

AGENDA SESSION  
October 14, 2020 5:10 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, 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 – 20.

ABSENT - Jonathon Schopf, Richard Lucia, Thomas N. Wood, III – 3.

On a motion by Mr. Wright, seconded by Mr. Kinowski the minutes of the September 9, 2020 meeting were unanimously approved.

Mr. Pemrick asked for a motion to accept the agenda for the October 20, 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. Tollisen. Unanimous.

Mr. Kinowski said everyone received a copy of the Village of Ballston Spa's Economic Development Plan. He encouraged everyone to look at it. A comp plan for a small town would be costly. This was well done and full of data. He said it was well worth reading as an outstanding job was done on this.

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

Respectfully submitted,

Pamela Wright  
Clerk of the Board

## PROPOSED RESOLUTIONS

### HEALTH & SOCIAL SERVICES

Authorizing an amendment to Resolution 163 of 2020 to revise rate of pay for transportation services with Rejha Group from per child to per bus.

Authorizing Community Mental Health renewal contracts for 2021.

Authorizing the acceptance of a grant from Health Research, Inc. in the amount of \$1,520,735 for enhanced COVID detection and amending the budget in relation thereto.

Authorizing an amendment to Resolution 109 of 2018 to accept additional NYSDOH funding in the amount of \$49,601 for Year 3 of the 5-year grant funding agreement to enhance influenza outreach, promotion and vaccination activities for the 2020-2021 flu season.

Authorizing advance funding in the amount of \$20,000 to the Shelters of Saratoga to be used for the provision of shelter and shelter services to the homeless during inclement winter weather conditions.

### HUMAN RESOURCES & INSURANCE

Authorizing an amendment to the 2020 Compensation Schedule to add (2) Deputy Coroner positions, and appointing (2) Deputy Coroners.

Authorizing an amendment to the 2020 Compensation Schedule to add (1) Conflict Defender attorney position in the Conflict Defender's Office at the base salary of \$90,530 and (1) Confidential Secretary position in the Conflict Defender's Office at the base salary of Grade 9 (\$46,716) and amend the budget in relation thereto.

Authorizing an amendment to the 2020 Compensation Schedule to reclassify (1) Employment Program Supervisor to (1) Senior Social Welfare Examiner under Social Services.

Authorizing a 1-year renewal agreement with MVP for retiree health insurance coverage in the amount of \$3,620,561.16.

Authorizing a renewal dental health insurance contract with MetLife for 2020 in the amount of \$880,884.24.

Authorizing a renewal contract with CDPHP to administer the County's medical and prescription insurance services, including stop loss insurance, in the amount of \$23,563,986.12.

Authorizing a flexible schedule policy be included in the Policies and Procedures Manual.

#### PUBLIC SAFETY

Authorizing a temporary amendment to the administration of the Animal Shelter Trust and Agency Fund.

Authorizing renewal municipal contracts for animal shelter services.

Authorizing the Chairman to enter into an amended agreement with Forensic Medical Services to increase professional services fees for various autopsy related services effective January 1, 2021.

#### BUILDINGS & GROUNDS

Authorizing an amendment to Resolution 191 of 2020 that authorized a lease with Shelters of Saratoga for use of the County's former Public Health Offices located on Woodlawn Avenue in the City of Saratoga Springs.

#### ECONOMIC DEVELOPMENT

Approving the proposed modification and continuation of Saratoga County Consolidated Ag. District No. 1 and issuing a Negative Declaration under SEQR.

Authorizing 2020 Trails Grants.

#### LAW & FINANCE

Authorizing inter-agency transfers necessary to close out 2020 County budget.

Authorizing the creation of a Trust Custodial (TC) Fund and a Department Cash (DC) Fund in accordance with GASB 84 rules.

Authorizing a contract with Bond Schoeneck and King PLLC for bond counsel services in connection with the Sewer District's Interceptor Relining project.

Authorizing a contract with Arcadis of New York, Inc. in the amount of \$96,700 for sampling and data analysis services associated with wastewater COVID testing.

Adopting Records Retention and Disposition Schedule.

Authorizing the acceptance of a Grant from Center for Tech & Civic Life in the amount of \$86,170.

Authorizing an agreement with SageSmith Consulting, LLC for election results reporting software.

Requesting the Sewer Commission to revise the current approved scale of charges to include a provision reducing the Sewer rates by 50% for all restaurants who directly receive a tax bill and/or are the anchor tenant of a property.

REGULAR MEETING  
TUESDAY, October 20, 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, Tara Gaston, Matthew E. Veitch, Edward D. Kinowski, John Lawler, John Lant – 23.

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

Mr. Wood, Chaplain gave the invocation. “Let Us Pray, Our heavenly father, we thank you for the wonderful life that you make possible and for all of the blessings that you have given us. As we witness the fall foliage, the frosty nights, and the sunshine filled days, we are reminded of the beauty and bounty of Saratoga County. In this month let us remember the American Revolutionary War Victory at Saratoga which helped make possible the freedoms that we enjoy today. We ask that you protect and look out for the safety of all members of our military service who are protecting our country and the values that we stand for. Over the weekend there were two untimely deaths of members of our Saratoga County family. Tom Goodwin, a corrections officer with the Sheriff’s Department and Donavon Ayotte, a Town of Halfmoon water department employee and Captain of the West Crescent Fire Department. Our condolences and sympathies are with both families. I ask that we pause for a moment of silence in honor of these two fine gentlemen. Thank you. We pray these things in your name, Amen.”

Public Input: Emailed Comment from League of Women Voters

The League of Women Voter of Saratoga County asks the Board of Supervisors to expand their current communication efforts with county residents. Provision of the meeting calendar, agendas and minutes as well as audio access to meetings is commendable and appreciated. Video access to meetings would encourage public engagement and provide clarity. Constituents like to know how their Supervisor is representing their interests. Without video it is often impossible for listeners to determine who is speaking. This is a difficult time for everyone. Witnessing the hard work of committee members enlightens county residents and serves as a source of hope that problems are receiving attention. The interaction viewed through video is crucial to completely understand challenges and the commitment to address them. Too much is lost without video and good sound quality. We hope that the budget for 2021 will include funds to enhance the public’s virtual access to official County meetings. Respectfully submitted, Linda R. Gush, Co-president, League of Women Voters of Saratoga County

On a motion by Mr. Kinowski, seconded by Mr. Wood the minutes of the September 15, 2020 meeting were unanimously approved.

The Clerk presented the following:

Letter from Anderson, Moschetti & Taffany .. Attorneys at Law .. regarding Margaret McNamara.

Copy to all Supervisors.

Notice from the NYS Department of Environmental Conservation of a complete application from MPM Silicones LLC of Waterford NY with regards to a major modification to its 6 NYCRR Part 373 Hazardous Waste Management Permit for their facility located in Waterford, NY.

Received and Filed.

On a motion by Mr. Wright, seconded by Mr. Peck Resolutions 199 through 224, with the exception of Resolutions 210, 220 and 224, were adopted by a unanimous vote.

## RESOLUTION 199 - 2020

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

AMENDING RESOLUTION 163-2020, AND AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH REJHA GROUP, LLC FOR TRANSPORTATION SERVICES FOR PRESCHOOL CHILDREN WITH SPECIAL NEEDS

WHEREAS, pursuant to Resolution 163-2020, this Board authorized an agreement with Rejha Group, LLC for the transportation of children with special needs in our Pre-School Special Education and Early Intervention Programs for the 2020-2021, 2021-2022 and 2022-2023 School Years, including Summers, with services to commence on September 1, 2020; and

WHEREAS, Resolution 163-2020 further authorized that Rejha Group, LLC could re-negotiate their pricing if any state laws, regulations and executive orders regarding COVID-19 increased or decreased the number of children that could be transported in any vehicle; and

WHEREAS, the COVID-19 pandemic has caused changes in the operation of Pre-School Special Education and Early Intervention Programs, with some pre-school programs closing temporarily, some providing virtual programming, and others instituting alternate day schedules; and

WHEREAS, due to COVID-related safety concerns, the number of children being driven to school by their parent or guardian has risen significantly from 12% to 37%; and

WHEREAS, State regulations limit the number of pre-school children that can be transported on a small bus to 4 or 5 children, and even less in a minivan; and

WHEREAS, as a result of the foregoing factors, the number of children being transported by the Rejha Group, Inc. is significantly less than anticipated when it submitted its bid for the County's preschool transportation contract on a per child basis; and

WHEREAS, the Rejha Group, Inc. has therefore requested an amendment changing the 2020-2021 School Year and 2021 Summer session transportation rate from a per child per day rate of \$65.29 to a per bus per day rate of \$390, with the rate of \$89.63 per aide per day to remain unchanged; and

WHEREAS, our Health and Social Services Committee and the Director of the Youth Bureau have recommended that an amendment to the agreement with Rejha Group, LLC be authorized changing the per day rate for transportation of children in the Pre-School Special Education and Early Intervention Programs for the 2020-2021 School Year and 2021 Summer session from a per child per day rate of \$65.29 to a \$390 per bus per day rate, with the rate of \$89.63 per aide per day rate remaining unchanged; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Rejha Group, LLC of Albany, New York for the transportation of children with special needs, changing the per child per day rate of \$65.29 to a \$390 per bus per day rate for the 2020-2021 School Year and 2021 Summer session, with the rate of \$89.63 per aide per day remaining unchanged; and, be it further

RESOLVED, that Resolution 163-2020 is hereby amended accordingly; and, be it further

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

BUDGET IMPACT STATEMENT: None. Due to reduced transportation needs earlier this year due to COVID-19, there are sufficient funds in the Youth Bureau's 2020 budget to cover these additional amendment costs.

## RESOLUTION 200 - 2020

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

AUTHORIZING ONGOING MENTAL HEALTH CONTRACTS FOR 2021

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

WHEREAS, current contracts with certain mental health service providers will expire on December 31, 2020; and

WHEREAS, our Health and Social Services Committee has recommended that said expiring contracts be renewed for a term of one year; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute renewal agreements for a term of one year commencing on January 1, 2021 and terminating on December 31, 2021 with the following agencies to provide for the indicated funding for their services, subject to State appropriations therefor:

<u>ORGANIZATION</u>	<u>TOTAL</u>	<u>FUNDING LINE</u>
Albany Diocesan School Board aka/Roman Catholic Diocese of Albany	\$ 27,500	NYS OASAS - \$27,500
The Alcohol and Substance Abuse Prevention Council of Saratoga, Inc.	\$ 665,143	NYS OASAS - \$649,627 Saratoga County - \$15,516
Captain Community Human Services Corp.	\$ 30,309	NYS OMH - \$30,309
Center for Disability Services, Inc. aka/United Cerebral Palsy of the Tri-Counties, Inc.	\$ 10,264	Saratoga County - \$10,264
Community, Work and Independence, Inc.	\$ 18,824	NYS OMH - \$8,560 Saratoga County - \$10,264
Franklin Community Center, Inc.	\$ 55,907	NYS OASAS - \$55,907
Mechanicville Area Community Services Center, Inc.	\$ 11,412	NYS OMH - \$9,941 NYS OASAS - \$1,471
The Workshop Inc., T/A Northeast Career Planning	\$ 13,866	NYS OMH - \$13,866
Northeast Parent and Child Society, Inc.	\$ 12,833	NYS OMH - \$12,833
Rehabilitation Support Services, Inc.	\$ 129,424	NYS OMH - \$129,424
Saratoga Bridges, NYS Association for Retarded Citizens, Inc., Saratoga County Chapter	\$ 222,666	NYS OMH - \$8,412 Saratoga County - \$111,534 NYS OPWDD - \$102,720
Saratoga Center for the Family, Inc.	\$ 18,630	NYS OMH - \$7,545 Saratoga County - \$11,085
Shelters of Saratoga, Inc.	\$ 38,439	NYS OMH - \$38,439
Transitional Services Association, Inc.	\$1,453,803	NYS OMH - \$1,191,898 NYS OASAS - \$261,905
Unlimited Possibilities, Inc. d/b/a Unlimited Potential	\$ 634,617	NYS OMH - \$598,194 Saratoga County - \$36,423

and, be it further

RESOLVED, that the form and content of such contracts shall be subject to the approval of the County Attorney; and be it further

RESOLVED, that the Health and Social Services Committee is hereby authorized to accept additional grant funds from the State of New York in support of the services provided by the foregoing agencies in an amount not to exceed 10% of amounts stated above; and be it further

RESOLVED, that each renewal agreement authorized herein shall provide that the amount stated above may be increased by up to 10% of said amount to include additional State grant funding received for the services provided by the agency without further amendment.

BUDGET IMPACT STATEMENT: Funding for these contracts has been placed in the 2021 Tentative Budget.

RESOLUTION 201 - 2020

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

AUTHORIZING AN AGREEMENT WITH HEALTH RESEARCH, INC. TO ACCEPT A NEW YORK STATE DEPARTMENT OF HEALTH ELC-COVID-19 ENHANCED DETECTION NON-LAB GRANT, AND AMENDING THE 2020 COUNTY BUDGET IN RELATION THERETO

WHEREAS, additional funding is available from the New York State Department of Health (“NYS DOH”) through Health Research, Inc. for COVID-19 response activities for the period July 1, 2020 through June 30, 2022 in the total amount of \$1,520,735 of which \$520,735 is available for use by Saratoga County Public Health Services as follows: 75% in the amount of \$390,551 is immediately available for reimbursement, and 25% in the amount of \$130,184 will become available when the 75% is used; with the balance of \$1,000,000 restricted by NYS DOH for use in the event of a public health emergency when specifically authorized by NYS DOH; and

WHEREAS, the grant will provide reimbursement of expenses related to enhanced detection, surveillance and prevention of COVID-19 as follows: i) \$478,215 for temporary and contracted employees that are hired exclusively for COVID-19 response activities; ii) \$7,500 to offset costs of office supplies for the command center; iii) \$12,520 for supplies that would be used in COVID-19 response activities such as masks, gowns, gloves, eye protection, sanitizing wipes, hand sanitizers; and iv) \$22,500 for the purchase of additional laptops, docking stations and software to be used by contact tracers; and

WHEREAS, a resolution of this Board and an amendment to the 2020 County Budget is required to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all documents and agreements necessary with Health Research, Inc. to accept New York State Department of Health Public Health ELC-COVID-19 Enhanced Detection Non-Lab grant funds in the amount \$1,520,735 for the term July 1, 2020 through June 30, 2022, 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:

PUBLIC HEALTH SERVICES

Appropriations

Increase Acct.: #A.40.410-7033	Personal Computers	\$17,250
Increase Acct.: #A.40.410-8520	Software	\$ 5,250
Increase Acct.: #A.40.410-8519	Personal Safe Supplies	\$ 6,000
Increase Acct.: #A.40.410-8550.I	Office Supplies Internal	<u>\$ 2,000</u>
		\$30,500

Revenues

Increase Acct.: #A.40-4487	PHEP Federal Aid	\$30,500
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 202 - 2020

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

AUTHORIZING THE CHAIR TO ACCEPT SUPPLEMENTAL AID FROM THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE IMMUNIZATION ACTION PLAN PROGRAM, AND AMENDING THE 2020 BUDGET IN RELATION THERETO

WHEREAS, Saratoga County Public Health Services administers various public health programs which include the Children With Special Health Care Needs, Lead Poisoning Prevention, Rabies and Immunization Action Plan Programs; and

WHEREAS, pursuant to Resolution 109-2018, this Board of Supervisors authorized the acceptance of a five year Immunization Action Plan grant from the New York State Department of Health for the reduction and eradication of vaccine preventable diseases in adults and children in the annual amount of \$113,527; and

WHEREAS, the New York State Department of Health has made available to Saratoga County Public Health Services supplemental grant funding for Year Three of said five year Immunization Action Plan grant in the amount of \$49,601 for the expansion and enhancement of Public Health Services’ influenza vaccine outreach, promotion and mass vaccination activities for the 2020-2021 flu season; and

WHEREAS, Public Health Services plans to utilize said supplement grant funding for the purchase of equipment which will provide for proper storage and transportation of vaccines, and the purchase of promotional materials for Public Health Services’ Immunization Action Plan (“IAP”) program; which equipment and materials will include: the purchase of two trailers in order to conduct mass vaccinations at Points of Dispensing (“POD”) locations; the purchase of educational materials for advertising on billboards and in newspaper ads; the printing and mailing of educational materials; and the purchase of additional Data Loggers for use at the POD locations to monitor the temperature of the vaccines; and

WHEREAS, Public Health Services also plans to utilize said grant funds to offset the salary of staff engaged in such influenza vaccine outreach activities; and

WHEREAS, said Year Three supplemental funding will cover the program period from April 1, 2020 through March 31, 2021, of which \$33,150 of the \$49,601 in available funding needs to be appropriated into the 2020 County budget; and

WHEREAS, the acceptance of these additional Immunization Action Plan program funds requires our approval and an amendment to the 2020 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute all documents necessary to apply for and accept supplemental aid from the New York State Department of Health totaling \$49,601 for the County Public Health Services’ Immunization Action Plan program; and be it further

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

PUBLIC HEALTH

Appropriations:

Increase Acct. #A.40.413-7045 Trailers and Related Equipment	\$15,000.00
Increase Acct. #A.40.413-8410 Advertising	\$17,000.00
Increase Acct. #A.40.413-8200 Department Supplies	\$ 750.00
Increase Acct. #A.40.413-8531 Postage	\$ 100.00
Increase Acct. #A.40.413-8560 Printing	<u>\$ 300.00</u>
	\$33,150.00

Revenues:

Increase Acct.: #A.40-4411 Immunization Program Federal	\$33,150.00
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 203 - 2020

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

**AUTHORIZING ADVANCE FUNDING TO SHELTERS OF SARATOGA, INC. FOR THE PROVISION OF CODE BLUE SHELTER SERVICES, AND AMENDING THE COUNTY BUDGET IN RELATION THERETO**

WHEREAS, for at least the past four years the New York State Office of Temporary and Disability Services (“OTDA”) has provided funding to our County Department of Social Services for the provision of Code Blue shelter and shelter services; and

WHEREAS, it is anticipated that OTDA grant funding will again be available this year for the provision of Code Blue 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, for at least the past four years, Saratoga County has entered into a contract with Shelters of Saratoga, Inc. (“SOS”) for the provision of Code Blue shelter and shelter services to be paid for with said OTDA grant funds; and

WHEREAS, the unique circumstances of the provision of such Code Blue shelter and shelter services in the course of the COVID-19 pandemic require additional space, staffing, and expenditures necessary to meet public health requirements for the population served through shelter and shelter services; and

WHEREAS, the 2020-2021 Code Blue funding plan submitted by the Saratoga County Department of Social Services (“DSS”) to the State for approval requests reimbursement to DSS of monies paid by DSS to SOS to cover SOS’s Code Blue expenses; and

WHEREAS, on September 15, 2020, the Saratoga County Board of Supervisors did, through Resolution 191-2020, enter into an agreement for the short-term lease of a portion of the County’s office building at 31 Woodlawn Avenue in the City of Saratoga Springs for the provision of the Code Blue shelter and shelter services; and

WHEREAS, SOS is in need of immediate advance funding to cover staffing and supply costs for the provision of Code Blue shelter and shelter services; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to provide Shelters of Saratoga, Inc. with immediate advance funding in the amount of \$20,000, which funds must be used by Shelters of Saratoga, Inc. for payment of Code Blue expenses for the provision of shelter and shelter services to the homeless; and be it further

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

DEPARTMENT OF SOCIAL SERVICES:

Appropriations:

Increase Account: A.60.601-7601.CDBLU \$20,000

Revenues:

Increase Account: A.0599.B Appropriated Fund Balance \$20,000

BUDGET IMPACT STATEMENT: This will require an appropriation from Fund Balance in the amount of \$20,000.

RESOLUTION 204 - 2020

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

AMENDING THE 2020 COMPENSATION SCHEDULE UNDER COUNTY CORONER AND APPOINTING DEPUTY COUNTY CORONERS

WHEREAS, our County Coroners are on duty 24 hours a day, 365 days a year, and have requested the addition of two Deputy Coroner positions in the County Compensation Schedule in order to allow the Coroners greater flexibility in meeting their professional and personal obligations during the uncertainty of the current COVID-19 pandemic and other unforeseen circumstances related to the pandemic; and

WHEREAS, our Human Resources and Insurance Committee has approved the recommendations of our County Coroners that the 2020 County Compensation Schedule be amended to add two contract positions of Deputy Coroner, and that Robert A. Ball of the Town of Ballston and Danielle M. Jourdan of the City of Saratoga Springs be appointed to the positions of Deputy Coroner; now, therefore, be it

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

UNDER COUNTY CORONERS;

Create (2) Deputy Coroner, Contract

and; be it further

RESOLVED, that Robert A. Ball of the Town of Ballston and Danielle M. Jourdan of the City of Saratoga Springs are respectively appointed as Deputy Coroner for the County of Saratoga; and be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute agreements with Robert A. Ball and Danielle M. Jourdan for the provision of Deputy County Coroner services at the rate of \$100 per case plus mileage, effective as of October 21, 2020; with the form and content of such agreements to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.



RESOLUTION 205 - 2020

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

AMENDING THE 2020 COMPENSATION SCHEDULE UNDER THE CONFLICT DEFENDER’S OFFICE, AND AMENDING THE 2020 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 144-2020, the Chair of the Board was authorized to enter into an amended agreement with the New York State Office of Indigent Legal Services approving the County’s use of Year 2 funding for the Statewide Expansion of indigent legal services in the amount of \$948,024.70, for 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 Human Resources and Insurance Committee has recommended that the 2020 Saratoga County Compensation Schedule be amended under “Conflict Defender” to create one (1) position of Conflict Defender attorney at the base salary of \$90,530 and one (1) position of Confidential Secretary at the base salary of Grade 9 (\$46,716) in the Compensation Schedule; now, therefore, be it

RESOLVED, that the 2020 Saratoga County Compensation Schedule is amended effective October 20, 2020 as follows:

UNDER CONFLICT DEFENDER:

- Create (1) Conflict Defender, FT, Attorney, Step 1 (Base \$90,530)
- Create (1) Confidential Secretary, Grade 9, Base \$46,716

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

CONFLICT DEFENDER

Appropriations:

Increase Acct.: #A.28.000-6000 Regular Wages	\$ 45,749
Increase Acct.: #A.28.000-6910 Retirement	\$ 6,863
Increase Acct.: #A.28.000-6930 Social Security	\$ 3,500
Increase Acct.: #A.28.000-6960 Health Insurance	<u>\$ 17,087</u>
	\$ 73,199

Revenues:

Increase Acct.: #A.28-3313 Indigent Legal Services	\$ 73,199
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 206 - 2020

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

AMENDING THE 2020 COMPENSATION SCHEDULE UNDER THE DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the Employment Program Supervisor position in the Saratoga County Department of Social Services has been determined by the Commissioner of Social Services to be able to be sufficiently managed by a Senior Social Welfare Examiner in the department, due to a new computerized employment sub-system created by New York State Office of Temporary and Disability Services for tracking of the employable temporary assistance applicants and recipients as well as to track participation rates; and

WHEREAS, the Human Resources and Insurance Committee, the Director of Human Resources, and the Commissioner of Social Services have recommended that the 2020 Saratoga County Compensation Schedule be amended under Department of Social Services to reclassify one position of Employment Program Supervisor to one Senior Social Welfare Examiner; now, therefore, be it

RESOLVED, that the 2020 Saratoga County Compensation Schedule is amended effective October 30, 2020 as follows:

UNDER SOCIAL SERVICES:

Reclassify (1) Employment Program Supervisor, base salary \$48,744 to  
(1) Senior Social Welfare Examiner, base salary \$45,544

BUDGET IMPACT STATEMENT: The change will result in an estimated savings of \$3,200.

RESOLUTION 207 - 2020

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

AUTHORIZING AN AGREEMENT WITH MVP HEALTH PLAN, INC. FOR ALL MEDICARE ELIGIBLE RETIREES FOR 2021

WHEREAS, pursuant to Resolution 167-2019, this Board authorized an agreement with MVP Health Plan, Inc. for the provision of medical and prescription drug health care insurance for Medicare eligible retirees from County employment under MVP's Medicare Advantage Plan for the term January 1, 2020 through December 31, 2020 at a projected cost of \$3,512,330.51, subject to the agreement excluding the imposition of any late payment interest penalties; and

WHEREAS, MVP Health Plan, Inc. has submitted a proposal for the provision of medical and prescription drug health care insurance for Medicare eligible retirees from County employment for 2021 at a projected cost of \$3,620,561.16; and

WHEREAS, the performance of MVP Health Plan, Inc. has been satisfactory; and

WHEREAS, our Human Resources and Insurance Committee and the County's Director of Human Resources have recommended that the County accept the proposal of MVP Health Plan, Inc. for the provision of medical and prescription drug health care insurance for Medicare eligible retirees from County employment under MVP's Medicare Advantage Plan for the term January 1, 2021 through December 31, 2021 at a projected cost of \$3,620,561.16, subject to the resulting agreement excluding the imposition of any late payment interest penalties; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute any and all agreements needed with MVP Health Plan, Inc. of Schenectady, New York, for the provision of medical and prescription drug health care insurance for Medicare eligible retirees from County employment under MVP's Medicare Advantage Plan for the term January 1, 2021 through December 31, 2021, at a projected cost of \$3,620,561.16, subject to such agreement excluding the imposition of any late payment interest penalties; 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. Funding for this insurance renewal will be placed in the 2021 Tentative Budget.

RESOLUTION 208 - 2020

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

AUTHORIZING A DENTAL HEALTH INSURANCE CONTRACT WITH METROPOLITAN LIFE INSURANCE COMPANY, INC. FOR 2021

WHEREAS, pursuant to Resolution 202-2019, this Board authorized an agreement with Metropolitan Life Insurance Company, Inc. ("MetLife") for the provision of dental health care insurance for County employees and the offering of voluntary dental health care insurance plans to County retirees for the term January 1, 2020 through December 31, 2020 at a projected cost of \$802,593 subject to such agreement excluding the imposition of any late payment interest penalties; and

WHEREAS, MetLife has submitted a proposal for the provision of dental health care insurance for County employees and the offering of voluntary dental health care insurance plans to County retirees for 2021 at a projected cost of \$880,884.24; and

WHEREAS, the performance of MetLife has been satisfactory; and

WHEREAS, our Human Resources and Insurance Committee and the County's Director of Human Resources have recommended that the County accept the proposal of MetLife for the provision of dental health care insurance for County employees and the offering of voluntary dental health care insurance plans to County retirees for the term January 1, 2021 through December 31, 2021, at a projected cost of \$880,884.24, subject to such resulting agreement excluding the payment of any late payment interest penalties; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute any and all agreements needed with Metropolitan Life Insurance Company, Inc. for the provision of dental health care insurance for County employees and the offering of voluntary dental health care insurance plans to County retirees, for the term from January 1, 2021 through December 31, 2021, at a projected cost of \$880,884.24, subject to such agreements excluding the imposition of any late payment interest penalties; and, be it further

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

BUDGET IMPACT STATEMENT: Funding for this contract has been placed in the 2021 Tentative Budget.

#### RESOLUTION 209 - 2020

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

#### AUTHORIZING A HEALTH INSURANCE CONTRACT WITH CAPITAL DISTRICT PHYSICIANS' HEALTH PLAN, INC. FOR 2021

WHEREAS, pursuant to Resolution 230-2019, this Board authorized an agreement with Capital District Physicians' Health Plan, Inc. for the provision of medical and prescription health care insurance and administrative services for County employees for the term from January 1, 2020 through December 31, 2020 at a projected cost of \$22,969,841.28 subject to the agreement excluding the imposition of any late payment interest penalties; and

WHEREAS, Capital District Physicians' Health Plan, Inc. ("CDPHP") has submitted a proposal for the renewal of its contract for the provision of medical and prescription health insurance and administrative services for 2021 at a projected cost of \$23,563,986, inclusive of optional additional benefits for County management employees which consist of, but are not limited to, increased reimbursement for specified medical procedures and access to CDPHP's Wellness and Rewards Programs; and

WHEREAS, the performance of CDPHP has been satisfactory; and

WHEREAS, our Human Resources and Insurance Committee and the County's Director of Human Resources have recommended that the County accept the proposal of Capital District Physicians' Health Plan, Inc. for the provision of medical and prescription health care insurance and administrative services for County employees for the term January 1, 2021 through December 31, 2021 at a projected cost of \$23,563,986, subject to the resulting agreement excluding the payment of any late payment interest penalties; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute any and all agreements including Stop/Loss insurance agreements needed with Capital District Physicians' Health Plan, Inc. for the provision of medical and prescription health care insurance and administrative services for County employees for the term from January 1, 2021 through December 31, 2021 at a projected cost of \$23,563,986, subject to such agreements excluding the imposition of any late payment interest penalties; and, be it further

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

BUDGET IMPACT STATEMENT: Funding will be placed in the 2021 Tentative Budget.

On a motion by Ms. Gaston, seconded by Mr. Barrett Resolution 210 was amended by removing all wording in the first "whereas" after the word employees.

Ms. Gaston said she requested a separate vote so she could move an amendment to strike the language in the first “whereas” after “county employees”. She does not think it is appropriate to have references to familial status in a situation like this. She has no problem with it. She just wants to strike the language after “county employees”. Mr. Barrett seconded this motion.

Mr. Kinowski asked for clarification as to which “whereas” it was. Ms. Gaston said the first “whereas”.

AYES (213076) Eric Connolly (9776), Alan Grattidge (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), 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) Theodore Kusnierz (14728), 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 (6531): Richard Lucia (6531).

Mr. Kusnierz said a quick comment with regards to Resolution 210 as amended. In the first “resolved” in reference to the alternative work arrangement policy that was drafted some supervisors on the first draft had made comments on that. He appreciated County staff for working to address some of those so we have a second draft policy. As a matter of procedure, shouldn’t that be included as part of this resolution, so we know what that policy is and what we are voting on.

Mr. Hellwig said there were comments during the meeting about submitting suggested changes. Those changes were never sent to anybody in the HR office or administration. So this resolution as far as he knows is in the same format as it was originally presented.

Mr. Dorsey said there were some changes made. He said the policy as it was emailed out could be attached to this resolution.

Mr. Kusnierz said for the record he is fully supportive of the changes that were sent out to Supervisors yesterday. He thinks as a matter of record keeping, if we are going to be, as a body, voting on this resolution referring to the draft policy, it should be clear which one we are voting on.

Mr. Dorsey said the one that was emailed to the Board on October 19<sup>th</sup>. Mr. Kusnierz said yes, that’s fine.

Mr. Kusnierz made a motion that the first “resolved” in Resolution 210-2020 as amended this afternoon include reference to the alternative work arrangement policy the second draft that was provided to Board members on October 19, 2020. Mr. Veitch seconded the motion. This amendment to Resolution 210 was adopted by a unanimous vote..

On a motion by Mr. Grattidge, seconded by Mr. Kinowski Resolution 210 was adopted as amended by the two previous motions/votes unanimously.

## RESOLUTION 210 - 2020

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

WHEREAS, the COVID-19 pandemic has imposed hardships on County employees; and

WHEREAS, it is necessary and desirable that this Board of Supervisors authorize on a trial basis an Alternative Work Arrangement Policy for County employees in the County Auditor’s Office and the Department of Social Services whose duties are capable of being performed outside of the normal work hours of 8:00 am to 4:00 pm or 9:00 am to 5:00 pm; and

WHEREAS, our Human Resources Department has drafted and distributed to each member of this Board a copy of a proposed Alternative Work Arrangement Policy; now, therefore, be it

RESOLVED, that the proposed Alternative Work Arrangement Policy as revised by the Human Resources Department on October 19, 2020 and distributed to this Board, a copy of which is attached hereto, is hereby authorized for use on a trial basis by the County Auditor’s Office and the Department of Social Services until this Board’s next meeting on November 17, 2020; and be it further

RESOLVED, our Human Resources and Insurance Committee is hereby directed to meet with the County Auditor and the Commissioner of Social Services and solicit their input on the impacts of the Alternative Work Arrangement Policy on their respective departments during the trial period; and be it further

RESOLVED, that based on the input received from the County Auditor and the Commissioner of Social Services, the Human Resources and Insurance Committee shall formulate a recommendation to the Law and Finance Committee for its meeting on November 12, 2020 as to whether the trial period for the Alternative Work Arrangement Policy should be extended or made permanent for those two County departments, and whether the Alternative Work Arrangement Policy should be extended to other County departments on a trial or permanent basis.

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

## Saratoga County Alternative Work Arrangement Policy

### **Purpose:**

To establish a policy and procedure to facilitate, where appropriate, the use of an alternative work arrangement in order to attract and retain a diverse and talented work force, reduce costs, and improve productivity among employees. Saratoga County supports alternative work arrangements and gives authority to department heads to implement a flex schedule arrangement, where appropriate, for eligible employees.

### **Policy Statement:**

Applicable to all Saratoga County departments where an alternative work arrangement is feasible and appropriate; where an employee's standard work day may be flexed due to employee needs and/or the operational efficiency of a department.

### **Policy and Procedure**

An alternate work arrangement means flexible schedule. This arrangement has been agreed to by the department head and the employee when an employee's schedule is shifted to start or end outside an employee's standard hours of operation. The total number of work hours in the work week and the compensation remain the same.

Alternative Work arrangements may be implemented where appropriate and approved by the department head for eligible employees. Alternative Work arrangements may be made when organizational impacts of such arrangements do not have negative impacts on the department's operation. Negative impact means that the mission of the department is impeded by a flexible work schedule or schedules causing a decrease in services, productivity, production or work quality.

Alternative Work arrangements are not appropriate for all departments. No employee is entitled to, nor guaranteed the opportunity to have an Alternative Work schedule. Offering the opportunity for an Alternative Work arrangement is based on the discretion of the employee's department head. An employee's participation is strictly voluntary. Department heads have the authority to either approve or deny the request. All Alternative Work arrangements must meet the criteria in this policy and may be terminated at any time by the department head or the employee. The department head and/or the employee shall endeavor to give 5 days' notice when terminating an Alternative Work arrangement. By participating in this voluntary arrangement, employees agree to the terms of this policy and waive their rights to a grievance process.

An employee wishing to request an Alternative Work arrangement shall submit a written request to his/her department head one week from the desired start date. An Alternative Work arrangement must be mutually agreed upon in writing by the employee and department head. Any changes, other than termination of the arrangement, to the written agreement must also be documented in writing and approved by the employee and the department head.

Alternative Work agreements must expire on a routine basis, up to a maximum 3 month period. At the expiration of an Alternative Work agreement, the employee may request renewal of the arrangement one week from the desired end date. The request to renew the arrangement must be made in writing.

The department head will evaluate and adjust Alternative Work arrangements as needed to meet their organizational and workload needs. Adjustments may be made at any time during the agreement, subject to department head approval.

After an employee begins an Alternative Work arrangement, supervisors must conduct periodic reviews with the employee to evaluate the success of the arrangement. The initial Alternative Work agreement shall be reviewed and evaluated during the first 30 days. Subsequent Alternative Work agreements shall be reviewed no less than every 3 months.

Work hours, overtime compensation, and annual leave schedule must conform to state and federal law and the County policies.

Employees must record and report all of their time accurately.

Employees are expected to be working during their Alternative Work schedule without the availability of a direct supervisor and to the extent possible employees must follow all departmental and county policies and procedures during non-standard hours of operation.

The Alternate Work Arrangement Policy is not a substitute for requests for accommodation due to disability, a serious medical condition, or for some other statutorily proscribed reason. Those requests must be made separately in accordance with County policy and procedure.

Alternative Work Arrangement Eligibility:

Characteristics of the employee will include a demonstrated conscientiousness about work time and productivity, self-motivation and the ability to work well alone. The employee communicates effectively with supervisors, co-workers, support staff and public.

**PROCEDURE:**

<b>Action By</b>	<b>Action</b>
Employee	<ul style="list-style-type: none"> <li>○ Makes a written request and submits it to Department Head.</li> </ul>
Department Head	<ul style="list-style-type: none"> <li>○ Reviews request. May request a written analysis of work tasks from employee, or other information needed to evaluate the feasibility of the Alternative Work arrangement.</li> <li>○ Informs employee in writing of denial or granting of request for a flex schedule and service expenses, if applicable, including date the arrangement will be implemented and date it will end. If denied, provides the employee with a written explanation of why the request has been denied.</li> </ul>

**Alternative Work Agreement**

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Department Head Name

\_\_\_\_\_  
Union (If applicable)

The parameters of this Alternative Work Agreement are valid for the following period of time, unless terminated early by the Department Head:

<input type="checkbox"/> Initial Trial Period	____/____/____ to ____/____/____
<input type="checkbox"/> Renewal	____/____/____ to ____/____/____

**Alternative Work Schedule**

It is understood that Alternative Work days must be scheduled in advance and approved by the department head. At certain times, it may be necessary for the Alternative Work schedule to be revised to ensure critical deadlines are met or to attend meetings. Any changes by the employee in the agreed upon schedule must be pre-approved, and when permanent, documented and appended to this Agreement.

This arrangement must be reviewed and renewed to ensure the standards for participation are being followed.

The following Alternative Work schedule is being established:

Alternative Work Days of Week/Month	<input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday
_____ days of the month	
Monday	From: _____ To: _____
Tuesday	From: _____ To: _____
Wednesday	From: _____ To: _____
Thursday	From: _____ To: _____
Friday	From: _____ To: _____
Saturday	From: _____ To: _____
Sunday	From: _____ To: _____

The employee agrees to complete assignments during the Alternative Work Schedule by the agreed upon delivery dates. The employee further agrees to report all time spent working honestly and accurately. The department head/supervisor will provide the alternative worker/ employee with all work assignments.

Additional Departmental Terms

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I have reviewed the terms and conditions of the Alternative Work Policy and this Agreement with my department head and voluntarily agree to comply with all of the terms and conditions. The terms of this Agreement will remain in effect until the Agreement is terminated by either of the parties or amended in writing, or the approved remote working period ends.

Department \_\_\_\_\_ Date \_\_\_\_\_

County Office Address	County Telephone Number
-----------------------	-------------------------

Employee Signature \_\_\_\_\_ Department Head Signature \_\_\_\_\_



## RESOLUTION 211 - 2020

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

## ADOPTING REVISIONS FOR THE ADMINISTRATION OF THE ANIMAL SHELTER TRUST AND AGENCY FUND

WHEREAS, Resolution 145-07 of this Board established the Animal Shelter Trust and Agency Fund to receive funds received from donors as gifts for the benefit and use of the Saratoga County Animal Shelter; and

WHEREAS, due to the depletion of funds in the Animal Shelter Trust and Agency Fund in 2017, this Board adopted Resolution 254-2017 which imposed a moratorium on the disbursement of funds from the Animal Shelter Trust and Agency Fund in 2018 and restricted future disbursements commencing with the County's 2019 fiscal year to 80% of the donations received in the prior fiscal year; and

WHEREAS, due to a delay related to COVID-19, a capital project planned for completion at the Animal Shelter in 2020 to be paid for using funds from the Animal Shelter Trust and Agency Fund has been postponed until 2021; and

WHEREAS, the Director of the Saratoga County Animal Shelter has recommended that the rules and regulations for the administration of the Animal Shelter Trust and Agency Fund be revised to authorize disbursements from the Animal Shelter Trust and Agency Fund in 2021 of up to 80% of the donations received by the Fund in 2019 and 2020 in order to allow for one or two larger projects to be completed at the Animal Shelter in 2021; and

WHEREAS, our Public Safety Committee has approved the revision recommended by the Director of the Saratoga County Animal Shelter to authorize disbursements from the Animal Shelter Trust and Agency Fund in 2021 of up to 80% of the donations received by the Fund in 2019 and 2020; now, therefore, be it

RESOLVED, that disbursements from the Animal Shelter Trust and Agency Fund in fiscal year 2021 are hereby authorized to equal up to 80% of the combined donations received by the Animal Shelter Trust and Agency Fund in fiscal years 2019 and 2020 in order to allow for the completion of one or two larger projects at the Animal Shelter.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 212 - 2020

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

## AUTHORIZING THE CHAIRMAN TO ENTER INTO INTERMUNICIPAL AGREEMENTS WITH PARTICIPATING MUNICIPALITIES FOR 2021 SARATOGA COUNTY ANIMAL SHELTER SERVICES

WHEREAS, pursuant to Resolution 52-2020, the County entered into intermunicipal agreements with those municipalities within Saratoga County which utilize the services of the Saratoga County Animal Shelter for shelter services rendered for the service period January 1, 2020 through December 31, 2020, at the same rates and upon the same terms and conditions as authorized by Resolution 131-2019 for the provision of Animal Shelter services in 2019; and

WHEREAS, the Director of the Animal Shelter has recommended that the County enter into agreements with those municipalities utilizing the services of the Animal Shelter for shelter services in 2021, subject to the elimination of the requirement set forth in the current and previous shelter services agreements that the Animal Shelter's staff will respond to local emergency or rabies related incidents as soon as possible when the contracting municipality's animal control person is unavailable, which service was provided at a per call rate of \$90 plus mileage at the mileage rate set by the IRS; and

WHEREAS, the Director of the Animal Shelter has requested the elimination of the foregoing requirement from 2021 intermunicipal agreements for the reason that it is not feasible for the Animal Shelter's staff to provide this service, and most municipalities already have in place a working relationship with an adjoining municipality or municipalities to provide backup Animal Control Officer services; and

WHEREAS, our Public Safety Committee and the Director of the Animal Shelter have recommended that the County enter into renewal intermunicipal agreements with all participating municipalities for Saratoga County Animal Shelter Services for the service period January 1, 2021 through December 31, 2021 at the same rates and

upon the same terms and conditions as authorized by Resolution 52-2020 for 2020 shelter services, with the exception that the Saratoga County Animal Shelter will no longer respond to local emergency or rabies related incidents when the contracting municipality's animal control person is unavailable; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute intermunicipal agreements with those municipalities within Saratoga County which utilize the services of the Saratoga County Animal Shelter for shelter services rendered for the service period January 1, 2021 through December 31, 2021, at the same rates and upon the same terms and conditions as authorized by Resolution 52-2020 for the provision of Animal Shelter services in 2020, with the exception that the Saratoga County Animal Shelter will no longer respond to local emergency or rabies related incidents when the contracting municipality's animal control person is unavailable; and, be it further

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

BUDGET IMPACT STATEMENT: None.

#### RESOLUTION 213 - 2020

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH FORENSIC MEDICAL SERVICES, P.C.

WHEREAS, Resolution 221-08, as amended by Resolutions 157-11, 114-12, 52-2014 and 58-2017 authorized an agreement with Forensic Medical Services, P.C. to perform forensic autopsies and provide related services at the direction of the County Coroners and District Attorney; and

WHEREAS, Forensic Medical Services, P.C. is increasing its following professional fees, effective January 1, 2021: For performing an autopsy and issuing a death certificate from \$1,000 to \$1,200; for issuing a death certificate in absentia (without autopsy) from \$50 to \$80; for performing external examination with death certification from \$300 to \$400; and for conducting a scene investigation from \$75 to \$100; and

WHEREAS, it is necessary to amend the County's agreement with Forensic Medical Services, P.C. to reflect these fee changes; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the County's agreement with Forensic Medical Services, P.C., of Waterford, New York, effective January 1, 2021, providing for the following fee increases: For performing an autopsy and issuing a death certificate from \$1,000 to \$1,200; for issuing a death certificate in absentia (without autopsy) from \$50 to \$80; for performing external examination with death certification from \$300 to \$400; and for conducting a scene investigation from \$75 to \$100; with all other fees to remain unchanged; and, be it further

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

BUDGET IMPACT STATEMENT: The total impact of these fee increases will be determined by case volume.

#### RESOLUTION 214 - 2020

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

AMENDING RESOLUTION 191-2020 TO STATE THE COUNTY'S AGREEMENT TO BEAR THE COST OF NATURAL GAS UTILITY SERVICE UNDER ITS LEASE OF THE BUILDING AT 31 WOODLAWN AVENUE TO SHELTERS OF SARATOGA, INC.

WHEREAS, pursuant to Resolution 191-2020, the County entered into a lease agreement with Shelters of Saratoga, Inc. ("SOS") for SOS's temporary use of the second level of the County's building at 31 Woodlawn Avenue in the City of Saratoga Springs for purposes which included its use as an overflow location for the homeless when SOS's main Code Blue facility is filled; and

WHEREAS, Resolution 191-2020 authorized the County to bear the cost of following utilities servicing the building at 31 Woodlawn Avenue during the term of the lease with SOS: water, sewer and electric; and

WHEREAS, it is necessary to amend Resolution 191-2020 to include the County's agreement to pay for the cost of natural gas service to the building at 31 Woodlawn Avenue during the term of SOS's lease from October 1, 2020 through March 31, 2021; now, therefore, be it

RESOLVED, that Resolution 191-2020 is hereby amended to include natural gas service among the utilities the County agrees to bear the cost of during the term of its lease of the building at 31 Woodlawn Avenue to Shelters of Saratoga, Inc.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 215 - 2020

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

**AUTHORIZING THE CONTINUATION OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #1, WITH MODIFICATIONS, FOR AN ADDITIONAL EIGHT YEARS, AND AUTHORIZING THE ISSUANCE OF A NEGATIVE DECLARATION UNDER SEQRA**

WHEREAS, pursuant to Resolution 176-96, this Board of Supervisors approved the consolidation of Saratoga County Agricultural Districts #1, #3 and #4 into Saratoga County Consolidated Agricultural District #1 within the Towns of Moreau, Northumberland, Saratoga, Stillwater and Wilton; and

WHEREAS, on the petitions of interested landowners, this Board has modified the boundaries of Saratoga County Consolidated Agricultural District #1 on several occasions to include parcels owned by the requesting landowners within the District's boundaries, with the last such modification being pursuant to Resolution 77-2017; and

WHEREAS, Agriculture and Markets Law §303-a requires this Board of Supervisors to conduct a review of Saratoga County Consolidated Agricultural District #1 every eight (8) years, and to make a determination whether the District should be continued, terminated or modified; and

WHEREAS, in compliance with Agriculture and Markets Law §303-a(2)(b), the Saratoga County Agriculture Farmland Protection Board has submitted a report to this Board recommending that Saratoga County Consolidated Agricultural District #1 be continued with modifications to its boundary map to correctly correspond to the 2020 RPS parcel codes depicting participation in Saratoga County Consolidated Agricultural District #1; and

WHEREAS, as part of its review process, this Board held a public hearing as required by Agriculture and Markets Law §303-a(2)(c) on September 9, 2020, and received twelve (12) written comments from the public on the proposed continuation and modifications to the District's map boundaries recommended of the Saratoga County Agricultural and Farmland Protection Board; and

WHEREAS, the Saratoga County Planning Department reviewed the twelve (12) written comments received, plus two (2) additional comments received at the Planning Department; and

WHEREAS, an extensive review conducted by the Saratoga County Planning Department and Saratoga County Real Property Tax Services Agency, in cooperation with all municipal Assessors within Saratoga County Consolidated Agricultural District #1, has correctly delineated the boundaries of Saratoga County Consolidated Agricultural District #1; and

WHEREAS, the proposed modifications of Saratoga County Consolidated Agricultural District #1 ("Project") are an Unlisted Action subject to the requirements of the State Environmental Quality Review Act (SEQRA) pursuant to 6 NYCRR Part 617; and

WHEREAS, the Saratoga County Board of Supervisors has reviewed the proposed Project, including the recommendations of the Saratoga County Agricultural and Farmland Protection Board, as well as Part I of a Short Environmental Assessment form prepared for the Project and the proposed responses to Part II of said Short Environmental Assessment form; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby finds, determines and directs that Saratoga County Consolidated Agricultural District #1 should be continued for an additional period of eight (8) years, with modifications to its boundary map to correctly correspond to the 2020 RPS parcel codes depicting participation in Saratoga County Consolidated Agricultural District #1; and, be it further

RESOLVED, that based upon the Project as proposed and the responses set forth in Parts I and II of the Short Environmental Assessment form prepared for the Project, the Saratoga County Board of Supervisors hereby determines that the Project will not have a significant impact upon the environment; and be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby issues a Negative Declaration for this Unlisted Action pursuant to 6 NYCRR Part 617; and be it further

RESOLVED, that the Chair of the Board be, and hereby is, authorized and directed to execute the Environmental Assessment form (a copy of which is attached hereto), indicating the proposed action will not result in any significant adverse environmental impact, and be it further

RESOLVED, that the Clerk of the Board is directed to cause a negative declaration to be filed in accordance with the requirements set forth in the applicable administrative and procedural regulations of SEQRA; and be it further

RESOLVED, that in accordance with Agriculture and Markets Law §303-a(3), the Clerk of the Board shall forward to the New York State Commissioner of Agriculture and Markets a copy of this Resolution and the District Review Plan for Saratoga County Consolidated Agricultural District #1, which Plan shall include a description of the District; a map delineating the exterior boundaries of the District which shall conform to tax parcel boundaries; the tax map identification numbers for every parcel in the District; a copy of the report of the Saratoga County Agricultural and Farmland Protection Board; and copies of all written comments received for the public hearing.

BUDGET IMPACT STATEMENT: No budget impact.

## Short Environmental Assessment Form Part 1 - Project Information

**Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Saratoga County Board of Supervisors			
Name of Action or Project: Saratoga County Consolidated Agricultural District #1 - 8-year review pursuant to NYS AML Article 25-AA, section 303a			
Project Location (describe, and attach a location map): County of Saratoga, Towns of Moreau, Northumberland, Saratoga, Stillwater and Wilton			
Brief Description of Proposed Action: Pursuant to NYS Department of Agriculture and Markets Law Article 25-AA, section 303a, an 8-year review of the status of Saratoga County's Consolidated Agricultural District #1 by the Saratoga County Planning Board (SCPB) and the Saratoga County Agriculture and Farmland Protection Board (SCAFB) to make recommendation to the Saratoga County Board of Supervisors to either continue, modify or terminate the agricultural district. The Saratoga County Consolidated Agricultural District #1 overlays within the municipal boundaries of the Towns of Moreau, Northumberland, Saratoga, Stillwater and Wilton. The SCPB and SCAFB recommend that the Saratoga County Consolidated Agricultural District #1 to continue and its boundary map be modified to correctly correspond to the 2020 RPS parcel codes depicting participation in the Saratoga County Agricultural District #1.			
Name of Applicant or Sponsor: Saratoga County Board of Supervisors		Telephone: (518) 885-2240	
		E-Mail: pwright@saratogacountyny.gov	
Address: 40 McMaster Street			
City/PO: Ballston Spa		State: NY	Zip Code: 12020
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	



**Short Environmental Assessment Form****Part – 1 Project Information****Narrative description of the intent of the proposal**

Pursuant to NYS Department of Agriculture and Markets Law Article 25-AA, section 303a, an 8-year review of the status of Saratoga County's Consolidated Agricultural District #1 (Ag. Dist. #1) by the Saratoga County Planning Board and the Saratoga County Agriculture and Farmland Protection Board to make recommendation to the Saratoga County Board of Supervisors to either continue, modify or terminate the agricultural district. The Saratoga County Consolidated Agricultural District #1 overlays within the municipal boundaries of the Towns of Moreau, Northumberland, Saratoga, Stillwater and Wilton.

The Saratoga County Planning Board (SCPB) and the Saratoga County Agriculture and Farmland Protection Board (SCAFB) has reviewed all materials submitted as part of the 303a 8 year review period for Agricultural District #1. The SCPB and SCAFB determined that the Saratoga County Consolidated Agricultural District #1 is established, robust and operating as originally intended. Each municipality located within the district has and will continue to manage, promote and protect the district through local plans and laws. The SCPB and SCAFB recommend that the Saratoga County Consolidated Agricultural District #1 boundary map be modified to correctly correspond to the 2020 RPS parcel codes depicting participation in the Saratoga County Agricultural District #1. An extensive review was conducted by the Saratoga County Planning Department, Saratoga County Real Property Office as well as all municipal Assessors in Agricultural District #1 to correctly delineate the Agricultural District Boundary. All participating county departments, municipalities as well as the Agricultural Farmland Protection Board have agreed on the proposed modification as presented.



**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PRINT FORM**

Agency Use Only [If applicable]

Project:

Date:

**Short Environmental Assessment Form**  
**Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Pursuant to NYS Department of Agriculture and Markets Law Article 25-AA, section 303a, an 8-year review of the status of Saratoga County's Consolidated Agricultural District #1.

The Saratoga County Planning Board (SCPB) and the Saratoga County Agriculture and Farmland Protection Board (SCAFB) has reviewed all materials submitted as part of the 303a 8 year review period for Agricultural District #1. The SCPB and SCAFB determined that the Saratoga County Consolidated Agricultural District #1 is established, robust and operating as originally intended. Each municipality located within the district has and will continue to manage, promote and protect the district through local plans and laws. The SCPB and SCAFB recommend that the Saratoga County Consolidated Agricultural District #1 boundary map be modified to correctly correspond to the 2020 RPS parcel codes depicting participation in the Saratoga County Agricultural District #1. An extensive review was conducted by the Saratoga County Planning Department, Saratoga County Real Property Office as well as all municipal Assessors in Agricultural District #1 to correctly delineate the Agricultural District Boundary. All participating county departments, municipalities as well as the Agricultural Farmland Protection Board have agreed on the proposed modification as presented.

There will be no change to the dynamics of the Saratoga County Agricultural District #1 as it is designed to protect and preserve the farming industry and its lands therefore, the proposed action poses little to no significant environmental impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Saratoga County Board of Supervisors _____ Name of Lead Agency	_____ Date
Preston Allen _____ Print or Type Name of Responsible Officer in Lead Agency	Chairman, Saratoga County Board of Supervisors _____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

## RESOLUTION 216 - 2020

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

## AWARDING 2020 TRAILS GRANTS AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, the 2020 Saratoga County Budget included a Trails Grant Program to give matching grants to local municipalities to fund trail development and construction projects; and

WHEREAS, the 2020 Trails Grant Program provides a pool of up to \$75,000 to fund trail feasibility studies, engineering work, and construction in local municipalities; and

WHEREAS, the Trails Committee received eleven applications for funding totaling \$98,201.50, which the Committee recommended either: i) be funded in full; or ii) be funded at a rate of 75.89% with the Town of Malta's request for only \$1,984.50 being funded in full; and

WHEREAS, our Law and Finance Committee and Economic Development Committee approved fully funding all eleven grant applications submitted at a cost of \$98,201.50 through the transfer and utilization of \$23,201.50 in unused 2020 Farmland and Open Space Preservation Program funds; and

WHEREAS, the funding in full of all 2020 Trails Grant Program applications received requires an amendment to the 2020 Saratoga County Budget; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the payment under the 2020 Trails Grant Program of the sum of \$75,000, plus the transfer and payment of \$23,201.50 in unused 2020 Farmland and Open Space Preservation Program funds, to the following municipalities in the following amounts for the purposes stated, upon the condition that each municipality provide matching funds or services in kind:

1. Town of Ballston – in the amount of \$10,000 to be applied towards the cost of a feasibility study to extend the existing Ballston Veteran's Trail to the Zim Smith Trail, a distance of approximately 2 miles.

2. Town of Charlton – in the amount of \$10,000 to be applied towards the cost of renovating an existing trail from Crane Street that loops from the south side of the Alpaus Kill and the north side of Mill Pond (approximately 1,100 linear feet), and the construction of a new trail loop to the south side of Mill Pond (approximately 500 linear feet) with trail markers and signage.

3. Town of Clifton Park – in the amount of \$10,000 to be applied towards the restoration of the existing Meadow Estates Multi-Use trail that was designed in 1994 and the restoration of segments of connecting trails. Restoration shall include the placement of asphalt, crusher run and storm pipes.

4. Town of Edinburg – in the amount of \$9,500 to be applied towards the construction of an additional 3,000 linear feet to the existing trail system on the Town's municipal property.

5. Town of Galway – in the amount of \$7,000 to be applied towards the re-surfacing of the access and parking area for the Galway Preserve trailhead and to create an access drive and parking area for the Glowegee Trail's south trailhead. This project is being sponsored by Saratoga P.L.A.N.

6. Town of Greenfield – in the amount of \$10,000 to be applied towards the improvement and upgrading of the existing Town trail in Middle Grove Park. Improvements will include the placement of crushed stone and asphalt.

7. Town of Malta – in the amount of \$1,984.50 to be applied towards the restoration of the existing trail in the Malta Ecological Park through the placement of fresh engineered wood fiber on the trail surface.

8. Town of Moreau – in the amount of \$10,000 to be applied towards the design and/or construction of the proposed Phase II of the Scenic Hudson River Byway Trail along the Hudson River between Nolan Road and Old Bend Road for walking and biking.

9. Town of Saratoga – in the amount of \$10,000 to be applied towards the enhancement of the Town of Saratoga Boat Launch, to include the installation of 16 ft. x 40 ft. rubber matting to stabilize the boat trailer launch, and the placement of crusher run, picnic tables and signage for the boat launch area.

10. Village of Victory – in the amount of \$9,717 to be applied towards the design of an historic loop trail through the Village linking to historic sites and connecting to existing trails. Funds will also be used to repair a wooden fence overlooking a bluff on Siege Trail, repair signage and provide wayfinding signage.

11. Town of Wilton – in the amount of \$10,000 to be applied towards the design, mapping and designation of a trailhead and parking for a Town trail that would extend from the Town Hall along the Snook Kill to Northern Pines Road.

and, be it further

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

PLANNING:

TRANSFER:From:

Acct. #: A.80.000-7091.9 Land Acquisition	\$23,201.50
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To:

Acct. #: A.80.000-8492 Local Assistance	\$23,201.50
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BUDGET IMPACT STATEMENT: Funding of all the trail applications requires a budget transfer within the 2020 operating budget to cover the additional \$23,201.50.

## RESOLUTION 217 - 2020

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

## AUTHORIZING INTER-AGENCY TRANSFERS NECESSARY TO CLOSE OUT 2020 COUNTY BUDGET

WHEREAS, inter-agency transfers are necessary to accommodate various adjustments to balance and close out the 2020 County Budget; and

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

RESOLVED, that, effective October 20, 2020, the County Administrator is authorized to make any inter-agency transfers necessary to close out the 2020 County Budget and he shall submit a written report thereof to the Law and Finance Committee in 2021.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 218 - 2020

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

## AUTHORIZING THE CREATION OF TWO NEW ACCOUNTING FUNDS FOR TRUST CUSTODIAL AND DEPARTMENT CASH

WHEREAS, the County's outside auditors, the EFPR Group, CPAs, PLLC, and the County's Director of Finance have recommended that the County create two (2) new accounting funds to bring the County into compliance with newly enacted rules from the Government Accounting Standards Board under Statement 84; now, therefore, be it

RESOLVED, that there is hereby established a fund known as "Trust Custodial" (hereinafter "Fund TC"), for the purpose of segregating fiduciary funds held in custodial accounts from other non-custodial and governmental funds, which custodial accounts shall be moved from the Trust & Agency Fund ("Fund TA") to new Fund TC for year-end reporting; and, be it further

RESOLVED, that there is hereby established a fund known as "Department Cash" (hereinafter "Fund DC") which shall include departmental cash holdings transferred from Fund TA; and, be it further

RESOLVED, that the County Treasurer shall, at the end of each fiscal year, report the funds held by Fund TC and Fund DC in a manner consistent with GASB 84 reporting requirements.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 219 – 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 \$29,800,000 TO FINANCE THE REHABILITATION AND

**IMPROVEMENT OF THE SARATOGA COUNTY SEWER DISTRICT SEWER INTERCEPTOR AND RELATED FACILITIES**

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 rehabilitation and improvement of the sewer Interceptor and related facilities; 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 \$29,800,000 to finance Saratoga County Sewer District No.1's rehabilitation and improvement of the sewer Interceptor and related facilities; 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, the cost of any out-of-pocket disbursements, and a fee of \$5,000 for preparation and submission of an application to the New York State Comptroller for approval of the cost of the Interceptor rehabilitation and improvement project as required by County Law §268(3); 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 \$29,800,000 to finance Saratoga County Sewer District No. 1's rehabilitation and improvement of the sewer Interceptor and related facilities, 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, the cost of any out-of-pocket disbursements, and a fee of \$5,000 for preparation and submission of an application to the New York State Comptroller for approval of the cost of the Interceptor rehabilitation and improvement project as required by County Law §268(3); 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.

Mr. Kusnierz said he is looking for clarification. The \$96,700 that would be required as part of this resolution was that budgeted for in 2020.

Mr. Hellwig said it is within the operating budget.

Mr. Kusnierz said he understands this body already adopted the approval of an entity to do testing back in, right before June, he believed. What would be done differently from that contract?

Mr. Hellwig said the magnitude of the testing has increased. The Executive Director is here and can speak to why this contract had to be increased to cover the scope of services.

Mr. Rourke said the original contract was with Quadrant Biosciences. They were the lab doing the actual analysis. This firm actually looked at the results and analyzed the results. The information coming out of the test results is above his head in terms of chemistry. This consultant also worked with other entities in the State that were doing the same testing to provide comparisons to look at.

Mr. Kusnierz thanked Mr. Rourke and asked what the direct tangible benefit to the County was to go forward with this testing.

Mr. Hellwig said it basically identifies the viral loading in the sewage which is advanced notice of certain areas in the County where the results are indicative of the virus in the sewage that it typically precedes the symptoms that you would otherwise see further on down the line. It would give Public Health the opportunity to get out into the community before the positive cases become problematic.

Mr. Kusnierz thanked Mr. Hellwig. He said the reason he asked the questions if you refer to the CDC website in relation to sewage testing you would see a number of points about the value or what is not known about it. The first bullet indicates that sewage testing over time can provide trend data that can complement other survey data that informs public health decision making. However at this time it is not possible to reliably or accurately predict the number of infected individuals in a community based on sewage testing. He said while he understands in small sampling. For example RIT, they sampled a collection area for a dorm and they were able to catch positives for students attending there. But on a more global setting he's not sure at this point in time if that \$100,000 provides a valuable tool based on what CDC knows now. He thinks it's something that in this fiscal time we are in, we need to look carefully at where we are spending our dollars.

Mr. Barrett said he was thinking along the same lines as far as targeted testing. He asked where exactly would the testing take place.

Mr. Hellwig asked Mr. Rourke which pump stations. Mr. Rourke said there are nine different testing areas. The testing has been performed since June from the last contract that was approved.

Mr. Barrett said these sample locations would be sampling a very large geological area. You describe in Clifton Park for instance, there is a pit on Ushers Road that basically covers the entire town or just about the entire town. He asked Mr. Rourke if that was correct.

Mr. Rourke said it would be  $\frac{1}{2}$  to  $\frac{3}{4}$  of the Town.

Mr. Barrett said if you had testing that showed elevated levels or levels that are declining, what would be done with that information. He said in his case the Town of 37,000 people, what is done with the information? We know we have 65 total active cases. We can see the positive cases that come in every day or at least on a seven-day average, reliably. What would we do with the information if it were elevated?

Mr. Rourke said that was not necessarily his decision but it is his opinion that because it is somewhat predictive; you would see the viral load beforehand. We would contact Public Health and really it's to catch more of a hot spot than it is to trend data over time in our opinion.

Mr. Barrett said he thinks the testing can be done in a smaller audience. He thinks one place covering tens of thousands of people doesn't really make much sense. He knows Siena was doing this within the dorms; it is a finite audience in that circumstance. That might make a little more sense. Have we thought about, maybe this is a question for Cathy Medick, what would we do with the information and have we thought about working with the schools on this. Maybe we already are, he did not know.

Mr. Rourke said a school district was tested at one point in the County for a weeklong pilot that was associated with the NYS DOH. We have done that. The thought process is, if we were to see an increase load over time, we would then move upstream so that we are getting smaller sample sizes as we move forward.

Mr. Barrett said there is no plan to work closely with the schools or test schools. Mr. Rourke said not that he knew. Mr. Barrett said a large audience could be captured if the campus at Shen was tested for instance as just one example. There are thousands of kids there. He said to him it would make more sense to test there than somewhere that there are tens of thousands of people in a pit on Ushers Road. With that being said he thinks from his limited knowledge, he's not an expert, but using common sense it would seem we could better use this money in a different fashion.

Mr. Connolly asked if there was any evidence out there of counties around the country using this type of technology in very effective ways to reach out to communities to find hot spots or is this brand new and we are kind of leading the way in trying to use this technology.

Mr. Rourke said it is definitely an emerging science and didn't have specific example that he could share. He thinks the benefit would be seen should we see more hot spots popping up. It's good that we are not and not necessarily seeing that in the wastewater.

Mr. Kusnierz said he may be able to shed some light on that. He said also on the CDC's website it says that low levels of infection in community may not be captured by sewage surveillance. Lower limits of detection for sewer surveillance are not yet well understood. More data on fecal shedding by infected individuals over the course of disease are needed to better understand the limits of detection.

Mr. Kinowski said Todd, thank you for running down that information. The only thing that he has seen and we have been reading a lot capturing the data when we don't know where to start. There is a lot of data points that have been captured. The CDC went one direction, then wind up changing their mind and go in another direction. It's coming out from the Capitol, the same thing. When it comes to the end of the day, he thinks this would capture data and up channel it. It might become valuable and we just don't know that yet. We can target, and he concurs with what Mr. Barrett said, more areas; but we aren't there yet and maybe that's just more costly to cover. We can start at a grandiose level and work our way down. Maybe it will tell us something, maybe it won't. We need to leave that to the experts. He appreciates looking into the CDC and capturing the information. He's been reading an awful lot and have been finding many changes over time. He thinks all data will help us at some point.

Mr. Lawler said he'd like to follow up on a question that Supervisor Barrett asked. He's not sure it was addressed and he thinks it is important to the conversation. He asked what the value of the information was. If the information is found out and we find that we do have an increase in the viral load to the point where it becomes a public health concerns; what is the value of that? He thinks that is an important question. He said to Mr. Rourke that Mr. Rourke had said this isn't his area of specialty and he appreciates that. He would like to hear from somebody who could say how that data will be used to benefit the public health.

Ms. Medick said she agrees that this is an emerging science and she doesn't know the value of what may be eventually. She can say there have been some spots that have turned out to be hot spots. She talked to the COVID team and what they say is we are seeing this in wastewater so we know this spot may have increased cases and it can be predictive. We are seeing that. We haven't honed in yet how to best use this data. But one thing we do do in Public Health, if we have a spot that's really getting hot in wastewater we are really aggressive about putting people on quarantine. If we are on the fence about putting someone in quarantine and they are from that specific area, then we will put them in quarantine.

Mr. Lawler said if he could follow up with just one more question. He said to Ms. Medick, in your professional opinion, as the person in charge of our public health efforts/in charge of our battle to protect our citizens from COVID-19 do you see a public health value to this and that it would help protect.

Ms. Medick said she thinks it is another piece of information we can use.

Mr. Lawler asked if she saw value in this particular piece of information in terms of public health.

Ms. Medick said she does see value in this information. She said she sees more benefits in the future as it becomes better understood. She doesn't understand every piece of it but what she does know is that it has been very predictive when we've seen a spot in the wastewater we have seen an increase in cases.

Mr. Lawler said to summarize, our public health and our efforts to protect our citizens from COVID-19 are better off having this data than they would be without it. And that this will help in the battle against COVID-19.

Ms. Medick said yes, every piece of information is valuable.

Mr. Schopf asked who paid for the testing at the Shen school district when they did that block testing. He asked if it was the State. Mr. Rourke said it was New York State.

Ms. Gaston said she does believe that this will be beneficial as it will allow our Public Health Department to focus where they need to as the Director has said. She said she wanted to be clear that wastewater surveillance itself is not new. It is new for COVID-19 but that's because COVID-19 is new. But wastewater surveillance itself has

been used around the world to detect hot spots for Polio, etc. The technology itself is not new. The application here that everyone is trying to figure out, just like we are to this disease in general. She applauds the Sewer District and Public Health for moving forward and seeing all the avenues of this.

On a motion by Mr. Grattidge, seconded by Mr. Kinowski Resolution 220-2020 was adopted by the following vote:

AYES (131874) 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), Benny Zlotnick (18575), 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 (87733): Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Kevin Tollisen (21535), Darren O'Connor (14765), Theodore Kusnierz (14728).

#### RESOLUTION 220 - 2020

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

#### AUTHORIZING AN AGREEMENT WITH ARCADIS OF NEW YORK, INC. FOR CONSULTING SERVICES RELATED TO WASTEWATER SAMPLING FOR COVID-19 AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM

WHEREAS, the County entered into an existing minor contract with Arcadis of New York, Inc. dated August 12, 2020 for consulting services related to the analysis of wastewater samples to determine the presence of COVID-19 RNA; and

WHEREAS, the services rendered and to be billed by Arcadis of New York, Inc. pursuant to said minor contract will meet or exceed the minor contract's limit of \$15,000; and

WHEREAS, the Saratoga County Sewer District Commission and the Executive Director of the Saratoga County Sewer District No. 1 desire that Arcadis of New York, Inc. continue to sample wastewater for the presence of COVID-19, provide ongoing data analysis, attend meetings, and share information with County health officials in order to identify areas of the County potentially experiencing an outbreak of COVID-19 cases; 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 Arcadis of New York, Inc. for professional consultant services related to the analysis of wastewater samples for the presence of COVID-19 and the subsequent data sharing with County health officials at an additional cost of \$96,700; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Arcadis of New York, Inc. of Clifton Park, New York for consultant services related to the analysis of wastewater samples for the presence of COVID-19 and subsequent sharing data sharing with County health officials at a cost of \$96,700; 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.

#### RESOLUTION 221 - 2020

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

#### ADOPTING THE REVISED RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENTS

WHEREAS, Arts and Cultural Affairs Law §57.25(2) of the State of New York prohibits local governments from destroying or otherwise disposing of any public record without the consent of the New York State Commissioner of Education; and



WHEREAS, the State Commissioner of Education, after consultation with other state agencies and local government officers, is authorized to develop, adopt by regulation, issue and distribute to local governments records retention and disposition schedules establishing minimum legal retention periods for local government records; and

WHEREAS, pursuant to Arts and Cultural Affairs Law §57.25(2), the Commissioner of Education's issuance of such records retention and disposition schedules constitutes the Commissioner's formal consent to local governments to the disposition of records that have been maintained in excess of the retention periods set forth in the schedules; and

WHEREAS, pursuant to Arts and Cultural Affairs Law §57.25(2), the New York State Archives of the New York State Department of Education has issued a revised Retention and Disposition Schedule for New York Local Government Records, and the Commissioner of Education's consent that accompanies the use of the current Retention and Disposition Schedule is rescinded effective December 31, 2020; and

WHEREAS, 8 NYCRR §185.5(b) requires that the governing body of each local government adopt the revised Retention and Disposition Schedule by no later than January 1, 2021; now, therefore, be it

RESOLVED, by the Board of Supervisors of the County of Saratoga that the Retention and Disposition Schedule for New York Local Government Records, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein; and, be it further

RESOLVED, that in accordance with Article 57-A: a) only those County records will be disposed of that are described in the Retention and Disposition Schedule for New York Local Government Records after they have met the minimum retention periods described therein, and; b) only those County records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 222 - 2020

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

**AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE CENTER FOR TECH AND CIVIC LIFE FOR THE SAFE AND SECURE ADMINISTRATION OF THE 2020 ELECTIONS IN SARATOGA COUNTY, AND AMENDING THE 2020 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, the Center for Tech and Civic Life, a nonprofit organization, has awarded the Saratoga County Board of Elections a grant in the amount of \$86,170 for the exclusive purpose of planning and operationalizing safe and secure election administration for the 2020 Elections for the grant period June 15, 2020 through December 31, 2020; and

WHEREAS, the terms of the grant agreement provide that the Saratoga County Board of Elections may utilize this award for i) non-partisan voter education; ii) personal protective equipment (PPE) for staff, poll workers and voters; iii) poll worker recruitment funding, hazard pay, and/or training expenses; and iv) vote-by-mail/absentee voting equipment or supplies; and

WHEREAS, the acceptance of these funds requires the approval of this Board and an amendment to the 2020 County Budget; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby accepts on behalf of Saratoga County Board of Elections a \$86,170 grant from the Center for Tech and Civic Life for the reimbursement of expenses related to planning and operationalizing safe and secure election administration for the 2020 Elections; 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 from the Center for Tech and Civic Life said \$86,170 for the grant period from June 15, 2020 through December 31, 2020; 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 amended as follows:

#### BOARD OF ELECTIONS

##### Appropriations:

Increase Acct.: #A.22.000-8190.INSPE Election Inspectors

\$ 43,170

Increase Acct.: #A.22.000-8520 Software	<u>\$ 43,000</u>
	\$ 86,170

Revenues:

Increase Acct.: #A.22-2776 Misc. Revenue	\$86,170
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BUDGET IMPACT STATEMENT: None. 100% Local Aid.

## RESOLUTION 223 - 2020

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

**AUTHORIZING AN AGREEMENT WITH SAGESMITH CONSULTING, LLC TO PROVIDE ELECTION RESULTS REPORTING SOFTWARE**

WHEREAS, the Saratoga County Board of Elections needs to be able to provide timely and accurate reporting of election results to the general public as well as to candidates and campaigns following elections; and

WHEREAS, our Board of Elections is in need of accurate and reliable election results software to display election results for the public on Election Day, as well as to help canvass all votes and compile the report necessary to certify the election; and

WHEREAS, SageSmith Consulting, LLC is a sole-source provider of Election Record software and has proposed a contract for i) the acquisition, onboarding and training thereon of election results reporting software at a cost of \$23,000 for the first year; and ii) \$12,900 annually for licensing, maintenance, and support for three additional years starting with the second year of the agreement; subject to renewal annually at the end of said four (4) year term at a rate equal to the cost of the previous term plus seven percent (7%); and

WHEREAS, our Law & Finance Committee, the Director of Information Technology and the Commissioners of Election have recommended that the proposal of SageSmith Consulting, LLC to provide Election Record software and service to the Saratoga County Board of Elections be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Director of Information Technology is hereby authorized and directed to execute an agreement with SageSmith Consulting, LLC of Charlotte, Vermont, for the provision of election results reporting and management software, for a term commencing at the signing of said agreement and continuing for four (4) years, at an initial cost not to exceed \$23,000 for the first year and \$12,900 per year for each of the subsequent three years, subject to renewal annually at the end of said four (4) year term at a rate equal to the cost of the previous term plus seven percent (7%); and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Kusnierz said for clarification this resolution is essentially allowing that 50% rate in reduction for certain restaurants only upon a determination by the Sewer Committee.

Mr. Allen said he was not sure on that.

Mr. Kusnierz said there was language in the resolution that makes reference to a future meeting.

Mr. Dorsey said ultimately the Board of Supervisors adopts the scale of charges for 2021. The Commission has to adopt it first and then call a public hearing on it. And then there is an appeal period where people can submit appeals. Then ultimately it goes before the Board of Supervisors.

Mr. Kusnierz said as a follow up did have some loose numbers on how many restaurants that would benefit from this program. He thinks he heard it said that the Board would receive updated numbers for this Board meeting. What are the updated numbers? How many restaurants would benefit from this program?

Mr. Rourke said there are 78 restaurants. The information was provided in a hand out.

Mr. Kusnierz asked if 78 was the number that would benefit. Mr. Rourke confirmed the number was 78.

Mr. Barrett said he was curious since this is somewhat related; what is the principle and interest payments on the bonds on resolution 219? He said he assumed that is new debt.

Mr. Hellwig said the bonds haven't been issued.

Mr. Barrett said, right; but do we have an estimate of some sort per year what the P&I would be.

Mr. Rourke said the total repayment per year is \$1.8M approximately and that is what he has budgeted.

Mr. Barrett said roughly \$2M a year after all costs.

Mr. Rourke said that's including interest.

Mr. Barrett said \$1.8M a year. And that's new debt? Mr. Rourke confirmed it was new debt. Mr. Barrett said that is a hefty sum of money no doubt. Even though the fund balance obviously as we found out at the last meeting is quite healthy at the Sewer Department. That's still a considerable amount of money on a new debt payment. Unfortunately, only restaurants are considered here for assistance; which he believes is a mistake. There have been many sectors of our local economies that have suffered the effects of the New York shutdown and mandated limited capacities. There are other programs: Clifton Park IDA of which Supervisor Schopf is Chairman and a great program to distribute six figures in grants to small businesses throughout Clifton Park. Many of them were restaurants. And they certainly received a much higher amount of money to cover their COVID costs than you're seeing here in 50% reduction on sewer. So as he mentioned at the last meeting, since the County has replicated that same program that Clifton Park began, have these businesses been contacted and notified directly of that program that's available. He is further concerned that only a portion of the restaurants are deemed eligible by questionable criteria to say the least. If all restaurants aren't eligible we are creating an unfair competitive advantage within our own towns. You could have restaurants that are neighbors, direct competitors. One is receiving the benefit; the other is not. Again, creating an unequitable situation. At that point the County is helping one and not the other through questionable criteria. If we are going to do something like this, we have to do it right, we have to make it fair or don't do it at all. For all those reasons listed he just can not see why at this point we would go forward with this type of initiative. He thinks it needs a little more study like the testing we just talked about; that should be directed towards schools and not an area that tens of thousands people's wastewater go through. Same here, you can do something targeted and make a successful program as we have proven we can do in other ways. The difference is with the IDA grants and that program anybody can apply. And anybody that has cause associated with COVID can have them covered. That is a fair and equitable program. Much more so than this one.

Mr. Schopf said he echoes what Supervisor Barrett just said. He just sat down here and off the top of his head, it looks like there is twenty restaurants listed for Clifton Park that would benefit from the program as proposed. About 1/2 of those are chain type restaurants. He knows several of them are locally owned but the bulk of them are not. He has created a list just off the top of his head with about 41 restaurants: Wheatfields, Health Bar, Modu Sushi, Sushi Tai Pan, Venezia Pizza, Jimmy's Egg, Sake Bon, Shalimar, Antipasto's, Bellini's, Power's Pub, Sushi Tai, Mr. Fuji, East Wok, Saigon Spring, K Cafe, La Fiesta, Corelife, Blaze, Primavera Pizza, Country Drive In, Five Guys, Moe's, Doghouse, The Brick, West End Bagels, Clifton Park Pizza Shop, Upper Crust, TGI Fridays, Subway, Ponchos, Red Front Pizza, Chipolte, Jersey Mike's, Sushi Prime, Villa Pizza, Buffalo Wild Wings, Panera, Smashburger and Fruit Loop. He believes about 98% of those are locally owned and wouldn't benefit a dime from this program. As Mr. Barrett stated this creates a vastly unfair advantage as some of these restaurants are right across the street from each other. He can't in good conscience vote for something that essentially only supports a percentage of like-minded constituents. He thinks it's just vastly unfair. At Law & Finance, he discussed an alternate proposal whereby we could go ahead and issue our tax bills now; take the next couple of months to come up with a tax deferral plan similar to the County/ Town IDA grants that have been done in the County; to allow all effected businesses to apply for a deferral of payments on their sewer and potential even their water charges; which would still allow those to be recoverable monies by the County in the future. Hopefully as business increases and financial stability returns while all at the same time offering some temporary relief, that is

something he could get behind. But this proposal in present form, he can't vote to exclude about 41 constituents/small businesses in town.

Mr. Kusnierz said as a follow up, he doesn't doubt that this is very well intentioned. He said that in the discussion in Law & Finance. He actually voted for it to come to the full Board for a discussion by the membership. The problem is, it's a slippery slope when we enact a policy like this; because, not all townships get a benefit from this because they don't have sewer. However, to Supervisor Barrett and Schopf's point, it does create an unfair disadvantage. There are other ways, cause restaurants in his town are equally as impacted by the pandemic. He knows in other communities as well. We should look at a program that is beneficial to all of our struggling businesses. To select a finite amount with very tight perimeters he thinks it does a disservice to the community and a disservice to the County. He would ask for additional time to look into how we can greater benefit a larger number of businesses with a plan that meets the laudable goals of his colleague Supervisor Richardson in helping businesses in general. So he would ask for more time to come up with a better plan.

Mr. Richardson said the reason some of the restaurants Mr. Schopf listed were left out they are in plazas so they do not get a sewer bill. However, they do have other amenities or perks you might say in that someone is plowing their parking lot or fixing their roof or maintaining their buildings. Whereas these other independent 78 restaurants do not have that advantage. We have talked about this for about 45 minutes a week ago. And everyone was pretty much on board with what Mr. Kusnierz just said that as we move forward we all would like to help more people. Unfortunately, if we don't pass this resolution today, it will be too late, for these 78 restaurants, because of the timing of the tax bills being sent out. If we wait these businesses may be in jeopardy and that was the concern. We all agree, if possible, we would like to look at more restaurants/more businesses as we move forward. With that all in mind, he would think at this point, he would call for a vote.

Mr. Barrett said he had one quick point. With all due respect Mr. Richardson, you and I had this conversation, you mention a restaurant in a plaza getting perks such as snow plowing. He said the restaurants are paying for those perks; they are not free. Anything that is included as part of their lease as part of being within a plaza are costs that are a part of what they are paying their landlord each month. So they are not getting perks. They are receiving services that they are paying for. He doesn't see the logic between that and the fact that they can't receive a benefit.

On a motion by Mr. Richardson, seconded by Mr. Zlotnick Resolution 224 was adopted by the following vote:

AYES (147734): 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) John Lant (16173).  
NOES (71873): Eric Connolly (9776), Alan Grattidge (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Richard Lucia (6531), Theodore Kusnierz (14728).

#### RESOLUTION 224 - 2020

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

**DIRECTING THE SARATOGA COUNTY SEWER DISTRICT COMMISSION TO REVIEW THE PROPOSED 2021 SCALE OF CHARGES AND CONSIDER REDUCING BY 50% THE SEWER RATES CHARGED RESTAURANTS THAT ARE DIRECTLY BILLED BY THE SEWER DISTRICT AND RESTAURANTS THAT ARE THE ANCHOR TENANT OF A PROPERTY**

WHEREAS, pursuant to County Law §266, the Commissioners of Saratoga County Sewer District No. 1 have adopted a scale of charges for the Saratoga County Sewer District No. 1's 2021 services; and

WHEREAS, 2020 sewer rates paid by Saratoga County restaurants were based on restaurant seating capacity, and were adopted before the onset of the COVID-19 pandemic; and

WHEREAS, the 2020 sewer rates paid by Saratoga County restaurants therefore did not take into account the loss of revenue sustained by such restaurants in 2020 resulting from restrictions in seating capacity imposed by the Governor as a result of the COVID-19 pandemic; and

WHEREAS, a number of Saratoga County restaurants have requested a reduction in their sewer rates for 2021 due to their loss of revenue experienced in 2020 and the anticipated continuation of seating capacity restrictions in 2021; and

WHEREAS, the Executive Director of Saratoga County Sewer District No. 1 and the Saratoga County Real Property Tax Services Agency have agreed to identify those restaurants that are directly billed by the Sewer District and those restaurants that are the anchor tenant of a property billed by the Sewer District; and

WHEREAS, our Law and Finance Committee has recommended that the Saratoga County Sewer District Commission convene at a special meeting for purposes of reconsidering the proposed 2021 scale of charges with a focus on providing rate relief in the form of a 50% rate reduction to those restaurants that are directly billed by the Sewer District and those restaurants that are the anchor tenant of a property billed by the Sewer District; now, therefore, be it

RESOLVED, that the Saratoga County Sewer District Commission is hereby directed to convene at a special meeting for purposes of reconsidering the proposed 2021 scale of charges with a focus on providing rate relief in the form of a 50% rate reduction to those restaurants that are directly billed by the Sewer District and those restaurants that are the anchor tenant of a property billed by the Sewer District.

BUDGET IMPACT STATEMENT: In the event the Sewer District Commission adopts a 50% reduction in rates for restaurants in 2021, the loss in revenue to the Sewer District will be approximately \$165,451.

The Chairman made the following appointments:

Executive Order 203 Compliance Group

Supervisor Darren O'Connor  
Supervisor Thomas Richardson  
Undersheriff Richard Castle  
Dr. Michael Prezioso  
District Attorney Karen Heggen  
Public Defender Andrew Blumenberg  
Opal Hinds, Esq.

Workforce Development Board

Patricia Myers – Term Expiring 12/31/2022  
Tara McCaughey – Term Expiring 12/31/2022

Mr. Lawler said he wanted to take a moment to read into the record, because he thinks it is important to get this in to the County record, correspondence from former Chairman of the Prosperity Partnership Kevin Hedley. He believes the correspondence was addressed to all members of the Board of Supervisors but he did not believe it was addressed to any officer of this County and as such he doesn't think it is included in the official records of the County. Since the Saratoga County Prosperity Partnership was created by Saratoga County and its directors are appointed by the County, he felt it was important that Mr. Hedley's letter be memorialized. He also requested Mr. Hedley's permission to read the letter and he urged me strongly to do so.

October 9, 2020 - Shelby Schneider, President / Penny Hill Vice Chair, SCPP

Dear Shelby and Penny:

In 2014, just six months after its formation, I had the honor of being selected to serve on the Saratoga County Prosperity Partnership Board of Directors. I viewed this as a wonderful opportunity, not only to give back to our community, but also to play an active role in advancing the economic development initiatives that are vital to Saratoga County's economic health and well-being. Three years ago, I was privileged to be chosen as Chair of the board of directors. Having gained significant insight into the existing landscape, I recognized and began to pursue what I believed to be Saratoga County's greatest need: unifying the economic development programs and services - and organizations - responsible for attracting and retaining jobs, companies and investment. Over the past year, the concept appeared to be taking root and starting to blossom. I was proud to be part of the Unity Committee, made up of board members from the Saratoga Partnership and Saratoga Economic Development Corporation, which was intended to work toward merging the organizations. That has long been my desire and goal, and I truly thought we were headed in the right direction. Unfortunately, I no longer believe that to be the case. The Saratoga Partnership's good-faith efforts to advance a merger that would benefit all of Saratoga County

have been undermined and stymied by the hostile rhetoric and destructive actions of some at SEDC, which have been disingenuous at best, and deceitful at worst. While I continue to support a merger of the organizations - and remain hopeful that will occur in the future - I no longer have confidence in the leadership of SEDC, nor of their desire to follow through on this process. And so, regrettably, I am tendering my resignation from the Saratoga Partnership Board of Directors. Let me be clear about two things. First, I believe the Saratoga Partnership remains a vital part of Saratoga County's economic development efforts. The programs and services it provides to sustain businesses and improve our economy are of critical importance, even more so as our state and national economies face ongoing challenges due to the COVID-19 pandemic. Second, I unequivocally support Saratoga Partnership President and CEO Shelby Schneider, and trust in her leadership, expertise and experience. I have witnessed firsthand her ability to rise above petty personalities and alternative agendas to execute day-to-day operations in the service of Saratoga County. It has been both impressive and refreshing, and gives me hope for a better tomorrow. I appreciate the opportunity to have been part of this outstanding organization, and wish you continued success in the future. Thank you. Sincerely, Kevin M. Hedley

Mr. Lawler said at a recent meeting Supervisor Kusnierz was kind enough to read into the record a letter from SEDC legal counsel alleging potentially illegal activity on the part of the Saratoga County Prosperity Partnership. Supervisor Kusnierz did so because as he accurately said the Partnership is controlled by Saratoga County Board of Supervisors and therefore it is important that the Board of Supervisors have a clear understanding of what is transpiring. Mr. Lawler said he agrees with him on that. Therefore, he thinks it is important to state for the record that the Saratoga County Prosperity Partnership commissioned an independent investigation of these allegations by SEDC by outside counsel. And the result of that investigation concluded that no laws were broken nor were there any unethical conduct on the part of any SCPP officials. He would like to ask a question of the Clerk or the Chairman if he could. The letter from the Partnership's counsel, which outlined all their investigations and findings in totality, was that sent to the County or was that just sent to the individual Board members? Mrs. Wright said she did not receive the letter.

Mr. Lawler said then he would like, if he could please, could that letter be entered into the record and if Mrs. Wright would, read that letter at the next Board meeting. He added if that was inconsistent with what Mrs. Wright thought her responsibilities were, he wouldn't want her doing something she wasn't comfortable doing. He asked Mrs. Wright to provide him with a copy of the letter and he would read it into the minutes. Mrs. Wright asked what letter. Mr. Lawler said the letter that was sent out that outlined the investigation. He thought some Supervisors received the letter but didn't know if the County did. Mr. Hellwig said the letter was sent to Travelers to put them on notice. Mr. Lawler said he thought it was important that it gets into the record. The allegation of criminal activity required that we report the possibility of an insurance case to Travelers. The subsequent investigation was important to that effort. He wants to make sure all of this is very carefully documented. Any time a County organization is accused of potential illegal criminal activity it's important that this Board sees it through to the end and that allegation not just hang in the air.

Mr. Kusnierz said the members of the Board have in front of them a compilation of the historic site for the Ulysses S. Grant Cottage. Supervisors Lant, Barrett and himself had the good fortune of having a tour presented to us last Saturday. For many people who may not be aware, this was the location where President Grant in his final months completed his memoirs which actually gave his family the opportunity to have sustenance after some shady individuals that he had invested with after the war; he basically went bankrupt and his family had no funding. The tour was led by the staff of Steve Porto who is the Executive Director of the Grant Cottage State Historic Site. My colleague from Wilton, myself, our towns both contribute financially to the operations of the site. It is not yet considered a national historic landmark. Because it is not, it does not have access to Federal dollars. He would encourage anyone who has not yet been there to take advantage of a tour of the site. Unfortunately, they are closed seven months of the year due to weather and staffing. In the short period they are open, over 1,200 visitors have been to the site this year. He thinks it may be time for the County to at least consider some financial support for this organization. It's certainly an economic development engine for that part of the County. Again, anyone that would like a tour, reach out to him or Supervisor Lant. They would be happy to have any member of the Board, or the public for that matter, there. Thank you.

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

Respectfully submitted,  
Pamela Wright, Clerk