, Lawler, O'Connor, Raymond, and Wright

REQUESTING REVIEW AND CHANGE OF APA POLICY ON AGENCY REVIEW OF PROPOSALS FOR NEW TELECOMMUNICATIONS TOWERS AND OTHER TALL STRUCTURES IN THE ADIRONDACK PARK

WHEREAS, government's primary responsibility is to protect the health, safety and welfare of the public; and

WHEREAS, cellular telephone (cell phone) service and emergency telecommunication systems are increasingly critical to the health, safety and welfare of Adirondack residents and visitors; and

WHEREAS, cell phone service and smart phones allow users, including business people and students, to participate in remote meetings and educational classes using Zoom or similar services; and

WHEREAS, cell phones are a crucially important tool used by emergency response personnel, including forest rangers, police, fire and ambulance services to receive reports of incidents, to provide life-saving instructions to lost or injured people, and to locate them through triangulation or the location feature of their phones; and

WHEREAS, users may send text messages to emergency response personnel, even when signal strength is insufficient for voice communications; and

WHEREAS, life threatening incidents have occurred in the Adirondacks during which the lack of cell phone and emergency radio service have led to delays in response, and to worse outcomes for the people involved, including deaths; and

WHEREAS, radio communication is based on the "line of sight" transmission of radio waves from transmitting antennas to receivers, including cell phones and emergency radio receivers; and

WHEREAS, radio transmissions can only be received within a limited range of the transmitter, and the range depends on the transmitter power, antenna radiation pattern, receiver sensitivity, noise level, and presence of obstructions between transmitter and receiver, including trees, buildings, mountains, and other obstructing topography; and

WHEREAS, radio transmitting antennas, outside the Adirondacks, are often located on mountain tops or other high elevation places to avoid obstructions and to provide maximum transmission range for radio waves, including cell phone signals and emergency radio transmissions; and

WHEREAS, currently cell phone service is unavailable in many areas of the Adirondacks; and

WHEREAS, Adirondack local governments believe that much of the unavailability of cell and emergency radio service in many areas of the Adirondacks is the foreseeable result of the fact that the towers supporting the antennas for those services have been required by the APA policy on towers to be “substantially invisible”, and consequently substantially lower than such towers elsewhere in New York State, and at, or very near, the height of obstructing tree canopies, and below the height of surrounding topography, which reduces the range of the radio waves; and

WHEREAS, the “substantial invisibility” standard is fundamentally incompatible with optimum essential cell phone and emergency radio service for Adirondack residents and visitors; and

WHEREAS, the Covid-19 pandemic has shown the importance of cell service and the internet, which have become indispensable for distance learning and telemedicine vital to residents and visitors attempting to work from home and school children and college students attempting to continue their education by learning at home with technology; and

WHEREAS, the Saratoga County Board of Supervisors believes that the APA’s current “tower policy” results in cell carriers settling for lower towers than they would build outside the Adirondacks, because they are aware of the maximum height the agency will require to approve their permits; and

WHEREAS, the lower towers result in shorter transmission range, which negatively affects public health, safety, welfare, education, and the economy; and

WHEREAS, this Board of Supervisors believes that the APA cell tower policy should be amended to allow and encourage improved cell phone and emergency radio communications, while recognizing the need to protect the Adirondack’s resources; and

WHEREAS, the current definition of “substantial invisibility” requires that towers not be “readily apparent” as to size, composition or color and that the structures will, to the maximum extent practicable, blend with the background vegetation, other structures or other landscape features as seen from all significant potential public viewing points; and

WHEREAS, this Board of Supervisors believes that “not readily discernible” is a more reasonable standard considering the pressing need for improved cell service; now therefore be it

RESOLVED, that the Saratoga County Board of Supervisors respectfully requests that the APA review and modify its tower policy and adopt “not readily discernible” as the new standard, and also add the following incentives and exceptions for specific sites:

- Encourage vertical collocation of carrier’s antennas, by offering a height incentive of 10 to 15 feet above the tree height to encourage vertical collocation and reduce the proliferation of towers horizontally collocated with other towers, which would have the added benefit of reducing carrier’s costs; and
- Offer general permits for cell carrier antennas on existing tall structures such as water towers, hotels, ski lift towers, inside church steeples and on government buildings, provided they meet certain specified conditions; and
- Allow cell carrier antennas of some height, such as 20 feet above existing structures within the APA Hamlet classification; and
- Offer a height bonus of 10 to 20 feet above the tree canopy for new towers serving currently unserved areas, in recognition of the pressing need vividly illustrated by Covid-19 restrictions on meetings; and
- Add a requirement to its policy that staff and commissioners ask cell tower applicants for information, including a map, showing how a higher tower would expand coverage and benefit residents and travelers, which would enable APA commissioners to weigh the visibility cost against the public benefit; and be it further

RESOLVED, that the Clerk of this Board shall send a copy of this Resolution to The Adirondack Park Agency, Senators Betty Little and Daphne Jordan, Assemblyman Dan Stec and Assemblywoman Carrie Woerner, the Adirondack Park Local Government Review Board and the Intercounty Legislative Committee of the Adirondacks.

BUDGET IMPACT STATEMENT: No budget impact

On a motion by Mr. Grattidge, seconded by Mr. Connolly Resolution #124 was adopted by the following vote:
 AYES (186304) Eric Connolly (9776), Alan Grattidge (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), Daniel Pemrick (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Darren O’Connor (14765), Thomas Richardson (5196), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Tara Gaston (13293), Matthew E. Veitch (13293), Edward D. Kinowski (8287), John Lawler (8423), John Lant (16173).
 NOES (18575): Benny Zlotnick (18575).
 ABSTAIN (14728): Theodore Kusnierz (14728).
 Mr. Kusnierz said he was abstaining from voting on this resolution to avoid the appearance of a conflict of interest.

RESOLUTION 124 - 2020

Introduced by Supervisors Winney, Connolly, Gaston, Lant, Schopf, Wood and Zlotnick

CANCELING TAXES IN THE TOWN OF MILTON

WHEREAS, Real Property Tax Law §558(1) authorizes a county’s legislative body to cancel any unpaid tax levied or imposed by such county where the lien of such tax is rendered permanently unenforceable by operation of the provisions of any statute; and

WHEREAS, pursuant to Resolution 152-2019, North American Flight Services, Inc. (“NAFS”) conveyed to the County a 9,005 sq. ft. hangar building it had constructed on land NAFS leased from the County at the Saratoga County Airport, which hangar building was identified on the Saratoga County Tax Maps as Tax Parcel # 177.-1-42.-1; and

WHEREAS, NAFS’s conveyance of the hangar building to the County by deed recorded in the Saratoga County Clerk’s Office on June 27, 2019 rendered the building tax exempt; and

WHEREAS, the Town of Milton’s Assessor did not take note of the deed’s recording, and consequently failed to convert the status of Tax Parcel #177.-1-42.-1 to tax exempt status ; and

WHEREAS, the Town subsequently generated a 2020 real property tax bill for Tax Parcel #177.-1-42.-1; and

WHEREAS, all delinquent tax liens on Tax Parcel #177.-1-42.-1 cannot be enforced due to the tax exempt status of the parcel/building, and it is necessary to cancel said taxes; now, therefore, be it

RESOLVED, that the tax liens on the following property be and the same hereby are canceled:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>TAX YEAR</u>	<u>LIEN AMOUNT TO BE CANCELED</u>
The County of Saratoga	Milton	177.-1-42.-1	2019 & 2020	\$45,784.05

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 125 - 2020

Introduced by Supervisors Winney, Connolly, Gaston, Lant, Schopf, Wood and Zlotnick

AUTHORIZING A TAX REFUND RESULTING FROM A CORRECTED TAX BILL IN THE TOWN OF MALTA

WHEREAS, Resolution 86-2020 corrected an error in the 2020 tax bill for Tax Parcel #229.-2-102 in the Town of Malta resulting from the failure to enter a partial exemption for said parcel in the Town’s assessment rolls; and

WHEREAS, Resolution 86-2020 corrected the 2020 tax rolls to establish the correct tax owed for Tax Parcel #229.-2-102 to be in the amount of \$4,491.25; and

WHEREAS, due to reductions in staffing resulting from the COVID-19 public health emergency, a corrected tax bill was not immediately generated and mailed by the Town to the property owner, Saratoga Hospital; and

WHEREAS, on May 6, 2020, Saratoga Hospital paid to the Saratoga County Treasurer the full amount of the original tax bill generated for Tax Parcel #229.-2-102, plus accrued penalties and interest, in the amount of \$8,813.50; and

WHEREAS, Saratoga Hospital is entitled to a tax refund in the amount of \$4,322.25, being the difference between the amount it paid, \$8,813.50 and the amount of the corrected tax owed, \$4,491.25; now, therefore, be it

RESOLVED, that the Saratoga County Treasurer is hereby authorized and directed to issue a real property tax refund to Saratoga Hospital in the amount of \$4,322.25 resulting from the overpayment of its corrected 2020 tax bill for Tax Parcel #229.-2-102 in the Town of Malta; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 126 - 2020

Introduced by Supervisors Grattidge, Barrett, Lucia, O'Connor, Raymond, Smith and Tollisen

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

WHEREAS, a Project BIN 3304130, the rehabilitation of the Clark Road Bridge over the Snook Kill, Town of Moreau, and BIN 3304140, West River Road (CR 29) over Snook Kill, Saratoga County Bridge Preservation, Town of Moreau, PIN 1761.02 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

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

NOW, THEREFORE, the Saratoga County Board of Supervisors duly convened does hereby

RESOLVE, that the Saratoga County Board of Supervisors hereby approves the above-subject Project; and it is hereby further

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

RESOLVED, that pursuant to Resolution 29-2019 of the Saratoga County Board of Supervisors, the sum of \$20,000.00 was previously appropriated from the County's Highway Fund and made available to cover the cost of participation in the Design phase of the Project; and it is further

RESOLVED, that the additional sum of \$338,100.00 is hereby appropriated from the County's Highway Fund and made available to cover the cost of participation in the Construction and Construction Inspection phases of the Project; and, be it further

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

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

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

RESOLVED, this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. The County share for these projects is \$16,905 and is included in the 2020 budget.

RESOLUTION 127 - 2020

Introduced by Supervisors Grattidge, Barrett, Lucia, O'Connor, Raymond, Smith and Tollisen

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH CREIGHTON MANNING ENGINEERING, LLP FOR CONSTRUCTION INSPECTION SERVICES RELATED TO THE REHABILITATION OF THE CLARK ROAD BRIDGE OVER SNOOK KILL IN THE TOWN OF MOREAU

WHEREAS, pursuant to Resolution 29-2019, this Board appropriated County Highway Funds for the cost of design services for the rehabilitation of the Clark Road Bridge over Snook Kill, BIN 3304130, P.I.N. 1761.02, in the Town of Moreau; and

WHEREAS, the County has an existing contract with Creighton Manning Engineering, LLP authorized pursuant to Resolution 30-2019 to provide design services for this project at a cost not to exceed \$20,000; and

WHEREAS, pursuant to Resolution 126-2020, this Board appropriated additional County Highway Funds in the amount of \$338,100 for the next phase of this project: construction and construction inspection services; and

WHEREAS, our Public Works Committee and the County Commissioner of Public Works have recommended that the County's agreement with Creighton Manning Engineering, LLP be amended to add the provision of construction inspection services required in connection with the rehabilitation of the Clark Road Bridge over Snook Kill at an additional cost not to exceed \$20,000; now, therefore be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Creighton Manning Engineering, LLP of Albany, New York, requiring the provision of construction inspection services related to the rehabilitation of the Clark Road Bridge over Snook Kill in the Town of Moreau, at a cost not to exceed \$20,000; with the form and content of such amendment being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 128 - 2020

Introduced by Supervisors Grattidge, Barrett, Lucia, O'Connor, Raymond, Smith and Tollisen

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH CREIGHTON MANNING ENGINEERING, LLP FOR CONSTRUCTION INSPECTION SERVICES RELATED TO THE REHABILITATION OF THE CR 29 (WEST RIVER ROAD) BRIDGE OVER SNOOK KILL IN THE TOWN OF MOREAU

WHEREAS, pursuant to Resolution 31-2019, this Board appropriated County Highway Funds for the cost of design services for the rehabilitation of the CR 29 (West River Road) Bridge over Snook Kill, BIN 3304140, P.I.N. 1761.04, in the Town of Moreau; and

WHEREAS, the County has an existing contract with Creighton Manning Engineering, LLP authorized pursuant to Resolution 32-2019 to provide design services for this project at a cost not to exceed \$20,000; and

WHEREAS, pursuant to Resolution 126-2020, this Board appropriated additional County Highway Funds in the amount of \$338,100 for the next phase of this project: construction and construction inspection services; and

WHEREAS, our Public Works Committee and the County Commissioner of Public Works have recommended that the County's agreement with Creighton Manning Engineering, LLP be amended to add the provision of construction inspection services required in connection with the rehabilitation of the CR 29 (West River Road) Bridge over Snook Kill at an additional cost not to exceed \$20,000; now, therefore be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Creighton Manning Engineering, LLP of Albany, New York, requiring the provision of construction inspection services related to the rehabilitation of the CR 29 (West River Road) Bridge over Snook Kill in the Town of Moreau, at a cost not to exceed \$20,000; with the form and content of such amendment being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 129 - 2020

Introduced by Supervisors Grattidge, Barrett, Lucia, O'Connor, Raymond, Smith and Tollisen

AUTHORIZING AN AGREEMENT WITH ING CIVIL, INC. FOR THE CONSTRUCTION OF THE NORTH SHORE ROAD BRIDGE OVER PAUL CREEK IN THE TOWN OF DAY

WHEREAS, pursuant to Resolution 248-2019, this Board authorized an agreement with Creighton Manning Engineering, LLP ("CME") for the provision of engineering services related to the removal of the CR 4 (North Shore Road) bridge over Paul Creek in the Town of Day, and for the design of the installation of a temporary bridge, necessitated by the collapse of the CR 4 bridge after intense rains and high creek flow during the night of October 31, 2019/November 1, 2019; and

WHEREAS, an emergency evaluation of the collapsed bridge performed by CME determined that the bridge could neither be repaired nor reconstructed, and that a two-lane temporary bridge needed to be installed due to considerations of public safety and winter snow plowing; and

WHEREAS, pursuant to Resolution 249-2019, this Board authorized an agreement with ING Civil, Inc. for the removal of the CR 4 (North Shore Road) bridge over Paul Creek in the Town of Day and the rental, installation and removal of a temporary two-lane bridge, at a cost of: 1) \$69,400 for the removal of the bridge; 2) \$43,200 for the rental of a temporary bridge at the rental rate of \$5,400 per month for approximately eight (8) months; and 3) \$348,000 for the installation and removal of the temporary bridge; for a total contract cost of \$460,600; and

WHEREAS, the County's Commissioner of Public Works issued a Request for Bids for the construction of a new CR 4 (North Shore Road) bridge over Paul Creek; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended that the bid of ING Civil, Inc., the lowest qualified bid received, at a cost not to exceed \$933,400, be accepted; now, therefore, be it

RESOLVED, that the Chair of this Board of Supervisors is hereby authorized to execute an agreement with ING Civil, Inc. of Watervliet, New York, for the construction of a new CR 4 (North Shore Road) bridge over Paul Creek, in the Town of Day, at a cost not to exceed \$933,400, with the form and content of such agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. The County share for this project is \$233,350 and is included in the 2020 budget.

RESOLUTION 130 - 2020

Introduced by Supervisors Veitch, Grattidge, Kinowski, Peck, Smith, Wood and Zlotnick

AUTHORIZING AN AGREEMENT WITH TWINSTATE/VOICE.DATA.VIDEO.INC. FOR THE INSTALLATION OF A PUBLIC ADDRESS SYSTEM AND INTERCOMS AT THE PUBLIC SAFETY FACILITIES BUILDING

WHEREAS, the County is preparing for the opening of the new Public Safety Facilities building; and

WHEREAS, the County entered into a minor contract with Twinstare/Voice.Data. Video.Inc. ("Twinstare"), dated September 4, 2019 for the installation of a Public Address System in the County's new Public Safety Facilities Building consisting of a Valcom six zone integrated paging system to include one (1) six zone paging controller, eighty (80) ceiling speakers, and three (3) paging horns, at a cost not to exceed \$13,585.44; and

WHEREAS, due to unanticipated problems concerning the wiring installed for the Valcom PA system, it was determined that the most economical solution was to replace the Valcom PA system with a Bogen PA system; and

WHEREAS, Twinstare has submitted a quote for the substitution of the Bogen PA system and for the installation of audio intercoms at three exterior doors, which intercoms were not included in the original contract drawings or the minor contract; and

WHEREAS, our Buildings and Grounds Committee and the County's Commissioner of Public Works have recommended that the County enter into an agreement with Twinstare/Voice.Data.Video.Inc. for the following services: i) the replacement of the Valcom PA system with a Bogen PA system at an additional cost of \$2,266.44 and; ii) the installation of audio intercoms at three exterior doors at a cost of \$4,602.59; which total \$6,869.03, thereby increasing the total contract cost to the not to exceed amount of \$20,454.47; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Twinstare/Voice.Data.Video.Inc. for the installation at the County's Public Safety Facilities Building of: i) a Bogen PA system in substitution of a Valcom PA system at an additional cost of \$2,266.44; and ii) audio intercoms at three exterior doors at a cost of \$4,602.59; thereby increasing the total contract cost to the not to exceed amount of \$20,454.47; and, be it further

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

BUDGET IMPACT STATEMENT: None. Funds are available in the Public Safety Building capital account.

RESOLUTION 131 - 2020

Introduced by Supervisors Veitch, Grattidge, Kinowski, Peck, Smith, Wood and Zlotnick

AUTHORIZING THE ACCEPTANCE OF A FEDERAL CARES ACT AIRPORT GRANT FROM THE FEDERAL AVIATION ADMINISTRATION

WHEREAS, federal legislation passed in response to the ongoing COVID-19 pandemic, known as the Coronavirus Aid, Relief and Economic Security Act ("CARES Act"), includes funding to eligible localities owning and operating airports to help offset a decline in revenues arising from diminished airport operations and activities as a result of the COVID-19 public health emergency; and

WHEREAS, our Department of Public Works submitted a CARES Act Airports Grants Application to the Federal Aviation Administration ("FAA"); and

WHEREAS, the FAA has advised our Department of Public Works that it has been awarded a CARES Act Airport Grant, #3-36-0004-039-2020, in the amount of \$69,000 for purposes directly related to the Saratoga County Airport, which may include, but not be limited to, reimbursement of the Airport's operational and maintenance expenses incurred no earlier than January 20, 2020; and

WHEREAS, the approval of this Board of Supervisors is needed to accept these federal CARES Act Airport Grant funds; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby accepts the federal CARES Act Airport Grant, #3-36-0004-039-2020, in the amount of \$69,000 allocated through the Federal Aviation Administration to offset the decline in revenues arising from diminished airport operations and activities at the Saratoga County Airport resulting from the COVID-19 pandemic; and, be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all agreements and documents needed to accept said \$69,000 CARES Act Airport Grant funding from the Federal Aviation Administration, with the form and content of such agreements and documents to be approved by the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 132 - 2020

Introduced by Supervisors Veitch, Grattidge, Kinowski, Peck, Smith, Wood, and Zlotnick

AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF BALLSTON SPA ALLOWING PUBLIC PARKING IN THE COUNTY'S WEST HIGH STREET PARKING LOTS AFTER BUSINESS HOURS AND ON WEEKENDS THROUGH NOVEMBER 1, 2020

WHEREAS, Governor Cuomo's New York Forward plan to reopen the State of New York divides the State into ten (10) regions and establishes seven (7) metrics designed to limit the future transmission of COVID-19 that each region must satisfy in order to begin a phased reopening of the region; and

WHEREAS, the Governor's New York Forward plan places Saratoga County in the Capital Region with Albany, Columbia, Greene, Rensselaer, Schenectady, Warren and Washington counties; and

WHEREAS, Governor Cuomo's Executive Order 202.39 authorizes bars and restaurants that are in Phase 2 of the Governor's New York Forward re-opening plan to serve patrons food or beverage on-premises only in outdoor spaces, provided such restaurant or bar is in compliance with New York State Department of Health guidance promulgated for such activity; and

WHEREAS, the Capital Region entered Phase 2 of the Governor's New York Forward re-opening plan on June 3, 2020, and anticipates entering into Phase 3 on June 17, 2020; and

WHEREAS, Phase 3 of the Governor's reopening plan allows bars and restaurants to open their indoor seating to customers, provided that capacity is limited to 50% of maximum occupancy, while limiting outdoor capacity to the number of tables that can be safely and appropriately arranged such that each table is a minimum of 6 feet away from another; and

WHEREAS, the Board of Trustees of the Village of Ballston Spa has been working with local restaurants in the Village on a plan to expand the outdoor seating of local restaurants by closing certain streets in the evening and on weekends to vehicular traffic so that tables could be placed out in the street; and

WHEREAS, the elimination of street parking on selected Village streets coupled with limited public parking lots in the Village will result in a significant shortage of parking for restaurant customers; and

WHEREAS, Mayor Larry Woolbright of the Village of Ballston Spa appeared before our Building and Grounds Committee on June 9, 2020 and presented a request on behalf of the Village for authorization to use the County's parking lots at 25 West High Street and 50 West High Street as public parking lots for local bar and restaurant customers on Thursdays and Fridays from 5:00 pm until 11:00 pm, and on weekends from 8:00 am to 11:00 pm, commencing on June 18, 2020 and continuing through November 1, 2020; and

WHEREAS, County Law §215(11) authorizes a board of supervisors, by resolution, to adopt rules and regulations covering the use of and parking on county-owned property; and

WHEREAS, General Municipal Law §119-o authorizes municipal corporations to enter into cooperative agreements for the performance of one or both of their respective functions, powers and duties on a cooperative basis; and

WHEREAS, our Department of Public Works inspected the 25 West High Street and 50 West High Street parking lots, and found them to be structurally sound and free of any safety concerns; and

WHEREAS, our Buildings and Grounds Committee has recommended that the County's parking lots at 25 West High Street and 50 West High Street be opened up for public use on Thursdays and Fridays from 5:00 pm until 11:00 pm, and on weekends, commencing on June 18, 2020 and continuing through November 1, 2020, subject to the County and the Village of Ballston Spa (the "Village") entering into an intermunicipal cooperative agreement providing as follows:

1. The Village shall name the County as an additional insured on the Village's general liability policy, and shall provide the County with appropriate documentation of its additional insured status.
2. The Village shall at all times indemnify and save harmless the County from and against any and all claims and demands whatsoever, including costs, litigation, expenses, counsel fees and liabilities in connection therewith arising out of injury or death of any person whomsoever or damage to any property of any kind by whomsoever, caused in whole or in part, directly or indirectly, by the acts or omissions of any person driving through, parking on, or walking through the 25 West High Street and 50 West High Street parking lots during the following days and times that said parking lots are open for public use: Thursdays and Fridays from 5:00 pm until 11:00 pm, and on weekends from 8:00 am to 11:00 pm, commencing on June 18, 2020 and continuing through November 1, 2020.
3. The Village shall reimburse the County for any insurance deductibles paid by the County in defending any claim that is made against the County resulting from the public's use of the 25 West High Street and 50 West High Street parking lots on the days and times that said parking lots are open to the public as designated above;

now, therefore, be it

RESOLVED, that the County's parking lots at 25 West High Street and 50 West High Street shall be open for public use on Thursdays and Fridays from 5:00 pm until 11:00 pm, and on weekends from 8:00 am to 11:00 pm, commencing on June 18, 2020 and continuing through November 1, 2020, subject to the County and the Village of Ballston Spa (the "Village") entering into an intermunicipal cooperative agreement providing as follows:

1. The Village shall name the County as an additional insured on the Village's general liability policy, and shall provide the County with appropriate documentation of its additional insured status.
2. The Village shall at all times indemnify and save harmless the County from and against any and all claims and demands whatsoever, including costs, litigation, expenses, counsel fees and liabilities in connection therewith arising out of injury or death of any person whomsoever or damage to any property of any kind by whomsoever, caused in whole or in part, directly or indirectly, by the acts or omissions of any person driving through, parking on, or walking through the 25 West High Street and 50 West High Street parking lots during the following days and times that said parking lots are open for public use: Thursdays and Fridays from 5:00 pm until 11:00 pm, and on weekends from 8:00 am to 11:00 pm, commencing on June 18, 2020 and continuing through November 1, 2020.
3. The Village shall reimburse the County for any insurance deductibles paid by the County in defending any claim that is made against the County resulting from the public's use of the 25 West High Street and 50 West High Street parking lots on the days and times that said parking lots are open to the public as designated above;

and, be it further

RESOLVED, that the Chair of the Board is authorized to execute an intermunicipal cooperative agreement with the Village of Ballston Spa pursuant to General Municipal Law §119-o which shall include the above terms and conditions, with the form and content of such agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 133 - 2020

Introduced by Supervisors Lawler, Kinowski, Pemrick, Raymond, Richardson, Schopf and Tollisen

AUTHORIZING THE CHAIRMAN TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH GREENMAN-PEDERSEN, INC. FOR ADDITIONAL DESIGN, CONSTRUCTION SUPPORT AND INSPECTION SERVICES RELATED TO THE CONSTRUCTION OF THE SOUTHERN EXTENSION OF THE ZIM SMITH TRAIL AND IMPROVEMENTS TO THE CURRENT TRAIL

WHEREAS, pursuant to Resolution 34-2015, as amended by Resolution 144-2017, this Board authorized the execution of an agreement with Greenman-Pedersen, Inc. of Albany, New York ("GPI") to provide engineering services for the design, survey work, permitting and rights of way acquisition for the proposed extension of the Zim Smith Trail from Coons Crossing to the City of Mechanicville, at a total cost not to exceed \$370,000; and

WHEREAS, pursuant to Resolution 199-2018, this Board authorized the execution of an agreement with Greenman-Pedersen, Inc. for the provision of construction administration, construction support and inspection services for: i) the construction of the southern extension of the Zim Smith Trail from the Town of Halfmoon to the City of Mechanicville, and ii) the construction of various improvements to the current Trail; at a cost not to exceed \$597,700; and

WHEREAS, through the efforts of the Saratoga County Planning Department, full funding in the amount of \$5.4 million in federal and state aid for the construction of the Zim Smith Trail Extension from Coons Crossing in Halfmoon to the City of Mechanicville has been obtained; and

WHEREAS, the original completion date of November 2019 for the construction of the Zim Smith Trail Extension and the construction of improvements to the current Trail was postponed until June 30, 2020 as a result of Saratoga County Sewer District No. 1's relining of a section of its main trunk line under the Zim Smith Trail; and

WHEREAS, Greenman Pedersen, Inc. performed additional design, construction support and construction inspection services beyond the planned November 2019 completion date, which included, but are not limited to: increased full time inspection as a result of the sewer relining project; engineering and design services associated with slope failures; engineering and design services associated with ground stability/poor soils; electrical coordination to new bathroom facility; and engineering associated with the addition of a new storage building, at a cost of \$45,500; and

WHEREAS, our Economic Development Committee and the County's Director of Planning have recommended the County enter into a supplemental agreement with Greenman-Pedersen, Inc. for the additional

design, construction support and inspection services provided for the Zim Smith Trail extension and improvement project at a cost of \$45,500; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to execute a supplemental agreement with Greenman-Pedersen, Inc. of Albany, New York, for the provision of additional design, construction support and inspection services related to the construction of the Zim Smith Trail extension and improvement project, at an additional cost not to exceed \$45,500; with the form and content of said supplemental agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. Funds are available in the Zim Smith Trail capital account.

RESOLUTION 134 - 2020

Introduced by Supervisors Lawler, Kinowski, Pemrick, Raymond, Richardson, Schopf and Tollisen

AUTHORIZING A SUPPLEMENTAL AGREEMENT WITH PETER LUIZZI & BROS. CONTRACTING, INC. FOR ADDITIONAL CONSTRUCTION SERVICES RELATED TO PAVING A PORTION OF ELIZABETH STREET EXTENSION AT THE TERMINUS OF THE ZIM SMITH TRAIL

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

WHEREAS, pursuant to Resolution 198-2018, the County entered into an agreement with Peter Luizzi & Bros. Contracting, Inc. for general construction services for the construction of the southern extension of the Zim Smith Trail from Coons Crossing Road in the Town of Halfmoon to the City of Mechanicville, and for the construction of various improvements to the current Trail, at a cost of \$4,831,559.10; and

WHEREAS, at the terminus of the Zim Smith Trail extension in the City of Mechanicville the County constructed a parking lot off of Elizabeth Street Extension for users of the Trail; and

WHEREAS, an approximately 725 ft. long section of Elizabeth Street Extension leading to the new parking lot constructed by the County consists largely of rough gravel roadway and a smaller deteriorating portion of paved roadway, which section was to be paved by the Mechanicville City School District as part of a larger project to construct a school bus garage and other school facilities improvements off of Elizabeth Street Extension; and

WHEREAS, the Mechanicville City School District has temporarily abandoned its plans to construct the school bus garage, construct other school facilities improvements, and perform any improvements to the roadway surface along Elizabeth Street Extension due to higher than anticipated bids received for the project; and

WHEREAS, it would be beneficial and safer for people driving to the County's parking lot on Elizabeth Street Extension if the 725 ft. long section of Elizabeth Street Extension were paved; and

WHEREAS, this section of Elizabeth Street Extension also serves as a pedestrian connection from the City of Mechanicville Trail system to the Zim Smith Trail; and

WHEREAS, Elizabeth Street Extension is owned by the Town of Halfmoon; and

WHEREAS, the City of Mechanicville and the Town of Halfmoon support the paving of Elizabeth Street Extension, and have offered to provide certain services in assistance of the project; and

WHEREAS, additional construction work in the form of ditching, milling the existing surface, profiling, blacktop, striping and signage is needed to pave the approximately 725 ft. section of Elizabeth Street Extension; and

WHEREAS, Peter Luizzi & Bros. Contracting, Inc. provided an estimate of the cost of the additional construction services needed to pave said section of Elizabeth Street Extension in the amount of \$75,000; and

WHEREAS, with the work offered to be performed by the Town of Halfmoon and the City of Mechanicville, and the County Department of Public Works' agreement to stripe the new blacktop, the project's costs have been reduced to the not to exceed amount of \$55,000; and

WHEREAS, our Economic Development Committee and the Director of Planning have recommended that the County execute a supplemental agreement with Peter Luizzi & Bros. Contracting, Inc. for construction services related to paving the approximately 725 ft. long section of Elizabeth Street Extension at the terminus of the Zim Smith Trail extension in the City of Mechanicville that will connect to a trail constructed by the City of Mechanicville, at an additional cost not to exceed \$55,000; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a supplemental agreement with Peter Luizzi & Bros. Contracting, Inc. of Albany, New York, for the provision of additional construction services related to paving an approximately 725 ft. long section of Elizabeth Street Extension at the terminus of the Zim

Smith Trail extension in the City of Mechanicville, at an additional cost of \$55,000, thereby increasing the total contract to the not to exceed amount of \$4,886,559.10, with the form and content of such supplemental agreement to be subject to the approval of the County Attorney; and, be it further

RESOLVED, that the members of the Change Order Committee originally appointed for this project pursuant to Resolution 198-2018 are hereby replaced with Supervisors Jean Raymond, Thomas Richardson and Kevin Tollisen, who are hereby authorized to approve and sign change orders for this contract up to 2% of the total contract amount.

BUDGET IMPACT STATEMENT: None. Funds are available in the Zim Smith Trail capital account.

RESOLUTION 135 - 2020

Introduced by Supervisors Lawler, Kinowski, Pemrick, Raymond, Richardson, Schopf and Tollisen

AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF FEDERAL FUNDS FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT PROGRAM FOR THE 2020-2021 PROGRAM YEAR, AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, Saratoga County is the designated grant recipient for \$1,633,899 in grant funds provided through the Workforce Innovation and Opportunity Act of 2014 (WIOA) to be awarded to Saratoga, Warren and Washington Counties for the program year 2020-2021; and

WHEREAS, Saratoga County's available share of said federal funds for its Workforce Development Area Program is \$655,316.20, a decrease of \$158,378 from the County's share in the 2019-2020 program year; and

WHEREAS, this funding will allow Saratoga County to providing employment and training services for Adults, Youth and Dislocated Workers throughout the region and our county; and

WHEREAS, the authorization of this Board to execute documents for the application for and acceptance of these funds is needed, as well as an amendment to the 2020 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all documents necessary to apply for and accept Workforce Innovation and Opportunity Act funds for the program year 2020-2021, with the form and substance of such documents being subject to the approval of the County Attorney; and, be it further

RESOLVED, that the 2020 Saratoga County Budget is amended as follows:

EMPLOYMENT AND TRAINING

Revenue

Decrease Acct. #: CD.68-4790 Job Training Fed Aid	\$200,000
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Expense

Decrease Acct. #: CD.68.681-8170 Coordination/Mgt. Services	\$120,000
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Decrease Acct. #: CD.68.000-6000 Regular Wages	<u>\$ 80,000</u>
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	\$200,000
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BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 136 - 2020

Introduced by Supervisors Lawler, Kinowski, Pemrick, Raymond, Richardson, Schopf and Tollisen

AUTHORIZING A CONTRACT WITH J. J. YOUNG, LLC TO PROVIDE ADMINISTRATIVE SERVICES FOR THE WORKFORCE DEVELOPMENT BOARD

WHEREAS, the Workforce Innovation and Opportunity Act of 2014 (WIOA), as administered by the New York State Labor Department, prohibits the local Workforce Development Area, comprised of Saratoga, Warren and Washington Counties, and its staff from providing core, intensive or training services to customers and administrative services to the local Workforce Development Board; and

WHEREAS, the Workforce Development Board (WDB) therefore needs to obtain administrative services to assist in coordinating activities of the WDB for the Workforce Development Area; and

WHEREAS, pursuant to Resolution 123-2019, this Board authorized an agreement with J.J. Young, LLC for the administration of the Workforce Development Board's fiscal year budget from July 1, 2018 through June 30, 2019 at a cost of \$7,745; and

WHEREAS, Saratoga County is the Grant Recipient for WDB funding, and WDB expenditures are paid through County employment and training funds, with adjustments made in the allocation of WDB funding among Saratoga, Warren and Washington Counties; and

WHEREAS, additional revenue to fund this contract will be received from system partners that may include the NYS Department of Labor, ACCES-VR, Adirondack Community College, and WSWHE BOCES; and

WHEREAS, the Workforce Development Board's Executive Committee and our Economic Development Committee have recommended that the current contract with J.J. Young, LLC for the administration of the Workforce Development Board's fiscal year budget be renewed for an additional term of one year; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract with J.J. Young, LLC, of Albany, New York for the administration of the Workforce Development Board's fiscal year budget from July 1, 2020 through June 30, 2021 at a cost not to exceed \$7,750; 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.

Mr. Kusnierz said he appreciated the Reopening Committee bringing this to the Board for action. One of the things that strikes him as something that needs serious consideration is a report received from the Comptroller's office showing NYS sales tax revenues have dropped greater than 32% for the month of May. Further, collection of sales tax for counties and cities for the month of May is typically \$918M and has dropped to \$437M. Finally with today's report that 21 States in the US that have seen a significant increase in positive cases for COVID-19 as a result offered the following amendment to Resolution #137 which shall include the following; striking the 2nd, 3rd and 4th whereas as well as the resolved and replacing it with the following:

WHEREAS, the Health & Social Services Committee, chaired by Supervisor Lucia met on June 3, 2020 and at the request of Public Health Director Catherine Duncan, considered her recommendation to purchase the Rheonix COVID-19 MDx Assay and associated testing equipment which can test for the SARS-COV-2, the virus that causes COVID-19; and

WHEREAS, the Rheonix COVID-19 MDx Assay is a fully automated test that enables detection of SARS-CoV-2, the virus that causes COVID-19, directly from respiratory samples, the test is designed to operate on the Rhoenix Encompass MDx workstation and requires no technician involvement after samples are loaded onto the workstation, and the sample-to-answer test will facilitate same-day test results for low-and medium-throughput laboratories, allowing for more rapid decisions regarding isolation and treatment of infected patients; and

WHEREAS, the Health & Social Services Committee, on a motion by Supervisor O'Connor, seconded by Supervisor Wood, unanimously approved a resolution authorizing the expenditure of up to \$55,100 for the workstation and associated test kits and supplies; now therefore, be it

RESOLVED, that the Chair of this Board is hereby authorized to execute an agreement to purchase the Rheonix COVID-19 MDx Assay and necessary equipment and supplies from Rhoenix Headquarters, 10 Brown Road, Suite 103, Ithaca, NY at a cost not to exceed \$55,100 and is further authorized to negotiate an MOU with an accredited medical facility for its use.

He added that unlike the resolution that was before the Board which has a budget impact statement of no budget impact at \$50,000, he characterized this as having a budget impact of \$55,100. Mr. Barrett seconded the motion for this amendment.

Mr. Lawler said he would like to see a written copy of this amendment as it is extensive. It completely displaces the intention of the original resolution. He is not clear on this and every supervisor should have a copy. The amendment that Mr. Kusnierz is proposing to purchase the equipment, that resolution was tabled at a vote of Law & Finance. He said he is mixing apples and oranges here. If you want to bring a resolution from the floor to move forward with purchasing the equipment, that is fine. You can bring that under other business. The resolution before us speaks for itself and that resolution is worthy of debate and a vote. To try to supplement that resolution replacing it with an amendment that was tabled at Law & Finance is somewhat disingenuous. If the intention here

is to overrule the Law & Finance decision that is certainly your right to move forward with that but that really should be done under other business.

Mr. Kusnierz said it was totally within the right of a Supervisor to make an amendment under the Rules of the Board. Not requiring that the Supervisor have a written copy however, he did provide Mr. Lawler with a copy and would provide any other Supervisor with a copy if the Board would like to stand at ease while the Clerk makes additional copies. He is reading from the minutes from the Health & Social Services Committee meeting it says a motion was made by Mr. O'Connor seconded by Mr. Wood to authorize the purchase of a COVID-19 testing machine not to exceed \$55,100 subject to an MOU and it says unanimous. So that to him appears to be the action on the resolution.

Mr. Lawler asked Mr. Kusnierz if he was a member of Law & Finance. Mr. Kusnierz said he was. Mr. Lawler asked Mr. Kusnierz if he was at the meeting when the Law & Finance Committee members voted to table it. Mr. Kusnierz said he was. Mr. Lawler said his justification in this resolution in that it was passed from Public Health conveniently overlooks the fact that it was tabled by Law & Finance, which has been the body that sets the agenda for this meeting. Every Supervisor can make an amendment. This resolution should be pursued under other business. Mr. Lawler said what Mr. Kusnierz is doing here is more for the smoked filled back rooms of NYS Government where sleight of hand, this is the resolution, oh no let's change it to this at the last minute which a nothing to do with the resolution proposed. He thinks it is disingenuous and unworthy of this group. There is a resolution on the floor that has come through Economic Development. It was approved at Law & Finance. If supervisors want to make amendments to the resolutions that are germane to the resolution that is every supervisor's right. If you want to have a vote on buying the equipment, have a vote under other business. This is underhand and unworthy of this board.

Mr. Kusnierz said it is offensive for his colleague to use words like back room, smoke filled rooms, and sleight of hand. He is working/operating within the Rules of the Board that his colleague voted for at the Organizational meeting. Mr. Kusnierz asked Mr. Lawler if he ever offered or voted for in his tenure on the board an amendment to any resolution without it going through the committee process. He bets we know the answer.

Mr. Lawler said he has been here 26 years and certainly cannot remember every vote. He can say he has never voted for an amendment nor can he remember an amendment proposed that was as disingenuous as this. He stands by his comments that this is unworthy of this board. It is something he would expect to see in the bowels of the NYS Assembly. Mr. Lawler said that this amendment is a disservice to the people who want to have a legitimate discussion, and a legitimate vote on the resolution that has been offered.

Mr. Lucia said he agrees with Supervisor Lawler has said. The Public Health resolution should go for a vote under other business, as it does deserve a yes or no.

Mr. Peck asked the County Attorney to clarify under Robert Rules whether an amendment to a resolution needs to be germane to a resolution. What was proposed was a total replacement of a resolution. Mr. Dorsey said it should be relevant to the resolution. Mr. Peck said under the rules it need to be relevant to the underlying resolution. That being the case he thinks this is a non-germane amendment, which should not be considered. He said this was tabled at Law & Finance; but he is supportive of the idea of the machine brought by Mrs. Duncan but then tabled because there was a change in the MOA due to FEMA funding. In the end the sooner, the MOA can be accomplished in a manner that is beneficial to the county not only in testing more people but it is also a revenue maker for the hospital. That is separate issue. That was tabled at Law & Finance. This resolution is out of Economic Development. The underlying motion dealing with \$50,000 to help support the small businesses of this County to help jumpstart the economy. As a business owner, he knows the decisions he makes today affect him in the future. This decision today to support \$50,000 as a result will see a multi-fold ten times over in this investment. He would like the attorney to decide if the Board an even act on this non-germane amendment and if not then we can move on to the discussion on the original resolution of \$50,000.

Mr. Kusnierz said the rules adopted by this Board did not require explicitly that any amendment be germane and if there is language to counter that he would ask the County Attorney to cite that.

Mr. Schopf said that he thinks the amendment is very germane to the motion. We are looking to spend \$50,000 to help small businesses. He voted against tabling this at Law & Finance. Testing is critical for our small businesses and our economy to reboot here as we go through Phase 2 and entering in to Phase 3. It is important

the testing machines are available. Frankly, he would like to see more than one of them. Law & Finance Committee passed over on an opportunity to have a testing site located in our County. It could certainly assist small businesses. It is a much better use for the \$50,000 funding. He thinks it is proper use of public funds for a public service rather than for an advertising campaign. Albany County has opened a mobile testing facility this week to support its businesses through Phase 3. Schenectady County has been doing many mobile testing facilities. One of the worst things for the businesses, especially in the food service or hospitality industry, would be for a COVID outbreak to occur that might be linked to their business. If that business has the ability to get its employees tested quickly, efficiently, cost effectively and preferably, no charge, they could cut that off and not labeled as the business that created the COVID outbreak. That is critically important. In addition, businesses according to a survey in the Albany Business Review 81% of small businesses feel that providing PPE to their employees is essential to reopening; 52% said availability of widespread testing is critically important. That broad based survey shows where the businesses are focused. Testing should be more the focus than advertising. It is a better use of funding. It is his understanding that most health insurances pay for this testing. There is a costs associated with the testing and thinks a portion of the \$1M that was allocated at the beginning of the outbreak, to ensure that no person goes untested. Regardless of whether or not you have insurance you can appear at a facility and get this test at no cost to the individual or to the business. This would remove any barrier to testing. It is a better use of the funding and is germane to what is being accomplished here today.

Mr. Pemrick said the Law & Finance Committee simply asked Mrs. Duncan to do some additional research. He said the committee expects to see that request for the machine to come back to Law & Finance next month. He expects a vote once the information is provided. It has not been discarded at all and he agrees with what Mr. Peck has said and agreed it will provide value.

Mr. Schopf said the County would be in Phase 4 by then.

Ms. Gaston said respectfully she does not believe this amendment contravenes the action of Law & Finance. The resolution as it was presented in Law & Finance specifically spoke to FEMA reimbursement as part of the engagement. This is not waiting for that. This is allowing the County to move forward with public health action irrespective of that. While she understands the concerns, she does not see how this amendment contravenes or takes back the actions of Law & Finance. It is the same machine but a separate action on behalf of the County entirely. Especially if you consider the suggestions that Supervisor Schopf put up that would allow our businesses to engage in testing. This has been a concern. She has spoken to many businesses in the past few days, that was one of their primary concerns; and, what would happen if there were a positive test that is traced back to their business. This machine would allow the accredited medical facility to produce results for those businesses within 24 hours. Businesses would be able to show it was not them or so people could be isolated quickly. It would complement the excellent work Public Health has been doing. She does not see how, in any way, this is the same machine but does not mean it is the same resolution that they are taking up.

Mr. Kinowski said he thinks there is an essential need looking into the future based on everything that has been said about a testing machine. However, out of Law & Finance, they wanted more information. Particularly about reliability. It seems there were issues with this particular machine being developed or is developed. That set aside, it is an idea and a reasonable item to go through Law & Finance to request money for its investment. Whatever the final answer will be, it is two separate items. There is no way he sees how the two are connected. Spending \$50,000 on advertising and \$55,000 on a testing machine. Put the two together and it just does not add up. He is in favor of a decision one-way or the other if this is a resolution that should be done separately all by itself. That is reasonable.

Mr. Connolly asked for the turnaround time on the machine. If it were ordered today how long would it take to get here? Mrs. Duncan said the time would be August. Mr. Connolly said to wait much further on that machine, and then it would be September. What if there is a reoccurrence of the COVID-19 in the fall, it does not put our business community or the County in a winning position. He is not sure this is the correct way to handle this and suggested it would be better under other business.

Mr. Wright said he was the one who suggested putting this item on the table during Law & Finance. The reason he made that suggestion was the MOU stated the hospital was going to pick up the 25% that FEMA was not going to pay. Then one hour before the meeting, members found out that this machine was not going to be available for FEMA reimbursement. No one knew who would pay for this and if the hospital was going to be making money. All the members were looking for was more information on who would be paying for the machine. It has nothing

to do with you guys not wanting to vote on the \$50,000 for the Chamber. Just vote yes or no. Step up to the plate. It does not matter. Once you vote on this resolution, then under other business you can vote on the purchase of the machine. Everyone knows we need the machine. We need tests. No one voted against the machine. Member of Law & Finance wanted more information about the MOU.

Mrs. Raymond said she is noted for not liking to spend money. She has sat through this meeting looking at the signs on the opposite side of the room that say "Stronger Together". \$1M was appropriated without even blinking because of the COVID-19. We have not spent it all. Why are we playing games between these two items? If we want to try to help people, why don't we just do both? Take the \$105,000 out of the \$1M. Let's do the advertising for the small businesses and let's get the machine ordered to do the testing. Let's move on. Let's be stronger together.

Mr. Barrett as a County we already spend over \$1M on promotion. To think that somehow this \$50,000 is going to put us over the top and be the clincher that is going to guarantee new business he doesn't think that is a sound argument. People understand that our businesses are open. More and more are opening all the time. They are eager to get out and enjoy what there is to offer around the region. He feels very confident that people are doing that. He sees it. He sees crowded places and it's great to see people back out in a safe manner. As far as providing assistance for businesses, he thinks this amendment is germane because that is what we are doing. Will there be a second wave? There has been a lot of discussion about that. Who knows if there will be or not. This is something we need to keep in the back of our mind and be prepared for. Having this testing available and having this machine during the summertime is an advantageous period leading in to the colder months when the flu season returns as well as concerns the virus may return. The machine and the testing will provide tangible, measurable results. That is very important in the short and long terms as we get into the fall and winter months. Testing and PPE are the most thing. If we were looking to spend additional funds to help small business in addition to testing it would be PPE. At some point, the supply will catch up to the demand. That has not happened. Prices will come down at some point. That has not occurred. Providing PPE to businesses as we have done in Clifton Park and other places around the County is very important to the businesses. It gives them piece of mind for them and their customers. It eliminates an expense for businesses that may have been shut down for weeks or months. These are a couple of options as he sees it that are working around the County, can work across the County in a larger fashion and it will benefit the same people. It's just a matter of opposing ideas that will benefit the same people. He believes the testing and supplying of PPE are measurable and tangible much more so than a marketing campaign for \$50,000 when we already spend \$1M for promotion. That is where he stands on this issue.

Mr. Kinowski asked Mrs. Duncan about the reliability that was discussed during Law & Finance; this machine is a testing machine not an antibody machine, correct. Mrs. Duncan said that was correct. He said if he had the test today potentially acquire the results tomorrow. Mrs. Duncan said yes, it takes five hours. He asked about the reliability. Mrs. Duncan said the machine is 100% reliable as far as they know but it is new. There have been hiccups in the beginning but since they have been worked out, it has been running very smooth. Mr. Kinowski thanked her for the clarification. He said the vote on these should be two separate resolutions.

Mrs. Winney said she asked for more information, too, at the Law & Finance Committee. She said \$50,000 was a lot of money on a machine that was not even without blips. Since Law & Finance, she has heard nothing more on it. Listening today it seems like there are factions here that they don't want to spend \$50,000 for the project and they want to put in \$55,000 for the machine. They both help us and she agrees with Mrs. Raymond that it should be two separate resolutions. She added she is not ashamed to ask for more information. She does not think substituting or amending is the right procedure to do.

Mr. Richardson said there are obviously two separate resolutions here. He asked his esteemed colleague from the Town of Moreau to withdraw his amendment and put a new resolution on the floor for the machine. Vote on the resolution that was brought forward first and then under other business let's take a vote on the machine. There is no reason we cannot have two separate votes here. He is asking his esteemed colleague from the Town of Moreau to withdraw his amendment and put it on as a resolution under other business.

Mr. Kusnierz thanked Mr. Richardson said he would decline. He added this machine does not predict the future. He heard someone say the machine won't tell you whether someone will be positive after the data test. It does not predict the future.

Mr. Peck asked Mrs. Duncan to correct him if he was wrong he believed there must be a health care provider that must partner with the County on this. Mrs. Duncan said it has to be a clinical laboratory that has a license to be able to run the machine. He said we need the hospital to partner with us if for no other purpose that they have the license. Mrs. Duncan said Malta Medical Emergent Care was going to have the machine and they would have to apply for the license. Mr. Peck said the resolution for the machine only got tabled because of the MOU going to Law & Finance had zero dollars for the County, 75% FEMA and 25% the hospital. An hour before the meeting Director Duncan found out the FEMA funding was not going to be there. The MOU had to be re-discussed with the hospital. He expects because you can charge insurance for the tests, he can't speak for the hospital, but he would suspect the hospital may pay for the machine as it could be a money maker. He thinks if Mrs. Duncan is given more time to work out the details of the MOU this will all be great. Testing is necessary and this will help with that. What has been done here today, and he has to support Supervisor Lawler on this, the idea of replacing a resolution because you don't want to vote on it with an entirely different resolution is another day here that he is troubled with the actions of this Board.

Ms. Gaston said she is not sure if Mrs. Duncan has the correct information about FEMA funding. She is not sure if the information that was provided to Mrs. Duncan was accurate. She is working with Commissioner Zeilman on this. She has been working with colleagues from Thompkins County where the machine originates and they believe the purchase if FEMA reimbursable. She noted this amendment does not make any note of FEMA reimbursement being necessary. She thinks that interpretation was based on a different reading of the analysis. Ms. Gaston said testing has been a problem. She has had a number of constituents who have contacted Public Health and have not been able to access testing or have had to go to Albany to get it. Based on this communication, it is a significant issue still. We need to increase testing and need to do so dramatically before we end up being one of the counties with rates raising. We are doing an incredible job and appreciates the job Public Health has been doing. We do not need to make this harder for them by delaying the purchase of a testing machine. She supports the small businesses and has been helping them in any way she can, including providing PPE when it was available. The purpose of government, one of our department's is Public Health; none of our departments is marketing. She thinks we would do well wherever this amendment or this resolution goes. Our role in government is not profit. Our role in government is to insure the safety and health and the well-being of our communities. Public Health needs to come first for us as government and then we worry about the rest of it. That is besides the fact of what happens in this amendment or not. That is how she was taught government was supposed to function.

Mr. Lawler said someone raised a point of order relative to whether or not the amendment was a qualifying amendment. I think our parliamentarian wanted to address that. He would like to hear what he has to say.

Mr. Dorsey said he is not the parliamentarian, the Chairman is. He said he is happy to weigh in. There is nothing in the Rules of the Board that addresses the offering of an amendment to the resolution on the floor. Barring that, in the absence of that guidance, Roberts Rules of Order would take over. Roberts Rules says an amendment must be germane to the subject to be amended. It is his opinion the amendment offered is not subject to the resolution on the floor. An amendment to purchase a COVID testing machine and to enter into an agreement with Saratoga Hospital to operate the machine to be the purchasing agent to operate the machine on a continuous basis is not relevant to an amendment to enter into an agreement with the Saratoga County Chamber of Commerce to promote the reopening of Saratoga County's businesses. That particular resolution, is a resolution in and of itself; and, should be offered under any other business. This resolution should be voted on unless there is an amendment offered that is actually relevant to the promotion of entering into an agreement with Saratoga County to promote the reopening of Saratoga County businesses.

Mr. Lawler said he agrees with the Supervisors here who have stated Saratoga County needs more testing. Whether that is Saratoga County's equipment or whoever equipment is, we are lacking the facilities that is needed in order to supply that very vital health service at this time. He wants to be very clear that this is not the issue for him. And he doesn't think it's an honest issues for most in this room. This is not an either or question. There is no reason, none whatsoever, that both resolutions can't be voted on. Any Supervisor can bring forth a resolution to move forward with the purchase of that equipment. It can be done today. No one has to make an amendment for that to happen. No one has to request an approval from another committee. That resolution can take place today. This amendment is unnecessarily divisive. This is a time when we are talking about our commitment to the people in this County. The people in this County, that includes the business owners. This resolution is unnecessarily divisive because it basically positions support for small businesses, people who are going bankrupt at record rates, people who have been without an income for months now, to people who have made this County

work and make it the success that it has been for a very long time. They have been without. They have had our back. They have made this County the success that it is and he would think that the Board would take this opportunity to show our support in this pandemic emergency. To support them. \$50,000 in a \$250M budget. A little math here that is .0002 of a percent. That is two ten thousands of one percent. He would also point out that a few minutes ago this Board and he will acknowledge that Supervisor Kusnierz abstained on this vote, this Board voted unanimously to spend \$55,000 to pave part of a trail. But we won't give the small business owners in this County a vote to spend \$50,000 to support them? But we will vote nearly unanimously to put blacktop down. What message does that send to the business community, that they aren't as important as a couple hundred feet on the Zim Smith Trail? That's not the message that should be sent and not the one he wants to send. Again, this is not an either or. And to prove that he is willing to take a vote today on purchasing the equipment. In fact, if Supervisor Kusnierz is agreeable he would ask him if he will revise his amendment to include purchasing the equipment at \$55,000 and funding the campaign and partnership with Saratoga County Chamber. Let's do both. If the interest is truly to get this desperately needed equipment, and it is desperately needed, let's do that. But let's not do that and simultaneously turn our back on every small business in this County. That is a disservice to those people. He asks us to be better than that.

Mr. Barrett asked if the trail money was already in the budget. Mr. Allen said it was. Mr. Barrett said then the trail money is already in the budget. Mr. Lawler said it is and there is \$450,000 in a contingency account that is in the budget. Neither of these resolutions call for the appropriation of additional money outside the budget. Mr. Barrett said \$50,000 is a very small portion of our overall budget for promotion as he mentioned earlier on two occasions. We can pick out any little project out of the budget and the money that is spent in the County and make an issue of it. We've got a signal planning item that was in the budget for \$30,000 in the Town of Clifton Park. Two major County roadways, thousands of cars a day. Grooms and Vischer Ferry Road. That was going to be pushed another year. So what does that mean? Does that mean we are turning our backs on the thousands of motorists that live throughout Saratoga County that go through that intersection? Are we turning our backs on motorists and the many businesses in that area? Is that what we are doing? Using your logic, it does.

Mr. Lawler said that item passed Committee. The \$30,000 for the traffic signal passed.

Mr. Barrett said we can pick out any little project out of the budget and if we do not do this then we are turning our backs. Anytime you want to come to Clifton Park, he would meet Mr. Lawler there, and we will have a talk about business. You can see what is being done with business and the hundreds of millions of dollars of investment we are attracting. What we are doing to attract small businesses today to get through this pandemic. From an information standpoint and PPE and more. Nobody is turning their back on small business.

Mr. Lawler said he is if he isn't giving them a vote. Mr. Barrett said that was untrue and for him to think the \$50,000 was going to somehow effect every small business around the County and somehow going to make us a prosperous County. We are a prosperous County. That is why we can have these discussions. Testing is the most important. In a year where finances are much more in focus than they have been since, pick a year where we had a terrible down turn, we have to be additional careful with the funds that we are spending.

Mr. Lawler said if you aren't giving the businesses this vote, you are turning your back on them. It's pure and simple. Mr. Barrett said that is ridiculous. (At this point the Chairman banged the gavel and called for order and the vote on the resolution as it was presented)

Mr. Peck said finding the amendment to be non-germain he called a question on the underlying resolution.

Mr. Kusnierz asked the Chairman, as Parliamentarian; please point out where during the Organizational Meeting Rules of the Board that this body adopted Roberts Rules of Order as a governing edict. Mr. Allen said it is standard rules.

Mr. Peck suggested a memo be written and call a question on the underlying resolution.

Mr. Allen said based on the Attorney's opinion, he asked for a roll call vote on the original Resolution #137 as read.

On a motion by Mr. Wright, seconded by Mr. Lawler Resolution 137 was adopted by the following vote:

AYES (118581) Eric Connolly (9776), Alan Grattidge (4133), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), Daniel Pemrick (7775), Arthur M. Wright (2048), Thomas Richardson (5196), Benny Zlotnick (18575), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Matthew E. Veitch (13293), Edward D. Kinowski (8287), John Lawler (8423), John Lant (16173).

NOES (101026): Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Kevin Tollisen (21535), Darren O'Connor (14765), Theodore Kusnierz (14728), Tara Gaston (13293 - It should be noted she was voting no with great regret, because none of the questions were answered appropriately, as she requested, as to where the money would come from with addition to the budget impact statement stating none which is clearly inaccurate because it wasn't budgeted)

RESOLUTION 137 - 2020

Introduced by Supervisors Lawler, Kinowski, Pemrick, Raymond, Richardson, and Tollisen

AUTHORIZING AN AGREEMENT WITH THE SARATOGA COUNTY CHAMBER OF COMMERCE TO PROMOTE THE REOPENING OF SARATOGA COUNTY BUSINESSES

WHEREAS, on May 12, 2020, Chairman Preston Allen created a Reopening Advisory Group comprised of County officials and local business leaders to provide guidance and support to Saratoga County businesses on the safe and timely reopening of their businesses; and

WHEREAS, Todd Shimkus, President of the Saratoga County Chamber of Commerce and Vice-Chair of the Reopening Advisory Group, has requested that the County provide funding to the Saratoga County Chamber of Commerce ("Chamber") in the amount of \$50,000 for purposes of the Chamber undertaking a regional campaign on social media, digital display and television to promote the reopening of Saratoga County businesses and the safety precautions being taken by businesses to protect their customers and employees; and

WHEREAS, the campaign recommended by the Chamber is intended to fill the gap created by the absence of the usual summer advertising campaigns promoting the Saratoga Racetrack, the Saratoga Performing Arts Center, the Saratoga County Fair, and other summer events that attract people to Saratoga County and its hotels, restaurants, and retail stores; and

WHEREAS, our Economic Development Committee and the Reopening Advisory Group have recommended that the County enter into an agreement with the Saratoga County Chamber of Commerce to fund the Chamber's proposed campaign on social media, digital display and television to promote the reopening of Saratoga County businesses and the safety precautions being taken by businesses to protect their customers and employees, at a cost of \$50,000; now, therefore, be it

RESOLVED, that the Chair of this Board is hereby authorized to execute an agreement with the Saratoga County Chamber of Commerce to conduct a regional campaign on social media, digital display and television to promote the reopening of Saratoga County businesses and the safety precautions being taken by businesses to protect their customers and employees, at a cost of \$50,000; with the form and content of such agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 138 - 2020

Introduced by Supervisors Pemrick, Kinowski, Kusnierz, Schopf, Tollisen, Winney and Wright

AUTHORIZING THE CHAIRMAN TO ENTER INTO AGREEMENTS WITH TRINITY CONSTRUCTION, INC. AND CKM ELECTRICAL SERVICE, INC. FOR GENERAL CONSTRUCTION AND ELECTRICAL CONSTRUCTION SERVICES RELATED TO UPGRADES TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S KNOX WOODS AND RIVERSIDE #1 PUMP STATIONS

WHEREAS, the 2020 Capital Budget approved by this Board for Saratoga County Sewer District No. 1 includes upgrades to the Knox Woods and Riverside #1 pump stations; and

WHEREAS, the Riverside #1 pump station was built as part of the original County sewer system installed in the 1970s, and the Knox Woods pump station was installed in 1987; and

WHEREAS, the Saratoga County Sewer District Commission solicited and received

general construction services and electrical construction services proposals related to the upgrades to the Riverside #1 and Knox Woods pump stations; and

WHEREAS, the Sewer District Commission and the Sewer District's Executive Director have recommended that the proposal of Trinity Construction, Inc. for general construction services at a cost of \$359,583 and the proposal of CKM Electrical Services, Inc. for electrical construction services at a cost of \$111,815 be accepted as both companies' proposals were the lowest received for their respective services; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Trinity Construction, Inc. of Selkirk, New York for general construction services relative to the upgrades to Saratoga County Sewer District No. 1's Knox Woods and Riverside #1 pump stations, at a cost not to exceed \$359,583; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute an agreement with CKM Electrical Services, Inc. of Albany, New York for electrical construction services relative to the upgrades to Saratoga County Sewer District No. 1's Knox Woods and Riverside #1 pump stations, at a cost not to exceed \$111,815; and, be it further

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

BUDGET IMPACT STATEMENT: None. Funds for this project are included in the Sewer District's 2020 budget.

Mr. Wright asked to be excused. Mr. Allen said yes.

Mr. Kusnierz offered the following Resolution under other business. This resolution was offered as a previous amendment to Resolution #137 and now being offered as a standalone resolution for this body's consideration. Mr. Peck seconded the motion.

Mr. Grattidge offered an amendment that this only be exercised after exploring the possibilities of an MOU with the hospital that other than County money be used to purchase this machine as a first option.

Mr. Kusnierz said there is language at the end of the resolution that says the Chairman is further authorized to negotiate the MOU with an accredited medical facility for its use. Dose that meet Mr. Grattidge's needs?

Mr. Grattidge said it does not because you are putting the County money out there first. His amendment would put the onus on a possible partner purchasing this. Mr. Peck asked Mr. Grattidge to withdraw his amendment with the understanding that Mr. Peck will negotiate a fair deal for the County. Mr. Grattidge withdrew his amendment.

Ms. Gaston said she would be happy to assist in getting a good deal since she has been working with Commissioner Zeilman and other interested parties to make sure any reimbursement available from the Federal Government is taken advantage of. She said for the record, Malta Medical Emergent Care expressed to her that Director Duncan has been fantastic to work with during this process and that they hoped that there would be the ability for us to work together because she has been handling Saratoga County's public health well. They look forward to being able to be a partner with the County in increasing testing if at all possible.

On a motion by Mr. Kusnierz, seconded by Mr. Peck, now Resolution #139 was adopted by a unanimous vote.

RESOLUTION 139 - 2020

Introduced by Supervisor Kusnierz.

AUTHORIZING AN AGREEMENT WITH RHOENIX HEADQUARTERS FOR THE PURCHASE OF THE RHEONIX COVID-19 MDX ASSAY AND NECESSARY EQUIPMENT AND SUPPLIES AT A COST NOT TO EXCEED \$55,100, AND AUTHORIZING AN MOU WITH AN ACCREDITED MEDICAL FACILITY FOR ITS USE.

WHEREAS, on May 12, 2020, Chairman Preston Allen created a Reopening Advisory Group comprised of County officials and local business leaders to provide guidance and support to Saratoga County businesses on the safe and timely reopening of their businesses; and

WHEREAS, the Health & Social Services Committee, chaired by Supervisor Lucia met on June 3, 2020 and at the request of Public Health Director Catherine Duncan, considered her recommendation to purchase the Rheonix COVID-19 MDx Assay and associated testing equipment which can test for the SARS-COV-2, the virus that causes COVID-19; and

WHEREAS, the Rheonix COVID-19 MDx Assay is a fully automated test that enables detection of SARS-CoV-2, the virus that causes COVID-19, directly from respiratory samples, the test is designed to operate on the Rheonix Encompass MDx workstation and requires no technician involvement after samples are loaded onto the workstation, and the sample-to-answer test will facilitate same-day test results for low-and medium-throughput laboratories, allowing for more rapid decisions regarding isolation and treatment of infected patients; and

WHEREAS, the Health & Social Services Committee, on a motion by Supervisor O'Connor, seconded by Supervisor Wood, unanimously approved a resolution authorizing the expenditure of up to \$55,100 for the workstation and associated test kits and supplies; now therefore, be it

RESOLVED, that the Chair of this Board is hereby authorized to execute an agreement to purchase the Rheonix COVID-19 MDx Assay and necessary equipment and supplies from Rhoenix Headquarters, 10 Brown Road, Suite 103, Ithaca, NY at a cost not to exceed \$55,100 and is further authorized to negotiate an MOU with an accredited medical facility for its use.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Smith said over the last couple of weeks with all that has been going on with law enforcement, he has spoken to many people who have asked how they can support the Sheriff and his department as well as the State Police. He thinks it is very important at this time to let Sheriff Zurlo and all the men and women who make up the Department know that we support their efforts to keep us safe. He was asked by Reverend Wayne Brandow from the Galway United Methodist Church to thank the Public Health Department, Cathy Duncan, the County Administration and the County Board of Supervisors for providing excellent information through daily press releases. This information was very helpful for the many parishioners to help cope through the pandemic.

Mr. Veitch said Anita Daly is the Chair of the Capital Resource Corporation wanted him to mention for the record that at their April 23rd meeting the CRC appropriated \$10,000 from the corporation's surplus to help assist some not-for-profits in the County that were affected by the COVID-19 crisis. They sent four checks of \$2,500 each to: Franklin Community Center for their food pantry, the Healing Springs Recovery Center, Domestic Violence Services also known as Wellspring, and the Mechanicville Area Community Services Center. He thanked the Board for the creation of the Capital Resource Corporation. Through the work that they do part of their job is to give back to the community and doing this we thought was a good idea to help out and get back to the mission.

Mr. Lawler said there was conversations today about PPE. This is very important and something we should have conversations about. At the Reopening Advisory meetings, that topic has come up two meetings in a row. Two meetings ago, he had asked Supervisors Veitch and Kinowski to give some thought as to how the County might be able to assist businesses, especially small businesses, to deal with getting PPE and making it available. He knows they will be coming back with some great information and recommendations. Given the extensive support that appeared to be here today for it he believes there will be something coming down the road whether an idea, program or partnership, he doesn't know, but there will be something coming.

Mr. Schopf asked if there was an update on the external investigation in to the HR matters. Mr. Lawler said he sent an email out on the Internal Review. Mr. Schopf indicated he had received that email and was asking about the external investigation. Mr. Lawler said on the external investigation he had spoken with Attorney Ben Neidl and he is on the same time line. There may be one or two interviews let to do. He indicated to Mr. Lawler that they are shooting for June 26th date to deliver his report.

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

Respectfully submitted,

Pamela A. Wright, Clerk