

AGENDA SESSION  
September 9, 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, Alan Grattidge, Philip C. Barrett, Jonathon Schopf, Preston Allen, Jean Raymond, Michael Smith, Daniel Pemrick, Arthur Wright, Kevin Tollisen, Darren O’Connor, Thomas Richardson, Benny Zlotnick, Theodore Kusnierz, Willard H. Peck, Sandra Winney, Tara N. Gaston, Matthew Veitch, Edward D. Kinowski, John Lawler, John Lant – 21. ABSENT - Richard Lucia, Thomas N. Wood, III – 2.

On a motion by Mr. Kinowski, seconded by Mr. Smith the minutes of the August 12, 2020 meeting were unanimously approved.

Mr. Pemrick asked for a motion to accept the agenda for the September 15, 2020 Board meeting as presented and approved by the Law and Finance Committee prior to this meeting. The motion was made by Mr. Kinowski and seconded by Mr. Zlotnick. Unanimous.

Mr. Kusnierz said the last time the Board was gathered Supervisor Peck made a statement directed at him and he quoted “I’m just standing here because I’m much more comfortable standing here than sitting next to him” in reference to Mr. Kusnierz. He said in an effort to make Supervisor Peck more comfortable, Supervisor Lant would be willing to switch seats.

Supervisor Barrett said he had a couple questions regarding a contract he recently learned about with the former Public Health Director. He asked what the monetary limit was on that contract. Mr. Hellwig said it was \$15,000. Mr. Barrett said when that \$15,000 is expended by the amount of time spent working on whatever she is doing, can another contract be consummated at that point. Mr. Hellwig said not without the Board’s approval. Mr. Barrett said another contract can’t be done without the Board’s approval; if another contract were to be done for another \$5,000, \$10,000 or \$15,000 it would have to come to the Board first. Mr. Hellwig said that was the limit for one year; a new contract could be entered into next year but not this year. Mr. Barrett said ok, very good.

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

Respectfully submitted,

Pamela Wright  
Clerk of the Board

PROPOSED RESOLUTIONS

REAL PROPERTY TAX

Authorize the acceptance of a tender offer for a parcel in the Town of Day in the amount of \$5,624.27 and a parcel in the Town of Clifton Park in the amount of \$21,130.17.

HEALTH & SOCIAL SERVICES

Authorizing the acceptance of a 5-year Children and Youth with Special Health Care Needs program grant in the amount of \$161,915.

PUBLIC SAFETY

Proclaiming October as Domestic Violence Awareness Month in Saratoga County.

Authorizing the acceptance of a NYS Homeland Security State Law Enforcement Terrorism Prevention grant in the amount of \$69,500 and amending the budget in relation thereto.

Authorize a 1-year agreement with the Department of the Navy in the amount of \$4,500 for the Sheriff's use of night vision equipment.

Authorizing a contract with the Saratoga Springs City School District for the provision of a Deputy Sheriff to serve as a School Resource Officer for the 2020-2021 School Year.

Authorizing the acceptance of an Emergency Management Performance Grant from FEMA on behalf of the NYS Division of Homeland Security and Emergency Services in the amount of \$85,844.

Authorize an amendment to the agreement with Kyran Nigro in the amount of \$23,645 for administrative assistant costs associated with Conflict Defender services from 4/1/2019 through December 31, 2019.

Authorizing a transfer from the DWI Reserve in the amount of \$1,700 and amending the budget in relation thereto.

### BUILDINGS & GROUNDS

Lease Agreement with Shelters of Saratoga for temporary use of 31 Woodlawn Avenue as a Homeless Resource Center and Code Blue Facility.

### LAW & FINANCE

Directing E. Stewart Jones, Hacker, Murphy, LLP to issue an amended external investigation report to correct an acknowledged error and associated conclusions.

Amending Resolution 170-2018 to increase the authorized project costs for the construction of the Regional Biosolids Digester Facility with the Albany County Water Purification District.

Authorizing the Chairman to enter into an agreement with Bond, Schoeneck & King, PLLC for professional legal services relative to the issuance of serial bonds in an amount not to exceed \$28,000,000 to finance the County's 50% share of the costs of construction of a Regional Biosolids Digester Facility.

Authorizing the issuance of an additional \$3,750,000 serial bonds of the County of Saratoga, or so much thereof as may be necessary, to finance the County's 50% share of the cost of construction of a Regional Biosolids Digester Facility by Saratoga County Sewer District No. 1 in cooperation with the Albany County Water Purification District.

Setting a public hearing on the construction of the Interceptor Rehabilitation project.

Amending the contract with Adirondack Environmental Services, Inc. from \$65,000 to \$74,500 for additional sampling as part of the District's ammonia upgrade project.

Authoring a contract with General Control Systems, Inc. in the amount of \$24,095 for professional services related to programming the District's SCADA System at the treatment plant.

REGULAR MEETING  
TUESDAY, September 15, 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, Matthew E. Veitch, Tara Gaston, John Lawler, John Lant - 21. ABSENT - Thomas N. Wood, III, Edward D. Kinowski – 2.

Mr. Allen asked everyone to stand for the attention to the flag and remain standing for the Chaplain.

Ms. Winney read the invocation as written by Mr. Wood and said “Let Us Pray. Our Heavenly Father. We thank you for the beautiful fall season and for the many successful events that have recently occurred. Let us remember our recent celebration of Labor Day, let us be mindful of the contributions and sacrifices that our Saratoga County labor force has made and let us acknowledge their role in making our County and Country the best in the world. Grant us the desire and ability to once again work together as a unified board of supervisors. There is no benefit or gain to be made by bickering and being vindictive and hurtful to each other and to other county employees. Let us put the past behind us, correct the mistakes that were made and put in place new procedures to see that earlier mistakes do not happen again. Let’s utilize our energy, knowledge, and experience in a positive way that is not hurtful to people and that will enable us to continue to be the best county in the state. Let he who is without sin cast the first stone. We are grateful for the opportunity to serve the residents of Saratoga County and ask that you give us the renewed strength and wisdom to work on the complex and demanding issues and changes that lie ahead. As we make the difficult choices let us not make excuses but accept reality and move forward. It’s what’s ahead that is more important than what’s behind. We ask that all pray for Tom Wood and pray for him to come back to his family at the County. We ask that you look after the best interests of our nation and our leaders. May all of the members of our military be kept out of harm’s way and return home safely. We ask this in Your name. Amen.

Presentation: Saratoga County IDA. Mr. Tollisen said Chairman of the IDA, Rod Sutton, made a presentation to the Economic Development Committee. Chairman of Economic Development Jack Lawler asked Mr. Sutton to be here today. Mr. Sutton is traveling today, so Mr. Tollisen will speak. At each desk, there is a Saratoga County IDA summary letter and application. This is legislation that passed NYS. IDA’s are now able to assist small businesses and not-for-profit organizations in Saratoga County with grants up to \$10,000 for the purchase of PPE and other equipment. This is a great program that \$250,000 has been allocated from the IDA for this program. There is an application in the packet and it is straightforward. As long as there is a viable financial entity prior to March 20<sup>th</sup> with their principal offices in Saratoga County; they can demonstrate they were negatively impacted by the outbreak of the COVID-19; invoices are provided for money spent on PPE or related equipment; once submitted to the IDA it would be reviewed and they would be reimbursed those monies. This is a tremendous program for our not-for-profit organizations and small businesses. Small business is defined as less than 50 employees. If there are any questions on this program, they can be directed to Chairman of the IDA Sutton or any member of the IDA. Mr. Tollisen said he could try to answer your questions and if he didn’t know the answer, he would get it. The application is there and asked all supervisors to put the information on their websites. Seven applications have been received. This is a great program that is not a pay back program but a grant for monies already spent. Mr. Tollisen asked if Mr. Lawler had anything to add.

Mr. Lawler congratulated Mr. Tollisen, as he is a member of the IDA. This is an outstanding program for the community and hopes everyone passes the word around. The one thing Mr. Lawler would add is he had asked Mr. Sutton at the meeting if this program was fully subscribed and when they had lent the whole \$250,000 would they consider lending more. Mr. Sutton said yes, it would be considered. Mr. Lawler said the whole \$10,000 wouldn’t have to be applied for as it is up to that amount. Mr. Lawler thanked Mr. Tollisen.

Mr. Richardson said he was under the impression this was a grant and not a loan. Mr. Tollisen said it is a grant.

On a motion by Mr. Wright, seconded by Mr. Smith the minutes of the August 18 and September 9, 2020 meetings were unanimously approved.

The Clerk presented the following:

Resignation from Supervisor Kusnierz from the External Report Review Committee.

Received and Filed.

Resignation from Supervisor Kinowski from the External Report Review Committee.

Received and Filed.

Letter from Hinckley Allen regarding Saratoga County Administrator Spencer Hellwig.

Copy to All Supervisors

Letter from the NYS Homeland Security and Emergency Services informing the County of an Emergency Management Performance grant.

Received and Filed.

There were 12 email communications received requesting a review of the Sheriff's Office pursuant to Executive Order #203.

Copy to all Supervisors, County Administrator and County Sheriff.

#### REPORTS OF COMMITTEE

Mr. Kusnierz said he does have a committee to report on. The Unity Committee met on September 1<sup>st</sup> as a result of a hastily called meeting at the request of SEDC. All current members of the Committee were present as well as the SEDC's attorney. At that meeting, the Chairman of SEDC's Board of Directors and their attorney provided the Unity Committee with what he can only characterize as very serious allegations against some representatives of the Prosperity Partnership. SEDC essentially has reason to believe that in August on multiple occasions the Partnership unlawfully accessed and disseminated SEDC confidential meetings. Some of which involved clients where NDA's were discussed. Also during that meeting, the Attorney for SEDC indicated that the medium that was used was a Zoom recording; actually Zoom recordings plural, of meetings. SEDC had conducted a forensic IT investigation to support their claim. A week later, SEDC's complaint was formalized in a correspondence to the Prosperity Partnership dated September 8<sup>th</sup>, 2020, which included a litigation hold notice. This resulted in a special meeting being called by the Prosperity Partnership that was held on September 9<sup>th</sup> where the Board immediately moved into Executive Session for the Board to discuss these serious allegations. While three members of the Partnership, including himself, expressed significant concerns during that meeting, no action was taken in Executive Session and no action by the Board was taken afterwards in open session. As a result, Partnership Board members Steve Bulger, Supervisor O'Connor and myself co-authored a letter to the Chairman of the Partnership strenuously calling for an independent investigation to ascertain what transpired. This was followed by a litigation of hold that was sent to the Partnership on September 11<sup>th</sup> in response to SEDC's litigation hold notice. What is the significance of this? Mr. Kusnierz said many people in this room, himself included, and others that were here before he was elected to the Board of Supervisors have worked hard to bring Saratoga County's Economic Development under one organization. This has been carried out through the Unity Committee working with others to achieve this goal. In June 2019, the Unity Agreement was adopted by this Board with Resolution 145 of 2019 establishing a framework for how that should happen. Now, he is afraid, that for all intents and purposes that endeavor is irreparably damaged. What is most troubling is the ramifications of these allegations whether they are true or not. There is no denying that these Zoom meetings were viewed and downloaded multiple times by representatives of the Partnership. In his opinion, this is breathtaking and extremely unsettling and here is why: the Prosperity Partnership's mission page, which outlines a statement of values, he is sure anyone who has served on the Partnership has access to it or you could ask the Clerk to the Board, as he is sure she would provide it you. Included in that statement of values are five items. One is integrity. Within that, it says they will act with honesty and with morale purpose. Accountability is another one. Transparency and under that it says "we will be transparent in our dealings with each other and only positive motives benefiting

Saratoga County will influence our decision. The next one is respect. "We will treat all stakeholders, members, investors and allied organizations with courtesy, fairness, and deference in all matters. The last item is market driven. If you refer to the by-laws adopted in June of 2014 and amended in December 2016 in relation to the Partnership, the SCPP is a corporation. It is an organization that is funded exclusively with taxpayer dollars. And the sole member of that corporation is Saratoga County acting by and through the Board of Supervisors. So that presents a tremendous predicament for all in the room. He thought it was important as a member of the Unity Committee, the Prosperity Partnership's Board of Directors, and being involved in this since being elected to serve on the County Board of Supervisors, all the members hear and understand what has transpired at that most recent Unity Committee meeting. Thank you.

Mr. Lawler asked Mr. Kusnierz to expound on the circumstances of how the Partnership accessed or at least allegedly, inappropriately from the tone of the letter you are referencing perhaps even illegally accessed those documents/Zoom meetings/files. Did they hack into SEDC's server? Was there hacking that took place? Did they reach into SEDC's domain? How exactly did they supposedly get their hands on these tapes?

Mr. Kusnierz said to Supervisor Lawler that he was not going to speak to allegations from each side. However, those are foible documents and suggested that he reach out to each organization. They would be happy to provide those documents to you.

Mr. Lawler asked what documents Mr. Kusnierz was referring to.

Mr. Kusnierz said any correspondence between each organization.

Mr. Lawler said that Mr. Kusnierz just wants to put an allegation that accuses an organization and the employees of the organization of inappropriately, unethically, unprofessionally in violation of their own mission statement and perhaps illegally accessing records that Mr. Kusnierz says they aren't entitled to. But Mr. Kusnierz doesn't want to provide any context to that and asked if that was correct.

Mr. Kusnierz said to Mr. Lawler that once again Mr. Lawler was completely wrong. And was putting words into Mr. Kusnierz's mouth. Words stand. He reported allegations that were relayed to the Partnership. In his role as a member of the Board of Directors, he is not making determination one way or the other. He is reporting to the Board what transpired.

Mr. Lawler said that Mr. Kusnierz's statement is that this has created irreparable harm to the unity conversation. If in fact, since Mr. Kusnierz doesn't take a position then therefore he assumes Mr. Kusnierz doesn't know if it's true or not, otherwise he is sure as a member of this Board Mr. Kusnierz would share his position with them. That way the Board would have the benefit of Mr. Kusnierz's intricate knowledge of what happened or what supposedly happened. Mr. Lawler is wondering how Mr. Kusnierz arrived at the conclusion that this has irreparably damaged unity negotiations if in fact there is a chance that it didn't happen inappropriately.

Mr. Kusnierz said that was his personal opinion. It will be a Board decision whether the Board can move on from this point in time. His personal view is that if the organization, through the Unity Committee that was adopted through this Board, the umbrella organization, is to be successful, then you have to have two groups that are willing to work with each other. He says this goes counter to all that. That's where he draws his conclusion from.

Mr. Lawler said it would be interesting to know what is on those tapes. Perhaps that might shed a lot of light on the great-alleged inappropriate if not illegal actions of the Partnership. If it is Mr. Kusnierz's personal position that this has created a serious obstacle or an impossible to overcome obstacle to the Unity plan, which he thought everyone in the room voted for, he is wondering how Mr. Kusnierz could arrive at his personal opinion without knowing or believing in what happened and how it happened. He is disappointed that Mr. Kusnierz won't share that information and answer the question he asked, what information Mr. Kusnierz used to reach his personal opinion. (Mr. Kusnierz said not everyone in this room voted for the unity plan while Mr. Lawler made his statement.) Mr. Lawler said it was ok not to share it but he thinks before we get too far down the road chastising the Partnership and their employees it would be nice to know how this happened, if it happened and was it in fact unprofessional, unethical or even worse, illegal. Until then he isn't sure how the Board puts a whole lot of stock in it until we know what happened and how it happened. If the Partnership somehow viewed meetings of an SEDC event or meeting how are they able to do that. He thinks that's a good question everyone should think about. Perhaps if the Partnership had that independently and had it themselves and they didn't violate any rule or

ethical considerations but SEDC made the information inadvertently or intentionally available to the Partnership; can't blame the Partnership for that.

On a motion by Mr. Zlotnick, seconded by Mr. Veitch Resolutions 182 through 198 were adopted by a unanimous vote. It should be noted Mr. Schopf recused himself from the vote on Resolution #197.

RESOLUTION 182 - 2020

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

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

WHEREAS, unpaid taxes resulted in the County's acquisition of certain lands in various towns; and  
 WHEREAS, certain former owners have requested the pre-auction conveyance of one or more of said parcels in consideration of the payment of an amount equal to the unpaid taxes, penalties, interest and charges; and

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

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

CONVEY TO:	TAX YEAR	TOWN	S/B/L	AMOUNT
Melissa Pritchard 2411 Avenue A. Ext. Schenectady, NY 12308	2017	Corinth	86.-3-34.112	\$ 2,825.25
Norman H. Allen, Jr 360 Steve Kathan Road Hadley, NY 12835	2017	Day	24.-2-8.11	\$ 5,624.27
Karen M. Kinns 46 Oakwood Blvd. Clifton Park, NY 12065	2016	Clifton Park	283.20-3-39	\$21,130.17

BUDGET IMPACT STATEMENT: The above amounts include all penalties and interest.

RESOLUTION 183 - 2020

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

AUTHORIZING THE ACCEPTANCE OF A MULTI-YEAR NEW YORK STATE DEPARTMENT OF HEALTH CHILDREN AND YOUTH WITH SPECIAL HEALTH CARE NEEDS GRANT

WHEREAS, the Federally-funded Children and Youth with Special Health Care Needs (CYSHCN) Program is conducted by our Public Health Services; and

WHEREAS, the State Department of Health is offering a funding grant for this program covering the five year cycle of October 1, 2020 through September 30, 2025, subject to annual State appropriation of funding therefor; and

WHEREAS, the State requests County acceptance of this grant for the next five years; and

WHEREAS, this program is a useful and desirable service for our residents, and will provide reimbursement to Public Health Services for monies expended on the salary and fringe benefits of a part-time outreach worker, education services and resource materials for children and youth with special needs; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute all necessary contracts and documents with the New York State Department of Health to accept a Children and Youth With Special Health Care Needs grant in the amount of \$32,383 per year for the program period from October 1, 2020 through September 30, 2025, subject to annual State appropriations therefor; with the form and content of said contracts and documents to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

#### RESOLUTION 184 - 2020

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

#### PROCLAIMING OCTOBER 2020 AS "DOMESTIC VIOLENCE AWARENESS MONTH" IN SARATOGA COUNTY

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

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

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

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

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

RESOLVED, that the Saratoga County Board of Supervisors, and Preston Allen, Sr., Chairman, hereby proclaim the month of October 2020 as "Domestic Violence Awareness Month" in Saratoga County and urge all of our citizens to support and participate in ongoing programs designed for the reduction and eventual elimination of domestic violence; and be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 185 - 2020

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

#### AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES TO ACCEPT A 2020 STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT, AND AMENDING THE 2020 BUDGET IN RELATION THERETO

WHEREAS, funds are available from the New York State Division of Homeland Security and Emergency Services for a 2020 State Law Enforcement Terrorism Prevention Program (SLETPP) Grant in the amount of \$69,500; and

WHEREAS, said funds are available to pay for enhanced counter terrorism and response programs and equipment, including the Lexipol policy development and training program, night vision equipment, unmanned aerial systems equipment and maintenance, and operation overtime for security of polling places and election related matters for the Sheriff's Department; and

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

RESOLVED, that the Chair of the Board, County Administrator and/or Sheriff are authorized to execute all agreements and documents necessary to accept a 2020 New York State Law Enforcement Terrorism Prevention Program (SLETPP) grant in the amount of \$69,500 for the term September 1, 2020 through August 31, 2023, with the form and content of such documents and agreements to be subject to the approval of the County Attorney; and, be it further

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

SHERIFF'S DEPARTMENTAppropriations:

Increase Acct. #: A.30.000-6810 Overtime \$14,000

Revenues:

Increase Acct. #: A.30-3306 Homeland Security \$14,000

BUDGET IMPACT STATEMENT: None. 100% State Aid.

## RESOLUTION 186 - 2020

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

**AUTHORIZING THE CHAIRMAN TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE NAVY FOR THE LEASE OF NIGHT VISION GOGGLES**

WHEREAS, pursuant to Resolution 221-2018, this Board accepted a New York State Homeland Security Program 2018 State Law Enforcement Terrorism Prevention Program (SLETPP) Grant in the amount of \$72,479, for the term September 1, 2018 through August 31, 2021, which was to be used to pay for enhanced counter terrorism and response programs and equipment, including the Lexipol policy development and training program, dive team equipment, night vision equipment, and video monitors for conference and training rooms at the Sheriff's Department; and

WHEREAS, pursuant to Resolution 217-2019, this Board authorized a cooperative agreement with the United States Department of the Navy's Naval Surface Warfare Center (NAVSEA"), Crane Division, for the loan of three (3) thermal imaging cameras and twelve (12) night vision goggles for a term of one year, at a cost \$4,500, including maintenance and replacement if required, the cost of which was 100% funded by said 2018 Homeland Security grant; and

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

WHEREAS, the County's cooperative agreement with NAVSEA for the lease of thermal imaging and night vision equipment is set to expire; and

WHEREAS, our Public Safety Committee and Sheriff Zurlo have recommended that the County enter into a new one-year cooperative agreement with NAVSEA for the lease of fifteen (15) of NAVSEA'S night vision goggles consisting of twelve (12) AN/PVS 7B goggles and three (3) AN/PS 14S goggles, effective August 4, 2020, at a cost of \$4,500, which cost will be fully funded by the aforesaid 2018 Homeland Security grant; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Saratoga County Sheriff or his designee are hereby authorized to execute a cooperative agreement with the United States Department of the Navy's Naval Surface Warfare Center, Crane Division, for the lease of fifteen (15) of NAVSEA'S night vision goggles consisting of twelve (12) AN/PVS 7B goggles and three (3) AN/PS 14S goggles, effective August 4, 2020, at a cost of \$4,500; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 187 - 2020

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

**AUTHORIZING A CONTRACT WITH THE SARATOGA SPRINGS CITY SCHOOL DISTRICT FOR THE PROVISION OF A DEPUTY SHERIFF TO SERVE AS A SCHOOL RESOURCE OFFICER FOR THE 2020-2021 SCHOOL YEAR**

WHEREAS, pursuant to Resolution 18-2019, this Board authorized an agreement with the Saratoga Springs City School District for the provision of a Saratoga County Sheriff's Department Road Patrol Deputy to

serve as School Resource Officer for that portion of the second half of the 2018-2019 school year commencing on February 1, 2019 and continuing through June 30, 2019, at a cost to be paid by the School District of \$36,206.67, with said agreement subject to renewal for the 2019-2020 school year from July 1, 2019 through June 30, 2020 upon the written mutual agreement of the parties; and

WHEREAS, the County and the Saratoga Springs School District entered into a renewal agreement for the provision of a Saratoga County Sheriff's Department Road Patrol Deputy to serve as School Resource Officer for the 2019-2020 school year from July 1, 2019 through June 30, 2020; and

WHEREAS, Sheriff Zurlo and the Saratoga Springs City School District wish to enter into an agreement for the provision of a Saratoga County Sheriff's Department Road Patrol Deputy to serve in the capacity of a School Resource Officer for the School District for the 2020-2021 school year at a cost of \$73,861.61, to be paid in biannual installments, subject to the condition that if all three schools the School Resource Officer is assigned to provide services to are closed to in-person instruction due to restrictions imposed by either Executive Order of Governor Cuomo, Order of the New York State Department of Health, or directive of the Saratoga Springs City School District resulting from the COVID-19 pandemic, thereby preventing the School Resource Officer from performing his or her duties, the School District shall be entitled to apply a 4% discount to the amount it owes the County for each consecutive ten (10) school day period that the School Resource Officer is unable to render services to the School District; and

WHEREAS, whenever all schools the School Resource Officer is assigned to are closed, Sheriff Zurlo will assign that Road Patrol Deputy back to road patrol duty until one or more of such schools reopen; and

WHEREAS, Sheriff Zurlo and the Saratoga Springs City School District further wish to continue the provision in the previous agreement that upon the request of the School District and the approval of the Saratoga County Sheriff, Saratoga County Sheriff's Department Road Patrol Deputies shall be authorized to provide overtime security services at school activities and events outside of normal school hours at an additional cost to the School District of \$50.00 per hour for a minimum of two (2) hours per school activity/event; and

WHEREAS, our Public Safety Committee and Sheriff Zurlo have recommended that the County enter into an agreement with the Saratoga Springs City School District for the provision of a single Road Patrol Deputy to serve as School Resource Officer for the Saratoga Springs School District for the 2020-2021 school year commencing on July 1, 2020 and continuing through June 30, 2021, at a cost of \$73,861.61, subject to the conditions stated in the foregoing paragraphs; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with the Saratoga Springs City School District for the provision of a Saratoga County Sheriff's Department Road Patrol Deputy to serve as School Resource Officer for the 2020-2021 school year commencing on July 1, 2020 and continuing through June 30, 2021, at a cost to be paid by the School District of \$73,861.61 to be paid in biannual installments, and subject to the condition that if all three schools the School Resource Officer is assigned to provide services to are closed to in-person instruction due to restrictions imposed by either Executive Order of Governor Cuomo, Order of the New York State Department of Health, or directive of the Saratoga Springs City School District resulting from the COVID-19 pandemic, thereby preventing the School Resource Officer from performing his or her duties, the School District shall be entitled to apply a 4% discount to the amount it owes the County for each consecutive ten (10) school day period that the School Resource Officer is unable to render services to the School District; and be it further

RESOLVED, that the agreement between the County and the Saratoga Springs City School District shall further provide that upon the request of the School District and the approval of the Saratoga County Sheriff, Saratoga County Sheriff's Department Road Patrol Deputies shall be authorized to provide overtime security services at school activities and events outside of normal school hours at an additional cost to the School District of \$50.00 per hour for a minimum of two (2) hours per school activity/event; and be it further

RESOLVED, that the agreement between the County and the School District shall further provide that whenever all schools the School Resource Officer is assigned to are closed to students, Sheriff Zurlo can assign that Road Patrol Deputy back to road patrol duty until one or more of such schools reopen; and be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 188 - 2020

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

## AUTHORIZING ACCEPTANCE OF A 2020 EMERGENCY MANAGEMENT PERFORMANCE GRANT FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

WHEREAS, a federal Emergency Management Performance Grant is available through the New York State Division of Homeland Security and Emergency Services in the amount of \$85,844 for the performance period from October 1, 2019 through September 30, 2022; and

WHEREAS, our Office of Emergency Services proposes to utilize these funds for expenses related to the operation and maintenance of the County's 800 MHz communication system; and

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

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to apply for and accept a 2020 Emergency Management Performance Grant in the amount of \$85,844 from the New York State Division of Homeland Security and Emergency Services, with the form and substance of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

## RESOLUTION 189 - 2020

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

## AUTHORIZING A SUPPLEMENTAL AGREEMENT WITH ATTORNEY KYRAN D. NIGRO FOR THE REIMBURSEMENT OF ADMINISTRATIVE SUPPORT SERVICES INCURRED AS SARATOGA COUNTY CONFLICT DEFENDER

WHEREAS, pursuant to Resolution 251-2017, the Saratoga County Board of Supervisors authorized an agreement with Kyran D. Nigro of the City of Saratoga Springs for the provision of part-time Saratoga County Conflict Defender services as a contract employee for the term January 1, 2018 through December 31, 2019 at rate of compensation equivalent to the Grade 20 rate for 35 hours per biweekly pay period; and

WHEREAS, pursuant to Resolution 197-2019, this Board of Supervisors authorized an amendment to the agreement with Conflict Defender Nigro providing for the reimbursement to Conflict Defender Nigro of 7/10 of the salary costs of his administrative assistant for her time spent on Conflict Defender cases for the term April 1, 2018 through March 31, 2019, which proportionate salary costs were in the amount of \$31,512.35; and

WHEREAS, pursuant to Resolution 132-2019, the Chair of the Board was authorized to execute all necessary documents with the New York State Office of Indigent Legal Services to accept a \$7,110,185.25 grant pursuant to the Statewide Expansion of the Hurrell-Harring Settlement for improving the quality of indigent legal services in Saratoga County for the period April 1, 2018 through March 31, 2023; and

WHEREAS, pursuant to Resolution 144-2020, this Board authorized an amendment to the prior agreement with the New York State Office of Indigent Legal Services, which amendment authorized the County's use of Year 2 grant funding in the amount of \$948,024.70, covering the period April 1, 2019 through March 31, 2020, to fund additional positions in the Public Defender's Office, the Conflict Defender's Office and a full-time 18B Administrator position for the Assigned Counsel Program; and

WHEREAS, the Year 2 grant funding accepted from the New York State Office of Indigent Legal Services included funding for the reimbursement of administrative support services incurred by former Conflict Defender Nigro through December 31, 2019; and

WHEREAS, former Conflict Defender Nigro has determined that his administrative assistant spent 7/10 of her time on Conflict Defender cases during the period April 1, 2019 through December 31, 2019; and

WHEREAS, former Conflict Defender Nigro has requested that the County reimburse him of 7/10 of his administrative assistant's salary for the period April 1, 2019 through December 31, 2019, utilizing the "Hurrell-Harring" Year 2 grant funds accepted pursuant to Resolution 144-2020; and

WHEREAS, our Public Safety Committee has recommended that the County enter into a supplemental agreement with Kyran D. Nigro authorizing the reimbursement to former Conflict Defender Nigro of 7/10 of the salary costs of his administrative assistant for services she rendered on Conflict Defender cases during the term April 1, 2019 through December 31, 2019, which proportionate salary costs have been determined by Conflict Defender Nigro to be in the amount of \$23,635; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a supplemental agreement with Kyran D. Nigro for the reimbursement to former Conflict Defender Nigro of 7/10 of the salary costs he incurred for his

administrative assistant for services she rendered on Conflict Defender cases during the term April 1, 2019 through December 31, 2019, which proportionate salary costs are in the amount of \$23,635; and be it further

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

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 190 - 2020

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

AUTHORIZING THE TRANSFER OF FUNDS FROM THE STOP-DWI PROGRAM RESERVE, AND AMENDING THE 2020 COUNTY BUDGET IN RELATION THERETO

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

WHEREAS, the Sheriff and the STOP-DWI Coordinator wish to provide funding for the cost of painting a school bus that is being converted into a Sheriff's Mobile Education Vehicle for STOP-DWI educational efforts; and;

WHEREAS, the use of funds in the County's Reserve for DWI Program to pay for said vehicle renovation is an appropriate use of the Reserve's funds; now, therefore, be it

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disburse a sum not to exceed \$1,700 from the Reserve for DWI Program to pay for the cost of painting a school bus that is being converted into a Sheriff's Mobile Education Vehicle for STOP-DWI educational efforts; and, be it further

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

STOP-DWI

Appropriations:

Increase Acct. #: A.33.000-7080 Other Equipment \$1,700

Revenues:

Increase Acct. #: A.33-2615 STOP DWI Fines and Forfeitures \$1,700

BUDGET IMPACT STATEMENT: This transfer will reduce the balance in the DWI Reserve to \$107,630.

RESOLUTION 191 - 2020

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

AUTHORIZING A LEASE AGREEMENT WITH SHELTERS OF SARATOGA, INC. FOR THE SHORT TERM LEASE OF A PORTION OF THE COUNTY'S OFFICE BUILDING AT 31 WOODLAWN AVENUE IN THE CITY OF SARATOGA SPRINGS

WHEREAS, Saratoga County Public Health Services has moved into its new offices at the County's Paul E. Lent Public Safety Facility Building, leaving its former office building at 31 Woodlawn Avenue in the City of Saratoga Springs vacant; and

WHEREAS, Shelters of Saratoga, Inc. ("SOS") provides individuals with safe shelter, supportive services and sustainable strategies to end homelessness in Saratoga County; and

WHEREAS, SOS operates the Code Blue Shelter in the City of Saratoga Springs providing shelter and shelter services to homeless individuals whenever inclement winter weather temperatures are at or below 32 degrees Fahrenheit, inclusive of National Weather Service calculations for windchill; and

WHEREAS, SOS has expressed a desire to lease the second floor of the County's office building at 31 Woodlawn Avenue on a short term basis from October 1, 2020 through March 31, 2021 for purposes of establishing and operating a temporary resource center for homeless individuals, as well as for use as an overflow location for its Code Blue Shelter; and

WHEREAS, for at least the past four years the New York State Office of Temporary and Disability Services ("OTDA") has provided grant funding to our County Department of Social Services for the provision of

shelter and shelter services to the homeless during inclement winter weather conditions, and the County has entered into a contract with SOS for the provision of such shelter and shelter services to be paid for with said OTDA grant funds; and

WHEREAS, it is anticipated that OTDA grant funding will again be available this year for the provision of shelter and shelter services to the homeless during inclement winter weather, but the amount of said grant funds has yet to be determined by the State; and

WHEREAS, pursuant to Resolution 151-2020, the County entered into an intermunicipal agreement with the City of Saratoga Springs exclusively authorizing the City's employees to park in the County's parking lot at 31 Woodlawn Avenue on weekdays from 8:00 am to 6:00 pm through the earlier of December 31, 2020 or the day the County closes the sale of the property at 31 Woodlawn Avenue, upon certain agreed upon terms and conditions; and

WHEREAS, our Buildings and Grounds Committee has recommended that the County enter into a lease agreement with Shelters of Saratoga, Inc. for the short term lease of the second floor of the County's office building at 31 Woodlawn Avenue for the term from October 1, 2020 through March 31, 2021, on a rent-free basis, for purposes of establishing and operating a resource center for homeless individuals as well as for use as an overflow location for the homeless when its main Code Blue Shelter is filled, subject to the terms and conditions set forth below; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a lease agreement with Shelters of Saratoga, Inc. for the short term lease of the second floor of the County's office building at 31 Woodlawn Avenue for the term from October 1, 2020 through March 31, 2021, on a rent-free basis, for purposes of establishing and operating a resource center for homeless individuals as well as for use as an overflow location for the homeless when its main Code Blue Shelter is filled, subject to certain agreed upon terms and conditions, which shall include, but not be limited to:

1. The County will bear the cost of the following utilities during the lease period: water, sewer, and electric.
2. As phone and internet services were removed from the building when Saratoga County Public Health Services vacated the building, SOS shall bear the cost of reestablishing phone and internet services. SOS shall also bear the cost of trash removal.
3. The County shall secure the first and third floors of the building to prevent access by SOS staff, SOS's clientele, and the general public.
4. SOS shall be responsible for the maintenance and repair of its leased space. The County shall be responsible for the maintenance and repair of the first and third floors of the building, all entrances to the building, and the parking lot.
5. Upon vacating the building at the end of the lease term, SOS shall return the leased space to the County in the same condition it was at the commencement of the lease, reasonable wear and tear excepted.
6. SOS staff shall not park in the building's parking lot until the earlier of January 1, 2021 or the date City of Saratoga Springs employees terminate their use of the parking lot due to the opening of the new City parking garage on High Rock Avenue, which latter date shall be mutually agreed upon by the County, the City and SOS in writing.
7. SOS shall at all times maintain a staff member on site during the times that SOS opens the building to the public, and shall maintain proper staffing levels when servicing its clientele.
8. The County shall have the right to show the entire building to potential buyers upon 24 hours' notice to SOS.
9. SOS shall provide the following insurance to, and indemnify, the County as follows:
  - a. SOS shall name the County as an additional insured on SOS's general liability policy, and shall provide the County with a copy of SOS's certificate of insurance naming the County of Saratoga, 40 McMaster Street, Ballston Spa, New York, 12020, as certificate holder, as well as acceptable proof documenting the County's status as an additional insured on said liability policy.

- b. SOS shall at all times indemnify and save harmless the County from and against any all claims and demands whatsoever, including costs, litigation expenses, counsel fees and liabilities in connection therewith arising out of the injury or death of any person whomsoever or damage to any property or any kind by whomsoever, caused in whole or in part, directly or indirectly, by the acts of any individual present inside the building at 31 Woodlawn Avenue during the term of this lease.
- c. SOS 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 use of the building by SOS, its staff, clientele and invitees during the term of this lease.

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 192 - 2020

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

#### DIRECTING E. STEWART JONES HACKER MURPHY, LLP TO ISSUE A CORRECTED EXTERNAL INVESTIGATION REPORT

WHEREAS, pursuant to Resolution 84-2020, the Saratoga County Board of Supervisors authorized the Chair of the Board, the Chair of the Law and Finance Committee, the Chair of the Human Resources and Insurance Committee, the County Administrator and the Director of Human Resources to jointly determine, for as long as the Chairman of the Board's declaration of a state of emergency was in effect, appropriate County employee staffing levels and rates of compensation that were consistent and in compliance with the current directives of any Executive Order issued by the Governor of the State of New York relative to local government staffing levels as a consequence of the COVID-19 pandemic; and

WHEREAS, pursuant to Resolution 89-2020, this Board of Supervisors revoked the foregoing authority of the Chair of the Board, the Chair of the Law and Finance Committee, the Chair of the Human Resources and Insurance Committee, the County Administrator and the Director of Human Resources to jointly determine appropriate County employee staffing levels and rates of compensation during the COVID-19 pandemic; and

WHEREAS, on April 21, 2020, this Board of Supervisors adopted a resolution to retain an independent law firm to conduct an investigation into matters surrounding the adoption and execution of time and a half pay increases approved for certain essential employees who had to report to work, and the subsequent revocation, and in some instances recoupment, of those pay increases upon the joint determination of the Chair of the Board, the Chair of the Law and Finance Committee, the Chair of the Human Resources and Insurance Committee, the County Administrator; and

WHEREAS, the law firm of E. Stewart Jones Hacker Murphy, LLP was retained to conduct the independent investigation, and attorneys Ben Neidl and James Hacker led and conducted the investigation for the firm; and

WHEREAS, E. Stewart Jones Hacker Murphy, LLP submitted its Confidential Report of Investigation dated August 6, 2020, and the report was copied and distributed to each member of the Board of Supervisors; and

WHEREAS, this Board voted to release said Confidential Report of Investigation to the public on August 12, 2020; and

WHEREAS, by email dated August 18, 2020 to the Clerk of the Board of Supervisors, and forwarded by the Clerk to the Board of Supervisors that same day, attorney Ben Neidl acknowledged that the Report of Investigation contained an error in Part V ("Legal Discussion") in regards to his legal conclusion that the County violated certain provisions of Labor Law Article 6, and had therefore potentially exposed itself to double or triple damages for unpaid wages; and

WHEREAS, E. Stewart Jones Hacker Murphy, LLP is willing to issue a corrected Report of Investigation upon the direction of this Board; and

WHEREAS, it is appropriate that a corrected Report of Investigation be prepared and that be released to the public; now, therefore be it

RESOLVED, that the law firm of E. Stewart Jones Hacker Murphy, LLP is hereby directed to submit to this Board of Supervisors an amended Report of Investigation correcting any and all errors and associated legal conclusions it has discovered in its Report of Investigation dated August 6, 2020.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 193 – 2020

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

AMENDING RESOLUTION 170-2018 TO INCREASE THE AUTHORIZED PROJECT COSTS FOR THE CONSTRUCTION OF THE REGIONAL BIOSOLIDS DIGESTER FACILITY WITH THE ALBANY COUNTY WATER PURIFICATION DISTRICT

WHEREAS, pursuant to Resolution 170-2018, the Saratoga County Board of Supervisors authorized the joint construction of a regional biosolids digester facility by Saratoga County Sewer District No. 1 (“SCSD1”) and the Albany County Water Purification District (“ACWPD”) at a maximum estimated cost of \$48,500,000, with SCSD1 and ACWPD to each be responsible for payment of fifty percent (50%) of the project’s maximum estimated cost; and

WHEREAS, the Saratoga County Sewer District Commission and the ACWPD’s Board of Commissioners have recommended that the County of Saratoga and the County of Albany authorize an increase in the maximum estimated cost of the project to \$56,000,000 in order to add the installation of a thermal dryer for purposes of reducing the moisture content of any undigested sludge after the anaerobic digestion process is completed, thereby decreasing the cost of transporting the total amount of tons of remaining sludge that have to be disposed of or utilized beneficially; and

WHEREAS, the proposed increase in the project’s maximum estimated cost to \$56,000,000 will make SCSD1 and ACWPD eligible for an increase in State funding for the project from the previous \$5,000,000 to \$12,500,000; and

WHEREAS, the County’s and SCSD1’s plan of finance for its \$28,000,000 portion of the proposed increased project costs continues to be a combination of grant funding from the State of New York and the issuance of bonds by the County of Saratoga on behalf of SCSD1 with the expense for principal and interest on the bonds to be apportioned in accordance with SCSD1’s annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and will be amended and adopted on an annual basis; and

WHEREAS, pursuant to Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the increase in the net cost thereof to the Typical Property (as defined in the County Law) from \$3.93 to \$4.39 does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$8.00 for calendar year 2020; and

WHEREAS, the Saratoga County Board of Supervisors duly adopted Resolution 179-2020 on August 18, 2020, calling a meeting of the Board of Supervisors for the purpose of holding a public hearing on said proposed increase in the maximum estimated cost of the construction of the regional biosolids handling facility to \$56,000,000, with the County’s 50% share being \$28,000,000, and at an estimated annual net cost of \$4.39 to the typical property in the District; and

WHEREAS, said public hearing was duly held at the Chamber of the Saratoga County Board of Supervisors, 40 McMaster Street, in the Village of Ballston Spa, New York, in said County, on September 9, 2020 at 4:25 pm; and

WHEREAS, notice of said public hearing was duly published and filed in the manner provided by law and proof thereof was submitted to the Clerk of the Board of Supervisors; and

WHEREAS, our Law and Finance Committee and the Saratoga County Sewer District Commission have recommend that Resolution 170-2018 be amended to increase the maximum estimated cost for the construction of the regional biosolids digester facility by SCSD1 and ACWPD from \$48,500,000 to \$56,000,000, with SCSD1’s fifty percent (50%) share of said maximum estimated cost to be increased from \$24,250,000 to \$28,000,000; now, therefore be it

RESOLVED, that Resolution 170-2018 is hereby amended to increase the maximum estimated cost for the construction of the regional biosolids digester facility by Saratoga County Sewer District No. 1 and the Albany County Water Purification District from \$48,500,000 to \$56,000,000, with SCSD1's fifty percent (50%) share of said maximum estimated cost to be increased from \$24,250,000 to \$28,000,000; and be it further

RESOLVED, that the expense of said increase and improvement of facilities shall be financed by the issuance of bonds in an amount not to exceed \$28,000,000 of the County of Saratoga, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be apportioned in accordance with Saratoga County Sewer District No.1's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and will be amended and adopted on an annual basis, with the expectation that any funds received by Saratoga County Sewer District No. 1 from New York State grants shall be used to pay a part of the cost of the project or to pay debt service on bonds issued to finance the project or shall be budgeted as an offset to such assessments to be levied and collected.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 194 - 2020

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

**AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BOND, SCHOENECK & KING, PLLC FOR PROFESSIONAL LEGAL SERVICES RELATIVE TO THE ISSUANCE OF SERIAL BONDS IN AN AMOUNT NOT TO EXCEED \$28,000,000 TO FINANCE THE COUNTY'S 50% SHARE OF THE COSTS OF CONSTRUCTION OF A REGIONAL BIOSOLIDS DIGESTER FACILITY**

WHEREAS, pursuant to Resolution 265-2019, this Board authorized an agreement with Fiscal Advisors & Marketing, Inc. to act as fiscal advisor in connection with the planned issuance of serial bonds to finance the construction of various Saratoga County Sewer District No. 1 capital projects, including the construction of the joint Regional Biosolids Digester Facility with the Albany County Water Purification District; and

WHEREAS, Fiscal Advisors & Marketing, Inc. has recommended that the County retain the services of the law firm of Bond, Schoeneck & King, PLLC of Syracuse, New York, as bond counsel in connection with the County's upcoming issuance of serial bonds in an amount up to \$28,000,000 to finance Saratoga County Sewer District No.1's 50% share of the costs of constructing the Regional Biosolids Digester Facility, as authorized by Resolution 161-2020; and

WHEREAS, Bond, Schoeneck & King, PLLC has submitted a proposal to serve as bond counsel and to provide professional legal services to the County in connection with said upcoming issuance of said serial bonds at a cost of \$.60 (sixty cents) per thousand dollars of the principal amount of the bonds issued, subject to a minimum fee of \$10,000 and a maximum fee of \$15,000, \$950 for preparation of the bond resolution, plus any out-of-pocket disbursements; with any other necessary legal services provided to be compensated at the hourly rate of the staff member(s) providing such services; and

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

RESOLVED, that the Chair of the Board is hereby authorized to execute a retainer agreement with Bond, Schoeneck & King, PLLC of Syracuse, New York, for the provision of professional legal services as bond counsel in connection with the upcoming issuance of serial bonds in the amount of \$28,000,000 to finance the County's 50% share of the estimated \$56,000,000 construction costs of the Regional Biosolids Digester Facility being jointly constructed by Saratoga County Sewer District No. 1 and the Albany County Water Purification District, with said legal services to be provided at a cost of \$.60 (sixty cents) per thousand dollars of the principal amount of the bonds issued, subject to a minimum fee of \$10,000 and a maximum fee of \$15,000, \$950 for preparation of the bond resolution, plus any out-of-pocket disbursements; with any other necessary legal services provided to be compensated at the hourly rate of the staff member(s) providing such services; and, be it further

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

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

## RESOLUTION 195 - 2020

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

AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$3,750,000 SERIAL BONDS OF THE COUNTY OF SARATOGA, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S 50% SHARE OF THE COST OF CONSTRUCTION OF A REGIONAL BIOSOLIDS DIGESTER FACILITY BY SARATOGA COUNTY SEWER DISTRICT NO. 1 IN COOPERATION WITH THE ALBANY COUNTY WATER PURIFICATION DISTRICT

WHEREAS, the County Board of Supervisors of the County of Saratoga, New York on July 17, 2018 adopted a Bond Resolution (the "Prior Bond Resolution") entitled "RESOLUTION 171 – 2018. Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Szczepaniak, and Wright AUTHORIZING THE ISSUANCE OF \$24,250,000 BONDS OF THE COUNTY OF SARATOGA, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S 50% SHARE OF THE COST OF CONSTRUCTION OF A REGIONAL BIOSOLIDS DIGESTER FACILITY BY SARATOGA COUNTY SEWER DISTRICT NO. 1 IN COOPERATION WITH THE ALBANY COUNTY WATER PURIFICATION DISTRICT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$24,250,000, STATING THE PLAN OF FINANCING; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT BY SARATOGA COUNTY SEWER DISTRICT NO. 1 TO SAID COUNTY"; and

WHEREAS, the County Board of Supervisors wishes to (i) authorize the expenditure and appropriation of additional funds in connection with the construction of a Regional Biosolids Digester Facility by Saratoga County Sewer District No. 1 in cooperation with the Albany County Water Purification District (the "Project"); and (ii) authorize the issuance of additional serial bonds of the County to finance such additional appropriation;

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Board of Supervisors of the County of Saratoga, New York as follows:

Section 1. The County of Saratoga, New York (herein called "County"), is hereby authorized to undertake the Project at an estimated maximum cost to the County not to exceed \$28,000,000, representing the County's 50% share of the total estimated maximum cost, constituting an increase of \$3,750,000 over the amount previously authorized in the Prior Bond Resolution.

Section 2. The plan for financing such new maximum authorized cost of \$28,000,000 shall be as follows:

- (a) By the issuance of \$24,250,000 of Serial Bonds of the County heretofore authorized to be issued pursuant to the Prior Bond Resolution; and
- (b) By the issuance of an additional \$3,750,000 of Serial Bonds (the "Bonds") of the County authorized to be issued pursuant to this Resolution

Section 3. It is hereby determined that the period of probable usefulness for the specific object or purpose is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law; provided, however, that the maximum maturity of the Bonds authorized shall be computed from the date of issuance of the bonds or the first bond anticipation note issued in anticipation of the bonds or the serial bonds or the bond anticipation notes authorized pursuant to the Prior Bond Ordinance, whichever date is earlier.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

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

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be assessed and levied upon the real property of users connected to the District's sewer system, in accordance with the District's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges

currently exists and as it will be amended and adopted on an annual basis, an amount sufficient to pay the principal of and interest on such obligations as the same become due and payable, but if not paid from such source, all the taxable real property in the County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal and interest on such obligations when due. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

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

Section 8. This resolution is intended to constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2. Other than as specified in this resolution, no moneys are reasonably expected to be, received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the County Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or heretofore adopted by the Board of Supervisors of the County for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the use of electronic bidding, the consolidation of the serial bonds and the bond anticipation notes with other issues of the County and the serial maturities of the bonds are hereby delegated to the County Treasurer, the Chief Fiscal Officer of the County.

Section 10. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of this resolution or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The County Treasurer, as Chief Fiscal Officer of the County, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the County to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12, as amended.

Section 12. This resolution, or a summary of this resolution, shall be published in the official newspapers of the County for such purpose, together with a notice of the Clerk of the County in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This resolution is not subject to a mandatory or permissive referendum.

Section 14. The Board of Supervisors of the County hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 15. This resolution shall take effect immediately upon its adoption.

BUDGET IMPACT STATEMENT: None. This project will be entirely underwritten by the Sewer District.

RESOLUTION 196 - 2020

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

SETTING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING THE PROPOSED REHABILITATION AND IMPROVEMENT OF THE SARATOGA COUNTY SEWER DISTRICT SEWER INTERCEPTOR AND RELATED FACILITIES

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the Board of Supervisors of Saratoga County, New York, established a county sewer district designated and known as Saratoga County Sewer District No. 1, in said County (the "District"); and

WHEREAS, the sewer interceptor and related facilities serving properties in the District are in need of rehabilitation and improvement, as described in the report prepared by MJ Engineering & Land Surveying, P.C. dated January 2020 (the "Engineer's Report"); and

WHEREAS, the estimated maximum cost of the rehabilitation and improvement of the sewer interceptor and related facilities, including acquisition and installation of equipment, machinery or apparatus required in connection therewith (the "Project"), is \$ 29,800,000; and

WHEREAS, the cost of the Project is proposed to be financed through the issuance of bonds by Saratoga County on behalf of the District; and

WHEREAS, the annual net cost to the typical property in the District as a result of such costs has been estimated to be \$ 22.46; and

WHEREAS, Saratoga County Sewer District No. 1 and its consultant MJ Engineering has previously determined that the Project is a "Type II Action" under the State Environmental Quality Review Act, requiring no further review thereunder; and

WHEREAS, the Board of Supervisors now desires to call a public hearing regarding the Project as required by County Law §268; now, therefore be it

RESOLVED, that pursuant to the provisions of County Law §268, a public hearing be and the same hereby is called upon the proposal by Saratoga County Sewer District No. 1 to undertake the rehabilitation and improvement of the sewer interceptor and related facilities serving properties in the District, including acquisition and installation of equipment, machinery or apparatus required in connection therewith, as described in the Engineer's Report; said public hearing to be held on October 14, 2020 at 4:25 p.m. at the chambers of the Saratoga County Board of Supervisors, 40 McMaster Street, in the Village of Ballston Spa, New York; and be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors is hereby authorized and directed to cause a notice of said public hearing to be published at least once, the first publications thereof to be not less than ten (10) days nor more than twenty (20) days before the date set therein for the public hearing, in "The Saratogian" and "The Daily Gazette", each of said newspapers having been designated the official newspapers of the County for such publication; and, be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

It should be noted Mr. Schopf recused himself from the vote on Resolution #197.

RESOLUTION 197 - 2020

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

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH ADIRONDACK ENVIRONMENTAL SERVICES, INC. TO PROVIDE ADDITIONAL LAB TESTING AND WASTEWATER ANALYSIS TO ENSURE COMPLIANCE WITH THE SEWER DISTRICT'S SPDES PERMIT

WHEREAS, pursuant to Resolution 40-2019, this Board authorized a renewal agreement with Adirondack Environmental Services, Inc. to provide lab testing and wastewater analysis services, and to conduct any other sampling and testing that may be required by NYSDEC, for purposes of ensuring Saratoga County Sewer District No. 1's compliance with its SPDES permit, for a term of two years from January 1, 2019 through December 31, 2020, at a cost not to exceed \$65,000, with Adirondack Environmental Services, Inc. ("AESI") to charge for its lab testing and wastewater analysis services at its rates in effect at the time the services were rendered to the Sewer District, provided that Adirondack Environmental Services, Inc. shall attach to any voucher submitted to the Sewer District for payment a rate sheet confirming the rates it was charging at the time the services being billed for were rendered; and

WHEREAS, it has been necessary for Adirondack Environmental Services, Inc. to perform unanticipated additional lab testing and analysis associated with the design of the Wastewater Treatment Plant Ammonia Capacity Upgrades; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the County's contract with Adirondack Environmental Services, Inc. be amended to authorize the provision of additional lab testing and wastewater analysis services associated with the design of the Ammonia Capacity Upgrades, with said services to be provided at the additional cost of \$9,500; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Adirondack Environmental Services, Inc. of Albany, New York for the provision of additional lab testing and wastewater analysis services at Saratoga County Sewer District No. 1's Wastewater Treatment Plant in connection with the design of the Ammonia Capacity Upgrades, with such additional services to be provided at a cost not to exceed \$9,500, at AESI's rates in effect at the time said services are rendered to the Sewer District, thereby increasing the total contract amount to the not to exceed amount of \$74,500; and, be it further

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

BUDGET IMPACT STATEMENT: None. Funds are available in the Sewer District's 2020 budget.

#### RESOLUTION 198 - 2020

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

#### AUTHORIZING AN AGREEMENT WITH GENERAL CONTROL SYSTEMS, INC. FOR MAINTENANCE SERVICES FOR THE INSTRUMENTATION SYSTEMS AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM

WHEREAS, the County entered into an existing minor contract with General Control Systems, Inc. ("GCSI") dated August 18, 2016, as amended on September 19, 2017, for professional services, equipment and hardware to repair and update instrumentation systems, including the Supervisory Control and Data Acquisition ("SCADA") system, and ancillary equipment, throughout the Saratoga County Sewer District No. 1's Wastewater Treatment Plant and collection system, at the rates set forth in General Control Systems' Engineering and Field Rate Schedule in effect at the time services were provided; and

WHEREAS, as a result of increasing maintenance needs for the SCADA system this year including the installation of a connection to an external clock to ensure the SCADA system maintains the proper time while in operation, as well as the installation of necessary programming to operate Saratoga County Sewer District No. 1's magnesium hydroxide pumps automatically, services rendered by GCSI have exceeded the annual minor contract amount by an additional \$9,095 this year; and

WHEREAS, it is necessary to enter into an agreement with General Control Systems, Inc. in the amount of \$24,095 for the term from January 1, 2020 through December 31, 2020 in order to authorize payment of said amount that was in excess of the annual minor contract amount of \$15,000; and

WHEREAS, the Saratoga County Sewer District Commission and the Executive Director of the Saratoga County Sewer District No. 1 have recommended that the County enter into an agreement with General Control Systems, Inc. for professional services, equipment and hardware to repair and update Saratoga County Sewer District No. 1's instrumentation systems, including its SCADA system, and ancillary equipment, throughout the Sewer District's Wastewater Treatment Plant and collection system, for the term January 1, 2020 through December 31, 2020 at a cost of \$24,095; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with General Control Systems, Inc., of Green Island, New York for professional services, equipment and hardware to repair and update Saratoga County Sewer District No. 1's instrumentation systems, including its SCADA system, and ancillary equipment, throughout the Sewer District's Wastewater Treatment Plant and collection system, for the term January 1, 2020 through December 31, 2020 at a cost of \$24,095; 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 Sewer District's 2020 budget.

Mr. Veitch thanked the Board for their vote and support of Woodlawn Resolution. He is glad the Board is willing to do something good for the homeless residents of the County at least this year for Code Blue. The Buildings & Grounds Committee will continue to work for the future of the building, whatever that may be.

Ms. Gaston said she seconded what her colleague from Saratoga Springs said and thanked the members for their support. It has been a long time coming and she appreciates the fact the County has stepped up in this way. The Executive Director of Shelters of Saratoga, Duane Vaughn, arrived in non-profit time which is the skin of his heels because he is busy doing everything, if anyone would like to meet him. He has been hard at work since well before he was officially supposed to be. She appreciates everyone supporting that.

Ms. Gaston said on a less supportive note she would like a statement on the record for the benefit of the Board of Supervisors and perhaps for review by the County Attorney. She understands the purpose and the legality of legislative prayer. As someone who does not follow the Christian tradition, she knows everyone will be shocked and that's ok, she has stood by and participated politely with her hands folded and quiet. However the prayer has become more and more offensive. In denigrating individuals who do not agree with the people. This is not just today. She is not indicating any particular person. She would like the County Attorney to review whether in fact our legislative prayers are in accordance with the latest jurisprudence of Town of Greece versus Galloway; which is a New York State case and that should be on point with us. Especially given the fact that we require all of our Department Heads regardless of religious background to attend. One of the primary notes in the jurisprudence of that case is that we cannot force any other person to be here for the legislative prayer. It is only for the benefit of the legislative body. Again, she does not disrespect the religious faith of anyone in particular. But she also has the ability and the responsibility to sit there and represent her constituents and herself. She should not have to sit there and be offended in a legislative prayer again. If this is going to be the continuation then she will ask to be excused from any meeting up until the point the prayer has been completed. Thank you.

Mr. Lawler said on a more pleasant note he would like to announce on behalf of Jason Kemper. Jason has been building, what seems like forever, the Zim Smith Trail. He is happy to announce there will be a grand opening of a section of the trail on Wednesday, September 23<sup>rd</sup> at 10:00 a.m. at the Floud Parking Lot at Coons Crossing. A more expansive announcement will be coming out about that section of the trail and the work that has gone into it. Mr. Lawler wanted the supervisors to be able to put this day and time in to their calendars. He thanked Jason for all his hard work on making this a reality.

Mr. Barrett said he agreed with his colleague, Ms. Gaston. He said they look at practicing of religion a little differently. She stated her position and how she does or doesn't practice. He said he is in church every Sunday. The prayer is not a prayer. It is sickening. It's insulting, really. If it can't be done correctly and in good nature as a prayer should be, then perhaps it should be eliminated. He fully supports that it continue, but not under these circumstances, month after month as has been heard not only today but other months. They are not prayers. They are political speeches of some sort.

Mr. Barrett said he also has a question. The Board found out Cathi Duncan has a new contract with the County. How far into that contract are we moneywise. He said he guesses the cap is \$15,000 but for \$78 an hour, how far into that are we at this point. Mr. Hellwig said he doesn't have an answer to that. He said he could get it to him after the meeting to see how far along she is. Mr. Barrett said ok. And what exactly is she doing on a day to day basis. Mr. Hellwig said she is working with the school districts, all the districts in the County helping them with their reopening plans, answering questions, helping support the school staff, nursing staff and administrators. Mr. Barrett said ok. Thank you.

Ms. Gaston said she asked last time at a meeting the Director Bennett look into what would be required for technology with a work from home policy because that was something that was being discussed. She said she would not put Ms. Bennett on the spot but Ms. Gaston wanted everyone to know because she did ask at a public meeting that Director Bennett and has been excellent in making sure that Ms. Gaston has the information she needs. It is going to be a departmental policy issue. As soon as the Board makes a decision regarding departments she will make sure whatever policy we decide will be implemented and she hopes the needs of the departments will be taken into consideration when the Board does this. Ms. Bennett said from an IT standpoint there may be procurement that will need to be done and to look ahead to what plan the County has. Ms. Gaston said she wanted it on the record that Director Bennett had done that since Ms. Gaston had asked her at a previous meeting.

Mr. Lawler said also on the record, he assumes the policy that is created that it will be shared with all the members of the Board since a policy was being made for Ms. Gaston.

Ms. Gaston said she is sorry if she wasn't clear. She had asked in the last meeting what technology barriers there were to develop a work from home policy because that had been brought up in a meeting. She had asked Director Bennett to present those barriers. Director Bennett spoke to Ms. Gaston and said it is really different for each department depending on their needs. If a policy is developed by the Board as a whole and presented to her, she will be happy to work with it for us. No policy has been developed. Ms. Gaston said she called Ms. Bennett out in front of the Board at the last meeting, publically. She prefers to not let the staff stand and not be recognized as having completed the request. She wanted to say in a public meeting that Director Bennett had done what was asked.

Mr. Lawler asked what she had completed. Ms. Gaston said the answering of her question. Mr. Lawler said since you asked your question at a public meeting would you be kind enough to share the answer with the rest of us. Ms. Gaston said she was sorry, she thought she had done that and will rephrase it. Director Bennett, when asked what technology barriers stood in the development of a work from home policy for the County indicated that it would be a department-by-department policy. In order to determine a policy for those barriers the Board would have to determine what our work from home policy, if any, would be and that would depend on the department. Once that was decided she would be able to present a more fulsome answer as to what particular technology barriers existed in any given department. For instance the DA, Public Works, the Sheriff and the Auditor may have different technology requirements both in cyber security and in general physical technology. So nothing has been done. No policy has been developed. No list has been created. She just answered her question and she wanted to say that she answered her question. She apologized if it turned into something else. She just wanted to say in front of everyone that our staff did the thing they were supposed to do and she appreciates that. Mr. Lawler said other than saying she can't tell you what the barriers are until the policy has been adopted; that's the substance of the conversation with her. Ms. Gaston said sure. Mr. Lawler said thank you.

Mr. Schopf said he would like to echo Supervisor Gaston and Supervisor Barrett's comment on the introductory speech to the several meetings. He is not personally opposed or against or in favor of any particular prayer but he does not believe this is a proper platform for political speech singling out individuals or groups of individuals on this Board. He said regarding the questions to the IT Director he doesn't see what the problem is with any Supervisor asking any Department Head a question and receiving an answer. It certainly seems that that was an issue, it has been an issue in the past and he doesn't believe that it should be an issue.

Mr. Lawler said at no point did he say that there was a problem with a Supervisor asking a department head or a director a question. But since the question was asked in a public forum if the answer was more of an answer rather than I can't give you an answer until you give me a policy. If there have been more depth to it than that he would have liked to have seen the answer distributed to all of the members of the Board because the question was asked. He has no objection to the question, just to be clear.

Mrs. Winney said the prayer today was done by Mr. Wood. She said she was just reading the words that he said. She said she guessed Tom hit it right on the head when he said it. She agrees with what Mr. Wood said and she will stand by him. She thinks what is going here is petty and she thinks this is a better Board than what is going on. If we can't discuss our differences, then she thinks we all had better grow up.

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

Respectfully Submitted,

Pamela Wright  
Clerk of the Board