

REGULAR MEETING
TUESDAY, January 19, 2021
AT 4:00 p.m., E.S.T.

Board called to order by Chairman Kusnierz.

Roll call was taken. PRESENT –Joseph Grasso, Philip C. Barrett, Jonathon Schopf, Richard Lucia, Preston Allen, Jean Raymond, Michael Smith, 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, John Lawler, John Lant - 20. ABSENT – Eric Connolly, Daniel Pemrick, Edward D. Kinowski – 3.

The invocation was given by Thomas N. Wood, III, Chaplain. “Let us pray. Our heavenly father we thank you for the many blessing that you have given us and for the privilege of serving the residents of Saratoga County. As we begin the new year let us resolve to be better people and to always try to help others who are in need. We ask for your guidance in our deliberations so that we may make the best possible decisions on all issues that come before us. May we work cooperatively always striving for the best interests of the residents of Saratoga County. During this month of January may we always remember Dr. Martin Luther King Jr. and his dream for a better America. May we work hard to see that his dream is a reality, that service to others is a priority, that social equality and justice become a reality, that we work together as bridge builders, and that the rights of all county residents are forever protected. Throughout all of 2021 we ask that you look out for the safety and security of all of the members of our armed forces and bring them all home safely. We ask this in your name. Amen.

On a motion by Mr. Veitch, seconded by Mr. Schopf the minutes of the December 9, 2020 and the December 15, 2020 meetings were unanimously approved.

The Clerk presented the following:

Letter dated January 1, 2021 from Interim County Attorney Hugh Burke making the following Assistant County Attorney appointments for the term of January 1, 2021 to December 31, 2021: Michael J. Hartnett, Michelle W. Granger, Vida L. McCarthy-Cerrito, Alexis M. Osborne and Michael P. Naughton, Sr.

Received and Filed.

Letter dated January 4, 2021 from Chad Cooke Deputy County Administrator appointing George P. Conway and Neil S. Weiner as Conflict Defenders effective January 4, 2021 to December 31, 2021.

Received and Filed.

Letter dated January 4, 2021 from Andrew Blumenberg making the following appointments for a term of January 4, 2021 to December 31, 2021: Joseph W. Hammer, First Assistant; Heather N. Brondi, Michael J. Carota, Nicholas D’Alessandra, Matthew A. Maiello, William A. Nowak, Andrew Proler, Frederick Rench, Sarah C. Schellinger, Ann Flower Stitt as Assistant Public Defenders.

Received and Filed.

Letter dated January 6, 2021 from the Saratoga County Water Authority informing the Board of a \$2M transfer/repayment to the County.

Mr. Kusnierz said this is very good news. As the Deputy Treasurer for the County Water Authority he authorized the wire transfer of the \$2M back to the County and he knows the Clerk has a letter from Supervisor Lawler.

“Dear Chairman Kusnierz:

As Chairman of the Saratoga County Water Authority Board of Directors, I am pleased to continue our repayments to Saratoga County. Please find enclosed a copy of a wire transfer in the amount of \$2,000,000 sent on behalf of the Authority. The Authority continues to prove to be a great resource to the residents of Saratoga County. On behalf of the Board of Directors we respectfully thank the Saratoga County Board of Supervisors for their support in making the Authority a great success.”

Copy to All Supervisors

Letter from Regina York regarding the Presidential Election.

Copy to All Supervisors

Letter from the NY Agriculture and Markets approving the renewal plan for the modifications for Saratoga County Agricultural District No. 1.

Copy to Planning

Letters from The Saratoga County Chamber of Commerce, The Fourth District Dental Society, Mazzone Hospitality and emails from Corinth School Superintendent Mark Stratton and Ballston Spa Central School District Kenneth Slentz supporting a resolution to host a mass vaccination site at the Saratoga Springs City Center.

Copy to All Supervisors

On a motion by Mr. Veitch, seconded by Mr. Schopf Resolutions 16 through 36 with the exception of Resolutions 19, 31, 33, 35, and 36 were adopted by a unanimous vote.

RESOLUTION 16 - 2021

Introduced by Supervisors Barrett, Lant, Lucia, O'Connor, Pemrick, Raymond and Zlotnick

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR, AND AMENDING THE 2021 BUDGET IN RELATION THERETO

WHEREAS, a Project BIN 2202570, Ashdown Road over CP Rail, Town of Clifton Park, Saratoga County, PIN 1760.46, (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

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

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

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

RESOLVED, that the sum of \$294,770 is hereby appropriated from the County's Highway Fund and made available to cover the cost of participation in the Design, ROW Incidentals and Acquisition and Construction/Construction Inspection phases of the Project; and, be it further

RESOLVED, that the additional sum of \$2,185,000 is hereby appropriated from the County's Highway Fund and made available to cover the cost of participation in the above phases of the Project; and it is further

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

RESOLVED, that the Chairman of the Saratoga County Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the

municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

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

RESOLVED, this Resolution shall take effect immediately; and, it is further

RESOLVED, that the 2021 County Budget is amended as follows:

PUBLIC WORKS

Appropriations:

Increase Acct.: #D.50.510-7502 Contracted Highway Services	\$ 505,000
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Revenues:

Increase Acct.: #D.50.3590 State Aid – Transportation (15%)	\$ 75,750
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Increase Acct.: #D.50.4590 Federal Aid – Transportation (80%)	\$ 404,000
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Increase Acct.: #D-0599.B Appropriated Fund Balance (5%)	<u>\$ 25,250</u>
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	\$ 505,000
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BUDGET IMPACT STATEMENT: The County’s 5% share totaling \$25,250 will require an appropriation from the Fund D fund balance.

RESOLUTION 17 - 2021

Introduced by Supervisors Barrett, Lant, Lucia, O’Connor, Pemrick, Raymond and Zlotnick

AUTHORIZING A GRADE SEPARATION REHABILITATION AGREEMENT WITH DELAWARE AND HUDSON RAILWAY COMPANY, INC. D/B/A CANADIAN PACIFIC RELATIVE TO THE ASHDOWN ROAD BRIDGE REPLACEMENT PROJECT

WHEREAS, pursuant to Resolution 16-2021, this Board appropriated County Highway Funds for the cost of Design, ROW Incidentals and Acquisition and Construction/Construction Inspection services for the Ashdown Road Bridge over CP Rail replacement Project, Town of Clifton Park, BIN 2202570, PIN 1760.46; and

WHEREAS, the proposed bridge replacement project crosses train tracks at Ashdown Road owned and operated by Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific (“CP Rail”); and

WHEREAS, it is necessary to enter into an agreement with CP Rail in order to pay for the costs incurred by CP Rail for flaggers and temporary rail shutdowns during the replacement of the CP Rail Bridge Superstructure in the Town of Clifton Park; and

WHEREAS, our Public Safety Committee and the Commissioner of Public Works have recommended that the Chair of the Board be authorized to execute an agreement with CP Rail

Providing for the county to pay an amount not to exceed \$334,064 to CP Rail towards the costs of providing flaggers and temporary rail shutdowns during the replacement of the CP Rail Bridge Superstructure; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Delaware and Hudson Railway Company, Inc. d/b/a Canadian Pacific of Clifton Park, New York, providing for the County to pay up to \$334,064 towards the costs incurred by CP Rail for flaggers and temporary rail shutdowns during the replacement of the CP Rail Bridge Superstructure in the Town of Clifton Park, with the form and content of such agreement to be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 18 - 2021

Introduced by Supervisors Barrett, Lant, Lucia, O’Connor, Pemrick, Raymond and Zlotnick

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

WHEREAS, a Project CR 31 (Fortsville Rd) over North Branch Creek, Replace Culvert with Bridge, Town of Moreau, Saratoga County, PIN 1761.40, (the "Project"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

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

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

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

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

RESOLVED, that the sum of \$142,987 is hereby appropriated from the County's Highway Fund and made available to cover the cost of participation in the Design phase of the Project; and, be it further

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

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

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

RESOLVED, this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. The County's 5% share totaling \$906 is already included in the 2021 budget.

Mr. Peck said when he was on Buildings & Grounds, there was a point recyclables were worth money and now we have to pay to have them taken away. He requested the Buildings & Grounds Committee to do a new evaluation under the County's Solid Waste Management Plan to see if we need all the locations. His last recollection was the cost being \$150,000 +/- to contract for the removal. The last time this went to bid it was over \$350,000. He knows these are good services provided to the municipalities but he would like the evaluation to see if it is a requirement or if there is a way to control the cost that is currently being spent on the removal.

Mr. Barrett said this would be under Public Works Committee. He said the Committee can certainly take a look at this but this is a mandated item by NYS that the County must recycle. There is no doubt that the overall market regarding recyclable has diminished as far as value. Most of the items that are collected have value but overall the value has diminished. There are some new efficiencies and technologies in the recycling market taken on by the private sector. He mentioned at the Public Works meeting that they will be touring one such facility this Friday morning. He did throw the idea out to the Committee first and he had three takers. He invited any other Supervisor who may be interested in taking the tour at the facility in the Town of Halfmoon on Route 146 he would provide more details if anyone would like them. We do need to balance the mandate and make sure the County is being convenient as possible when providing recycling services for County residents. He thinks that is the reason the areas were chosen in the beginning. There is only a few places that have the County recycling and are somewhat strategic based on geography.

Mr. Veitch said he was going to say that it would be more appropriate for the Public Works Committee to take then Buildings and Grounds but does appreciate Supervisor Peck's comments. He does remember that in 2013/2014 and part of the contract was the County would not staff the local recycling centers and so that is where that contract payment amount comes in for the towns. There is an employee there that just does recycling and this would offset the cost of the employee as the County was no longer going to fund an employee at that location.

Mr. Barrett said he can also say he asked at the meeting if it was a good structure for the County. Certainly there was very significant savings the first year and then after the first year it levels out a bit what the savings are. Between the full time County employee that was at each location that was discontinued several years ago as Supervisor Veitch mentioned. The County also began to have the full recycle roll offs picked up by a private sector company as opposed to the County having County employees driving the County trucks and so on. Eliminating that cost as well. It was definitely the opinion of the staff at the meeting that it remains a cost savings for the County but there is no doubt that when the value of the material has diminished it does hurt the bottom line.

On a motion by Mr. Veitch, seconded by Mr. Barrett, Resolution No. 19 was adopted by the following vote:
AYES (187238): Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), 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 N. Gaston (13293), Matthew E. Veitch (13293), John Lawler (8423), John Lant (16173).
NOES (6531): Richard Lucia (6531)
ABSENT (25838): Eric Connolly (9776), Daniel Pemrick (7775), Edward D. Kinowski (8287)

RESOLUTION 19 - 2021

Introduced by Supervisors Barrett, Lant, Lucia, O'Connor, Pemrick, Raymond and Zlotnick

AUTHORIZING THE CHAIR TO ENTER INTO INTERMUNICIPAL AGREEMENTS WITH THE TOWNS OF CLIFTON PARK, CORINTH AND MOREAU AND THE CITY OF SARATOGA SPRINGS FOR THE PURPOSE OF MANAGING THE COLLECTION OF RECYCLABLES AT THE COUNTY RECYCLING CENTERS LOCATED IN THEIR RESPECTIVE MUNICIPALITIES

WHEREAS, the County provides for the receipt and transportation of recyclable materials in the County at the County's Recycling Centers located in the Towns of Clifton Park, Corinth, Milton and Moreau, in the City of Saratoga Springs, and at the Edinburg Town Highway Garage; and

WHEREAS, the County Recycling Centers in the Towns of Clifton Park, Corinth and Moreau and the City of Saratoga Springs are located at waste transfer stations respectively owned and operated by the four municipalities, and whereat the solid waste transfer function is managed by Town/City employees, and prior to March 2015 the recyclables collection function was managed by a County employee; and

WHEREAS, in order to promote efficiencies and reduce costs through a consolidation of municipal services, the County adopted a plan in 2014 to: 1) convert the collection of recyclables from multi-stream recycling to single-stream recycling; 2) privatize the transportation of recyclables from all County recyclables transfer stations; and 3) transfer the oversight of the collection of recyclables at all County recyclables transfer stations to the respective local municipalities operating the solid waste transfer station at the site of each County recyclables transfer station; and

WHEREAS, pursuant to Resolution 257-2014, this Board of Supervisors authorized intermunicipal agreements with the Towns of Clifton Park, Corinth and Moreau and the City of Saratoga Springs to transfer the management and oversight of the collection and removal of recyclable materials and scrap metal at the County Recycling Centers located in each Town and City from the County to the respective municipality where each Recycling Center is located, for the term from February 1, 2015 through December 31, 2016, at an annual rate and cost to the County of \$35,000 per municipality, upon the condition that the Towns and the City utilize said monies paid by the County for solid waste and/or recycling purposes; and

WHEREAS, pursuant to Resolution 59-2020, this Board authorized the most recent renewal of the intermunicipal agreements with the County, the Towns of Clifton Park, Corinth and Moreau, and the City of Saratoga Springs for an additional term of one (1) year from January 1, 2020 through December 31, 2020 at an

annual rate and cost to the County of \$35,000 per municipality, upon the condition that the Towns and the City utilize said monies paid by the County for solid waste and/or recycling purposes; and

WHEREAS, the County, the Towns of Clifton Park, Corinth and Moreau, and the City of Saratoga Springs wish to renew their respective intermunicipal agreements for an additional term of two (2) years from January 1, 2021 through December 31, 2022 upon the same terms and conditions as set forth in their agreements for 2020, with an option to renew for an additional two 2-year terms upon the agreement of all parties; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute intermunicipal agreements with the Towns of Clifton Park, Corinth and Moreau, and the City of Saratoga Springs, providing for the management and oversight of the collection and removal of recyclable materials and scrap metals at the County Recycling Center located in each Town and the City by the respective municipality in which each Recycling Center is located, for a term of two (2) years from January 1, 2021 through December 31, 2022 upon the same terms and conditions as set forth in their agreements for 2020, with an option to renew for an additional two 2-year terms upon the agreement of all parties; and, be it further

RESOLVED, that each payment by the County to the Towns and the City shall be conditioned upon the Towns and the City utilizing the monies paid for solid waste and/or recycling purposes; 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: No budget impact.

RESOLUTION 20 - 2021

Introduced by Supervisors Connolly, Kinowski, Lawler, Peck, Pemrick, Smith and Wright

AUTHORIZING THE COUNTY AUDITOR TO APPROVE TAX REFUNDS, CORRECTIONS AND CREDITS IN AMOUNTS NOT TO EXCEED \$2,500

WHEREAS, Real Property Tax Law §554, §556 and §556(8) authorize delegation to the County Auditor of legislative duties relative to the correction, refund and credit of certain taxes; now, therefore, be it

RESOLVED, that, upon the joint recommendations of the Director of the Real Property Tax Service Agency and the County Treasurer, the County Auditor is authorized pursuant to §556 of the Real Property Tax Law to approve for payment tax bill refunds in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor is authorized pursuant to §554 of the Real Property Tax Law to approve corrections of errors on tax rolls in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor is authorized pursuant to §556(8) of the Real Property Tax Law to approve tax credits in amounts not to exceed \$2,500, and be it further

RESOLVED, that the County Auditor shall report to the Real Property Tax Committee all refunds, corrections and credits made pursuant to the authority delegated by this Resolution.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 21 - 2021

Introduced by Supervisors Connolly, Kinowski, Lawler, Peck, Pemrick, Smith and Wright

AUTHORIZING CONVEYANCE OF TAX-ACQUIRED LANDS

WHEREAS, unpaid taxes resulted in the County's acquisition of certain lands in various towns; and

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

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

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

<u>CONVEY TO:</u>	<u>TAX YEAR</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>AMOUNT</u>
The Estate of Donald DeLaMater and Barbara DeLaMater 1742 County Route 113 Schaghticoke, NY 12154	2017	Milton	190-17-2-1.1	\$1,407.15
The Estate of Donald DeLaMater and Barbara DeLaMater 1742 County Route 113 Schaghticoke, NY 12154	2017	Milton	190.17-2-1.2	\$1,891.61

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

RESOLUTION 22 - 2021

Introduced by Supervisors Lant, Allen, Connolly, Lucia, Raymond, Schopf and Smith

AMENDING RESOLUTION 284-2019, AND AUTHORIZING THE CHAIR TO EXECUTE AN AMENDED AGREEMENT WITH THE TOWN OF HALFMOON FOR POLICE SERVICES

WHEREAS, pursuant to Resolution 284-2019 this Board authorized an agreement with the Town of Halfmoon for police services to be provided by the Sheriff’s Department in the year 2020, at a cost of \$221,898.59; and

WHEREAS, Sheriff’s Department and the Town of Halfmoon have agreed to modify the amount to be paid by the Town of Halfmoon to the Sheriff’s Department from \$221,898.59 to \$221,850.00 for police services performed in 2020; and

WHEREAS, it is necessary to amend Resolution 284-2019 to modify the payment made by the Town of Halfmoon to the Sheriff’s Department; and

WHEREAS, our Public Safety Committee and the Sheriff have recommended that Resolution 284-2019 be amended to modify the payment to the Sheriff’s Department by the Town of Halfmoon for police services provided in the year 2020 and to authorize the Chair of the Board to execute either an agreement or an amendment to the agreement with the Town of Halfmoon for said services; now, therefore, be it

RESOLVED, that the first RESOLVED paragraph of Resolution 284-2019 is amended as follows:

RESOLVED, that the Chair of the Board is authorized to execute the following contract with the Town of Halfmoon for the indicated police services in 2020, at a cost of \$221,850.00, with the form and content of such contract being subject to the approval of the County Attorney and the Sheriff:

<u>CONTRACT WITH</u>	<u>TIME OF SERVICES</u>	<u># OF PATROLS</u>	<u>PLACE OF SERVICES</u>	<u>AMOUNT</u>
Halfmoon	Tues-Sun 8:00 a.m. - 4:00 p.m.	1	entire Town of	\$221,850.00
	Tues-Sat 4:00 p.m. - 12:00 a.m.	1	Halfmoon	

and, be it further

RESOLVED, that the Chair of the Board is authorized to execute either an agreement or an amendment to the agreement with The Town of Halfmoon which incorporates the foregoing revision to the payment made by

the Town of Halfmoon to the Sheriff’s Department in 2020, with the form and content of same to be subject to the approval of the County Attorney

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 23 - 2021

Introduced by Supervisors Lant, Allen, Connolly, Lucia, Raymond, Schopf and Smith

AUTHORIZING A 2021 CONTRACT FOR POLICE SERVICES WITH THE TOWN OF HALFMOON

WHEREAS, Resolution 284-2019, as amended by Resolution 22-2021, last authorized a contract with the Town of Halfmoon for additional police services to be provided by the Sheriff’s Department; and

WHEREAS, the Town wishes to extend its contract; and

WHEREAS, the proposed contract includes reimbursement by the Town for all County expenses including salaries, benefits, training, all transportation expenses and patrol cars; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute the following contract with the Town of Halfmoon for the indicated police services in 2021, at a cost of \$226,336.56, with the form and content of such contract being subject to the approval of the County Attorney and the Sheriff:

<u>CONTRACT WITH</u>	<u>TIME OF SERVICES</u>	<u># OF PATROLS</u>	<u>PLACE OF SERVICES</u>	<u>AMOUNT</u>
Halfmoon	Tues-Sun 8:00 a.m. - 4:00 p.m.	1	entire Town of	\$226,336.56
	Tues-Sat 4:00 p.m. - 12:00 a.m.	1	Halfmoon	

and; be it further

RESOLVED, that the Sheriff’s Department shall provide such additional police services to the Town of Halfmoon for added patrols or special detail assignments as shall be determined by the Sheriff, the cost of which services shall be included within the stated contract amount; and be it further

RESOLVED, that the Sheriff shall have the right to modify the foregoing schedule based upon the changing needs of law enforcement in the Town.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 24 - 2021

Introduced by Supervisors Lant, Allen, Connolly, Lucia, Raymond, Schopf and Smith

ACCEPTING AN AID TO PROSECUTION GRANT FOR THE DISTRICT ATTORNEY’S OFFICE

WHEREAS, the State maintains an anti-crime program to strengthen local governments' efforts to combat crime; and

WHEREAS, pursuant to Resolution 209-2019, this board authorized the acceptance of an Aid to Prosecution Grant from the State Division of Criminal Justice Services (DCJS) in the amount of \$57,820 for the term October 1, 2019 through September 30, 2020 to provide salary support to the District Attorney’s Office for the prosecution of violent crimes; and

WHEREAS, the DCJS has informed the District Attorney’s Office that their Aid to Prosecution Program grant has been extended by an additional 6 month for the term October 1, 2019 through March 31, 2021, and the award has increased to \$86,730 for the new 18 month contract period; and

WHEREAS, the acceptance of this DCJS grant requires this Board’s approval; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors, or the County Administrator, is hereby authorized, on behalf of the office of the District Attorney, to execute all necessary documents with the State Division of Criminal Justice Services for the acceptance of an Aid to Prosecution Grant in the amount of \$86,730,

for the term October 1, 2019 through March 31, 2021, with the form and content of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 25 - 2021

Introduced by Supervisors Lant, Allen, Connolly, Lucia, Raymond, Schopf and Smith

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A 2020-2021 DISTRICT ATTORNEY SALARY AID PROGRAM GRANT

WHEREAS, a grant in the amount of \$72,189 is available from the New York State Division of Criminal Justice Services for the purpose of offsetting salary costs for the District Attorney; and

WHEREAS, the acceptance of this 2020-2021 District Attorney Salary Aid Program Grant requires our approval; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the County Administrator is hereby authorized to execute all documents with the New York State Division of Criminal Justice Services necessary to apply for and accept a 2020-2021 District Attorney Salary Aid Program grant in the amount of \$72,189 for the grant period April 1, 2020 through March 31, 2021.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 26 - 2021

Introduced by Supervisors Lant, Allen, Connolly, Lucia, Raymond, Schopf and Smith

AMENDING RESOLUTION 31-2020 TO INCREASE THE AUTHORIZED CONTRACT AMOUNT FOR THE AGREEMENT WITH NATIONAL MEDICAL SERVICES, INC. D/B/A NMS LABS FOR POST-MORTEM TOXICOLOGICAL SERVICES AND AUTHORIZING A RENEWAL AGREEMENT WITH NMS LABS

WHEREAS, in connection with their duties in determining causes of death of persons dying within the County of Saratoga, our County Coroners require the toxicological services of qualified medical laboratories; and

WHEREAS, during the COVID-19 pandemic there has been a significant increase in mortality in Saratoga County; and

WHEREAS, pursuant to Resolution 31-2020, this Board of Supervisors authorized the latest renewal of an agreement with National Medical Services, Inc. d/b/a NMS Labs, to provide post-mortem toxicological services to the County Coroners for the term January 1, 2020 through December 31, 2020, with a total contract cost not to exceed \$50,000; and

WHEREAS, the services rendered by NMS Labs to the County Coroners pursuant to said agreement in 2020 exceeded the authorized contract amount of \$50,000; and

WHEREAS, it is necessary to amend Resolution 31-2020 to increase the contract limit with NMS Labs for laboratory services provided in 2020 from \$50,000 to \$75,000 in order to pay for the increase in costs, and to authorize an amendment to the 2020 contract with NMS Labs; and

WHEREAS, NMS Labs has offered to renew its agreement for an additional term of one year commencing on January 1, 2021 and terminating on December 31, 2021 at its prevailing 2021 Fee Schedule rates charged for routine Postmortem Toxicology panels, as same may be amended from time to time, and at its prevailing 2021 rates for special pricing panels as listed in its Pricing Summary for Toxicology Laboratory Services, as same may be amended from time to time, provided each such test has been ordered by the Coroner's Physician or his assistant; and

WHEREAS, our Public Safety Committee and the County Coroners have recommended that the contract for post-mortem toxicology services with NMS Labs be renewed for an additional term of one (1) year term

commencing on January 1, 2021 and terminating on December 31, 2021, at the foregoing rates proposed by NMS Labs, with total contract costs not to exceed \$75,000; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute a renewal agreement with National Medical Services, Inc. d/b/a NMS Labs of Horsham, Pennsylvania, to provide post-mortem toxicological services for the Saratoga County Coroners' Office for a term of one year commencing on January 1, 2021 and continuing through December 31, 2021 at NMS Labs' prevailing 2021 Fee Schedule rates charged for routine Postmortem Toxicology panels, as same may be amended from time to time, and at its prevailing 2021 rates for special pricing panels as listed in its Pricing Summary for Toxicology Laboratory Services, as same may be amended from time to time, provided each such test has been ordered by the Coroner's Physician or his assistant, with total contract costs not to exceed \$75,000; and, be it further

RESOLVED, that the form and content of such renewal agreement with National Medical Services, Inc. D/B/A NMS Labs shall be subject to the approval of the County Attorney; and, be it further

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute an amended agreement with National Medical Services, Inc. d/b/a NMS Labs to provide post-mortem toxicological services for the Saratoga County Coroners' Office for a term of one year commencing on January 1, 2020 and continuing through December 31, 2020 at NMS Labs' prevailing 2020 Fee Schedule rates charged for routine Postmortem Toxicology panels, as same may be amended from time to time, and at its prevailing 2020 rates for special pricing panels as listed in its Pricing Summary for Toxicology Laboratory Services, as same may be amended from time to time, provided each such test has been ordered by the Coroner's Physician or his assistant, with total contract costs not to exceed \$75,000; and, be it further

RESOLVED, that Resolution 31-2020 is hereby amended accordingly.

BUDGET IMPACT STATEMENT: No budget impact. Funds are available in the 2020 budget and 2021 budget for these expenses

RESOLUTION 27 - 2021

Introduced by Supervisors Lant, Allen, Connolly, Lucia, Raymond, Schopf and Smith

AUTHORIZING AN AGREEMENT WITH TIM GODLEWSKI FOR MORGUE ASSISTANT SERVICES

WHEREAS, the County entered into an existing minor contract with Tim Godlewski for morgue assistant services for the Saratoga County Coroner's Office, effective May 11, 2013, at a rate of \$100 per autopsy; and

WHEREAS, amendments to the agreement dated July 11, 2013 were executed on August 26, 2013, increasing the not to exceed sum from \$5,000 per calendar year to \$10,000 and on February 11, 2016, increasing the not to exceed sum from \$10,000 per calendar year to \$15,000 and January 9, 2018, increasing the per autopsy rate from \$100 per autopsy to \$125 per autopsy; and

WHEREAS, due to an increase in autopsy cases in 2020 as a result of the COVID-19 pandemic, the cost of morgue assistant services provided by Tim Godlewski in 2020 has exceeded the annual minor contract limit of \$15,000; and

WHEREAS, it is necessary to enter into an agreement with Tim Godlewski for the term October 1, 2020 through December 31, 2021 in the amount not to exceed \$30,000 to authorize payment of the amount in excess of the 2020 annual minor of \$15,000; and

WHEREAS, our Public Safety Committee and the County Coroner have recommended that the County enter into an agreement with Tim Godlewski for morgue assistant services for the term October 1, 2020 through December 31, 2021, at a rate of \$125 per autopsy, at a total cost not to exceed \$30,000 in order to authorize payment of said additional amounts expended in 2020 that were in excess of the annual minor contract amount of \$15,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Tim Godlewski of Ballston Lake, New York for morgue assistant services for the term October 1, 2020 through December 31, 2021, at the rate of \$125 per autopsy, at a total cost not to exceed \$30,000; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact. Funds are available in the 2020 budget and 2021 budget to cover these expenses.

RESOLUTION 28 - 2021

Introduced by Supervisors Lant, Allen, Connolly, Lucia, Raymond, Schopf and Smith

AMENDING THE 2021 COUNTY BUDGET TO REAPPROPRIATE \$808,871.53 IN EXPENSES AND REVENUES UNDER EMERGENCY SERVICES

WHEREAS, Resolutions 216-2015, 110-2017, 92-2018, 20-2019 and 27-2020 authorized the acceptance of Statewide Interoperable Communications Grants (“SICG”) from New York State Division of Homeland Security for the enhancement of emergency communications systems in the County and to improve interoperability communications with other counties; and

WHEREAS, unexpended funds from the following SICG grants in the following amounts need to be reappropriated for the Office of Emergency Services to the 2021 County Budget: 2014 SICG grant in the amount of \$186,537; 2016 SICG grant in the amount of \$8,820; 2017 SICG grant in the amount of \$77,599; 2018 SICG grant in the amount of \$18,672; and 2019 SICG grant in the amount of \$517,243; and

WHEREAS, an amendment to the 2021 Saratoga County Budget is needed to reappropriate said unexpended funds; now, therefore, be it

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

EMERGENCY SERVICES:

Appropriations:

SI-14

Increase Acct.: #A.36.366-7051 Communications Equipment	<u>\$ 186,537</u>
Subtotal	\$ 186,537

SI-16

Increase Acct.: #A.36.366-7098 Professional Services	<u>\$ 8,820</u>
Subtotal	\$ 8,820

SI-17

Increase Acct.: #A.36.366-7051 Communications Equipment	\$ 4,719
Increase Acct.: #A.36.366-8160 Data Processing Fees	\$ 11,660
Increase Acct.: #A.36.366-8190 Other Professional Services	\$ 17,570
Increase Acct.: #A.36.366-8520 Software	<u>\$ 43,650</u>
Subtotal	\$ 77,599

SI-18

Increase Acct.: #A.36.366-7033 Personal Computers	\$ 12,828
Increase Acct.: #A.36.366-7051 Communications Equipment	\$ 2,260
Increase Acct.: #A.36.366-8520 Software	\$ 3,456
Increase Acct.: #A.36.366-8521 Minor IT Equipment	<u>\$ 128</u>
Subtotal	\$ 18,672

SI-19

Increase Acct.: #A.36.366-7033 Personal Computers	\$ 16,061
Increase Acct.: #A.36.366-7051 Communications Equipment	\$357,335
Increase Acct.: #A.36.366-7070 Building Components	\$ 990
Increase Acct.: #A.36.366-8190 Other Professional Services	\$ 67,439
Increase Acct.: #A.36.366-8520 Software	<u>\$ 75,418</u>
	\$517,243
Total	\$808,871

Revenues

Increase Acct.: #A.36-3306 Homeland Security	\$808,871
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BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 29 - 2021

Introduced by Supervisors Gaston, Barrett, Connolly, Grasso, Lant, O’Connor and Wood

AUTHORIZING AN AGREEMENT WITH BLUE RASTER LLC FOR TECHNICAL AND TRAINING SUPPORT OF THE ESRI ARC GIS ENTERPRISE SYSTEM SOFTWARE, AND AMENDING THE 2021 BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 140-2020, this Board authorized an agreement with Health Research, Inc. to accept a New York State Department of Health emergency funding Coronavirus Response grant for the period March 16, 2020 through March 15, 2021 in the amount of \$234,991 for local health department’s (LHD) Coronavirus (COVID-19) response activities; and

WHEREAS, allowable expenses included the purchase of an ESRI Enterprise ARC Geographic Information System Software (GIS) system for data management with disease monitoring and contact tracing capabilities, including surveillance and real time reporting of COVID-19 cases; and

WHEREAS, Blue Raster LLC, a Federal General Services Administration corporation, is a service provider that supports ESRI Enterprise ARC GIS system to provide technical and training support for its GIS infrastructure; and

WHEREAS, our Commissioner of Public Health and Health and Social Services Committee have recommended that the County enter into an agreement with Blue Raster LLC to i) install, configure and administer Esri ArcGIS Enterprise System software, ii) support Arc GIS platform configuration; iii) assist with design and build-out of webmaps and web mapping applications for data analytics; iv) provide continued technical support for ArcGIS Enterprise infrastructure, and v) provide support in using the ArcGIS platform as needed for the creation of maps, data visualizations, dashboards, dashboard updates and ArcGIS Hub updates; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Blue Raster LLC of Arlington, Virginia for technical and training support of ESRI Enterprise ARC GIS system software for a term of one year commencing at the signing of said agreement, for a total of 150 hours, at a cost not to exceed \$25,000, with the form and content of such agreement being subject to the approval of the County Attorney.

PUBLIC HEALTH

Appropriations:

Increase Acct.: #A.40.410-8190 Other Professional Services \$ 25,000

Revenues:

Increase Acct.: #A.40-4487 PHEP Federal Aid \$25,000

BUDGET IMPACT STATEMENT: None. 100% Federal Aid

RESOLUTION 30 - 2021

Introduced by Supervisor Gaston, Barrett, Connolly, Grasso, Lant, O’Connor and Wood

AMENDING THE 2021 COUNTY BUDGET TO REAPPROPRIATE REMAINING FUNDS RELATING TO THE COVID-19 PANDEMIC

WHEREAS, on March 17, 2020, pursuant to Resolution 84-2020, in an effort to combat COVID-19 and assist in the effort to ameliorate conditions related to this communicable disease, the Board of Supervisors amended the Saratoga county Budget to effect a transfer of \$1,000,000 from Fund Balance to Saratoga county Public Health Services to allow Public Health Services to hire temporary staff, procure supplies and equipment, and help to meet the needs of those individuals in the community subject to quarantine; and

WHEREAS, the fight against COVID-19 has entered the inoculation phase, where additional adequate facilities, supplies, equipment, and temporary staff are needed to administer vaccine; now, therefore, be it

RESOLVED, that in furtherance of the declaration of a State of Emergency in Saratoga County pursuant to Executive Order No. 2 of 2020, and Resolution 84-2020 of March 17, 2020, this Board of Supervisors hereby reallocates the remainder of these funds in the sum of \$377,446.96 with \$212,579.40 in encumbrances from 2020 moved to the 2021 budget; and, be it further

RESOLVED, that the 2021 budget is amended as follows:

PUBLIC HEALTH

Appropriations:

Increase Acct. #A.40.409-8190 – Other Professional Srv	\$188,723.48
Increase Acct. #A.40.409-8200 – Departmental Supplies	<u>\$188,723.48</u>
	\$377,446.96

Revenue:

Increase Acct: #A.0599.B Appropriated Fund Balance	\$377,446.96
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BUDGET IMPACT STATEMENT: The budget amendment will require a reallocation of fund balance in the amount of \$377,446.96.

Ms. Gaston made a motion, seconded by Mr. Barrett to postpone action on Resolution #31 until after an Executive Session.

Mr. Lawler asked what the rationale was for an Executive Session. Mr. Kusnierz said there are eight reasons you can go into Executive Session. Mr. Hartnett said pursuant to Public Officers Law 105-1(a) under Public Safety and also essentially Public Officers Law 105-a(h) under acquisition, sale or lease of real property where publicity may affect value this would justify executive session.

The Postponement was passed by the following vote:

AYES (185346): Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), 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 N. Gaston (13293), Matthew E. Veitch (13293), John Lant (16173).

NOES (8423): John Lawler (8423),

ABSENT (25838): Eric Connolly (9776), Daniel Pemrick (7775), Edward D. Kinowski (8287)

RESOLUTION 31 - 2021

Introduced by Supervisor Gaston

AUTHORIZING AN AGREEMENT WITH SARATOGA SPRINGS CITY CENTER AUTHORITY FOR LEASE OF THE SARATOGA SPRINGS CITY CENTER FOR COVID-19 VACCINE DISTRIBUTION

WHEREAS, on March 17, 2020, Chairman Preston Allen, pursuant to Resolution 84-2020 declared a County State of Emergency due to the COVID-19 pandemic; and

WHEREAS, on March 17, 2020, the Board of Supervisors, pursuant to Resolution 84-2020 allocated \$1,000,000 to fight COVID-19; and

WHEREAS, the State of New York has indicated that significant numbers of vaccine doses may be available in the near future; and

WHEREAS, the County of Saratoga requires a mass vaccination site with suitable floor space, parking, furnishings, office space, waiting areas, sanitation services, safe ingress and egress, and central location within the County; and

WHEREAS, the Saratoga Springs City Center Authority has agreed to lease its facility at 522 Broadway, Saratoga Springs, New York 12866, which facility can provide the necessary vaccination site services for mass vaccination; and

WHEREAS, the Health and Human Services Committee, on a motion by Chairman of that Committee, Supervisor Gaston, unanimously approved a resolution authorizing the execution of a \$12,000 minor contract

between the County and the Saratoga Springs City Center Authority to hold the facility available for lease by the County for six weeks at a cost of \$2,000 per week commencing January 13, 2021; and

WHEREAS, the Health and Human Services Committee unanimously approved a resolution authorizing rental of the facility at a cost not to exceed \$49,328 per month, commencement contingent on the delivery to the County of sufficient vaccine doses to justify use of the facility as a mass vaccination site, the rental shall be for at least one month, with additional months contingent on vaccine supply and agreement of the parties; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement to lease the Saratoga Springs City Center of a rental of the facility at a cost not to exceed \$49,328 per month, for at least one month, commencement contingent on the delivery to the County from New York State of sufficient vaccine doses as determined by the Commissioner of Public Health; with additional months contingent on vaccine supply and agreement of the parties; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact. Expenses will be covered by funds reappropriated by Resolution 30-2021.

RESOLUTION 32 - 2021

Introduced by Supervisors Schopf, Barrett, Gaston, Tollisen, Veitch, Winney and Wood

SETTING A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #2

WHEREAS, pursuant to Resolution 133-98, this Board of Supervisors approved the consolidation of Saratoga County Agricultural Districts #2, #5 and #6 into Saratoga County Consolidated Agricultural District #2 within the Towns of Ballston, Charlton, Clifton Park, Galway, Malta, and Milton, and the City of Saratoga Springs, and with continued annual reviews involving Agriculture and Markets Law Section 303-b, has expanded the boundaries of the District within the Towns of Ballston, Charlton, Clifton Park, Edinburg, Galway, Greenfield, Malta, Milton Providence and the City of Saratoga Springs ; and

WHEREAS, this Board of Supervisors has received a petition from Frank and Pamela Hoerauf, landowners in the Town of Galway, to include 23.38 ± acres of predominately viable agricultural land located on Hermance Road, identified as Tax Parcel #185.-2-20.27, which parcel is dedicated to cultivate garlic with aspirations of expanding the growing operation and to become a certified garlic grower, within the boundaries of Saratoga County's Consolidated Agricultural District #2; and

WHEREAS, this Board of Supervisors has received a petition from Ziggy and Timber, LLC, in the Town of Corinth, Tax Map #: 73.-2-53.1 and 73.-2-53.2 for a combined total of 32.22 ± acres located on New York State Route 9N, proposed to be utilized for cultivating garlic along with providing syrup, honey, plants, vegetables and eggs to the community; and

WHEREAS, the Town of Corinth is not currently included as a certified municipality within the boundaries of Saratoga County Consolidated Agricultural District #2, but in the event the foregoing petition is approved by this Board of Supervisors, the Town of Corinth will be certified for inclusion within Saratoga County Consolidated Agricultural District #2; and

WHEREAS, the Saratoga County Agricultural & Farmland Protection Board has submitted a report to the Board of Supervisors recommending the inclusion of the respective lands of Frank Hoerauf and Pamela Hoerauf; and Ziggy and Timber, LLC within the boundaries of Saratoga County Consolidated Agricultural District #2; and

WHEREAS, pursuant to Agriculture and Markets Law §303-b(3), this Board of Supervisors is required to hold a public hearing to consider the requests for inclusion and the recommendations of the Saratoga County Agricultural and Farmland Protection Board; now, therefore, be it

RESOLVED, that this Board of Supervisors shall hold a public hearing on the requests of Frank Hoerauf and Pamela Hoerauf; and Ziggy and Timber, LLC for the inclusion of their respective lands within the boundaries of Saratoga County Consolidated Agricultural District #2, on February 10, 2021 at 3:45 p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York; and, be it further

RESOLVED, that the Clerk of the Board of Supervisors shall publish a notice of this hearing in the official County newspapers, and shall mail said notice of public hearing to the Towns of Galway and Corinth, and to the New York State Commissioner of Agriculture and Markets.

BUDGET IMPACT STATEMENT: No budget impact.

On a motion by Mr. Veitch, seconded by Ms. Gaston Resolution #33 was adopted by the following vote:

AYES (175416.5): Joseph Grasso (4133), Philip C. Barrett (18352.5), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), 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 N. Gaston (13293), Matthew E. Veitch (13293), John Lawler (8423), John Lant (16173).

RECUSAL (18352.5): Jonathon Schopf (18352.5).

ABSENT (25838): Eric Connolly (9776), Daniel Pemrick (7775), Edward D. Kinowski (8287).

RESOLUTION 33 - 2021

Introduced by Supervisors Barrett, Gaston, Tollisen, Veitch, Winney and Wood

AUTHORIZING A RENEWAL AGREEMENT WITH ADIRONDACK ENVIRONMENTAL SERVICES, INC. TO CONDUCT LAB TESTING AND WASTEWATER ANALYSIS TO ENSURE COMPLIANCE WITH THE SEWER DISTRICT'S SPDES PERMIT

WHEREAS, testing and wastewater analysis are necessary at the Saratoga County Sewer District No. 1 Wastewater Treatment Plant to be in compliance with its State Pollution Discharge Elimination System (SPDES) Permit; and

WHEREAS, pursuant to Resolution 40-2019, as amended by Resolution 197-2020, this Board of Supervisors authorized a renewal agreement with Adirondack Environmental Services, Inc. to provide lab testing and wastewater analysis services to ensure the Sewer District's compliance with its SPDES Permit, for the term January 1, 2019 through December 31, 2020, at a cost not to exceed \$74,500; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the contract for testing and wastewater analysis services with Adirondack Environmental Services, Inc., be renewed for the term January 1, 2021 to December 31, 2021, at a cost not to exceed \$70,000; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute a renewal agreement with Adirondack Environmental Services, Inc. of Albany, New York to provide lab testing and wastewater analysis services to ensure Saratoga County Sewer District No. 1's compliance with its SPDES permit, for the term of January 1, 2021 to December 31, 2021, at a cost not to exceed \$70,000, with Adirondack Environmental Services, Inc. to charge for its lab testing and wastewater analysis services at its rates in effect at the time the services were rendered to the Sewer District, provided that Adirondack Environmental Services, Inc. shall attach to any voucher submitted to the Sewer District for payment a rate sheet confirming the rates it was charging at the time the services being billed for were rendered; and be it further

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

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 34 - 2021

Introduced by Supervisors Schopf, Barrett, Gaston, Tollisen, Veitch, Winney and Wood

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH TOM KUBRICKY COMPANY, INC. FOR EMERGENCY REPAIRS PERFORMED IN 2020 AND ANY POTENTIAL REPAIRS REQUIRED UNTIL APRIL 2021 FOR SARATOGA COUNTY SEWER DISTRICT NO. 1

WHEREAS, the Saratoga County Sewer District No. 1 utilizes the services of Tom Kubricky Company, Inc. for emergency repair services to sewer systems throughout the County; and

WHEREAS, certain procurement requirements requiring yearly bids were suspended pursuant to this board's Resolution 84-2020, of March 17, 2020 and the County's most recent yearly bid with Tom Kubricky Company, Inc. expired in April of 2020; and

WHEREAS, Tom Kubricky Company, Inc. agreed to extend their pricing from April 2020 to April of 2021 for any emergency repairs they performed on the sewer district system from April of 2020 to April of 2021; and

WHEREAS, our Law & Finance Committee and the Executive Director of Saratoga County Sewer District No. 1 have recommended that the County enter into an agreement with Tom Kubricky Company, Inc. for a not to exceed amount of \$500,000 in order to authorize the payment of \$384,478.25 in emergency repair services completed in 2020 and costs that may be incurred up to and including April 30, 2021; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Tom Kubricky Company, Inc. for a not to exceed amount of \$500,000 in order to authorize payment of \$384,478.25 in emergency repair services performed by Kubricky Company, Inc. in 2020 and to pay for any emergency repair services that may be performed in 2021 up to and including April 30, 2021; and, be it further

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

BUDGET IMPACT STATEMENT: None. Funds are included in the 2021 Budget.

On a motion by Mr. Barrett, seconded by Mr. Lant Resolution No. 35 was TABLED by the following vote:

AYES (134625): Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Kevin Tollisen (21535), Darren O'Connor (14765), Theodore Kusnierz (14728), Tara N. Gaston (13293), Matthew E. Veitch (13293), John Lant (16173).

NOES (59144): Richard Lucia (6531) Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), Arthur M. Wright (2048), Thomas Richardson (5196), Benny Zlotnick (18575), Sandra Winney (1995), Thomas N. Wood, III (5674), Willard H. Peck (5087), John Lawler (8423).

ABSENT (25838): Eric Connolly (9776), Daniel Pemrick (7775), Edward D. Kinowski (8287)

RESOLUTION 35 – 2021 (TABLED)

Introduced by Supervisors O'Connor, Grasso, Lant, Schopf, Richardson, Veitch and Wood

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 3, PRINT NO. 1 OF 2020 ENTITLED "A LOCAL LAW AMENDING THE 2021 COUNTY COMPENSATION SCHEDULE TO PROVIDE A COST-OF-LIVING INCREASE FOR CERTAIN COUNTY OFFICIALS"

WHEREAS, Resolution 256-2020 introduced and presented a proposed Local Law identified as Introductory No. 3, Print No. 1 of 2020, to this Board of Supervisors and scheduled a public hearing thereon for January 13, 2021 at 4:25 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

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

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

RESOLVED, that this Board of Supervisors, on this 19th day of January, 2021 hereby adopts a Local Law identified as Introductory No. 3, Print No. 1 of 2020, as set forth in the annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

INTRODUCTORY NO. 3

PRINT NO. 1

INTRODUCED BY SUPERVISORS: Wood, Grattidge, Lawler, Lucia, Peck, Winney and Wright

COUNTY OF SARATOGA LOCAL LAW - 2021

A LOCAL LAW AMENDING THE 2021 COUNTY COMPENSATION SCHEDULE TO PROVIDE A COST-OF-LIVING INCREASE FOR CERTAIN COUNTY OFFICIALS

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

SECTION 1. The 2021 compensation for the following County officials shall be increased to the following levels, effective January 1, 2021:

ELECTED OFFICIALS

Susan Hayes-Masa, County Coroner	\$ 31,182
David DeCelle, Coroner	\$ 31,182
Michael Zurlo, Sheriff	\$139,601
Craig Hayner, County Clerk	\$120,848
Andrew Jarosh, County Treasurer	\$120,848

APPOINTED OFFICIALS

Christopher Schall, County Auditor	\$ 89,598
Andrew Blumenberg, Public Defender	\$135,095
Margaret McNamara, Director of Human Resources	\$135,182
Anna Stanko, Director of Real Property	\$ 89,209
Tina Potter, Commissioner of Social Services	\$141,918

SECTION 2. This Local Law is subject to a permissive referendum as provided in Municipal Home Rule Law §24.

SECTION 3. This Local Law shall become effective as provided in Municipal Home Rule Law §27.

Mr. Kusnierz said he was just informed that the limit on the credit card is per month not an annual limit. He asked if there was a Supervisor that would move to amend the resolution.

Mr. Barrett made a motion, seconded by Mr. Schopf to move this resolution for discussion.

Ms. Gaston asked if the amount of \$50,000 was for assisting the Incident Command Team in the Covid response. Mr. Kusnierz said it was a total limit per month. The way the resolution was written per annum was put in there. Customarily it has been for the County Administrator to have it per month. Ms. Gaston asked if Resolution #84 of 2020 was also per month. Mr. Kusnierz said yes. Ms. Gaston said there was no change to substance. Mr. Kusnierz said correct.

Mr. Peck said prior to the Covid funding last spring the limit was \$15,000. The Board increased the limit to \$50,000 as part of the Covid spending in case of incidentals. He asked if this was a plan for the duration of the Covid and then to revert to the \$15,000 post Covid or will it be \$50,000 going forward.

Mr. Kusnierz said there has been no discussion on that but he is sure Law & Finance will be willing to take that up at a further date. Mr. Peck said it's something to consider as it is a larger amount for forever. Mr. Kusnierz said absolutely and we are still in the thick of things with the Covid crisis with no end in sight. He said it is appropriate for the \$50,000 per month to remain in place.

Mr. Lawler said he is confused by the \$50,000 per month. He said typically credit cards have a maximum balance and in this case it's \$50,000. And that balance renews itself every time the card is paid down to zero. He is concerned about the statement date received and the available balance. If there was a cross in the mail/payment there may be an issue during the month as to how much is available. It may affect how much the Administration has access to. He is concerned the Board is unintentionally handicapping the flexibility of the Administrator to make purchases when needed as opposed to an arbitrary \$50,000 per month. The Administrator may need to make two purchases of \$50,000 in a given month.

Mr. Kusnierz said he thinks this will shackle the County Administrator even more if the resolution is left as it is drafted for \$50,000 per year limit versus a \$50,000 per month limit.

Mr. Lawler asked where that was stated. Mr. Kusnierz said in the title of the resolution the last two words are per annum.

Mr. Lawler said he would amend the resolution to remove the words per annum so that the amount of money that needs to be spent can be without an arbitrary \$50,000 a month cap.

Mr. Kusnierz said that is acceptable as long as the card has \$50,000 credit limit. Mr. Lawler said that was in the first paragraph of the resolution. Mr. Kusnierz said he is ok with this if someone would like to remove the amendment and offer another amendment to remove the words per annum. Mr. Barrett asked which way Mr. Kusnierz would like this. Mr. Kusnierz said he would leave it up to the Chair of Law and Finance.

Mr. Schopf said it was his recollection it was passed in 2020 for the ability to provide food, supplies, PPE and those types of items to the Incident Command Center. It is his understanding that the credit limit is \$50,000 and that is some type of credit line with Adirondack Trust. He thinks it is a distinction without a difference. He said this should be subject to the terms and the conditions that are on the card. Mr. Schopf said as long as the Administrator is allowed to use the card for the limit that is on the card it doesn't make a difference. Mr. Kusnierz said this discussion is on an amendment. He said if he attempts to go over the \$50,000 it will be declined anyway. If he wanted to make a \$60,000 purchase, it would come to the board anyway.

On a motion by Mr. Lawler, seconded by Mr. Tollisen the words per annum were removed from the title of the resolution.

AYES (175416.5): Joseph Grasso (4133), Jonathon Schopf (18352.5), Richard Lucia (6531), Preston Allen (856), Jean Raymond (1214), Michael Smith (3545), 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 N. Gaston (13293), Matthew E. Veitch (13293), John Lawler (8423), John Lant (16173).

NOES (18352.5): Philip C. Barrett (18352.5).

ABSENT (25838): Eric Connolly (9776), Daniel Pemrick (7775), Edward D. Kinowski (8287).

On a motion by Mr. Schopf, seconded by Ms. Gaston Resolution #36 was adopted as amended by a unanimous vote.

RESOLUTION 36 - 2021

Introduced by Jonathan Schopf, Chairman of the Law & Finance Committee

AUTHORIZING THE USE BY COUNTY ADMINISTRATOR STEVEN J. BULGER, OF THE COUNTY'S CREDIT CARD WITH THE ADIRONDACK TRUST COMPANY IN THE TOTAL AMOUNT OF \$50,000

WHEREAS, the Board of Supervisors, in Resolution 84-2020, authorized a raise in the credit limit of the County's credit card to \$50,000 in order to assist the County's Incident Command Team while it is in operation; and

WHEREAS, the need for continued operation of the Incident Command Team continues due to the COVID-19 pandemic and as of January 11, 2021, Steven J. Bulger has assumed the role of County Administrator; now, therefore, be it

RESOLVED, that in accordance with the Purchasing Procedures of the County of Saratoga, the County Administrator, Steven J. Bulger, is hereby authorized to use the aforesaid credit card under the terms set out in resolution 84-2020.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Kusnierz said before he asks for a motion to go into Executive Session he wanted thank the Department staff for attending to provide any assistance Supervisors may have had with resolutions. He then asked for a motion to go into Executive Session for the purpose of potential contract negotiations related to Public Health and Safety to County residents.

Ms. Gaston made a motion to go into Executive Session. Mr. Grasso seconded the motion. The Board went into Executive Session by a unanimous vote.

On a motion by Mr. Smith, seconded by Ms. Gaston the returned to open session. Mr. Kusnierz asked that the record reflect that no action was taken in Executive Session.

Ms. Gaston said at the suggestion of the Assistant County Attorney, she offered an amendment to the introduced by as it was voted on at the Health and Human Services Committee meeting. She said the resolution should be introduced by all members of that committee.

Ms. Gaston made a motion to move Resolution #31. Mr. Veitch seconded the motion.

Ms. Gaston asked if there needed to be a motion to change the “introduced by”. Mr. Hartnett said that was a technicality and would make that change.

Ms. Gaston made a motion to amend Resolution #31 pursuant to discussions in the first resolved where it says “commencement contingent on the delivery to the County for NYS sufficient vaccines doses” she would add to that “as determined by the Saratoga County Commissioner of Public Health Services”. Mr. Lawler seconded the motion. The amendment was adopted on a unanimous vote.

On a motion by Ms. Gaston, seconded by Mr. Veitch Resolution #31 was adopted as amended by a unanimous vote.

RESOLUTION 31 - 2021

Introduced by Supervisor Gaston

AUTHORIZING AN AGREEMENT WITH SARATOGA SPRINGS CITY CENTER AUTHORITY FOR LEASE OF THE SARATOGA SPRINGS CITY CENTER FOR COVID-19 VACCINE DISTRIBUTION

WHEREAS, on March 17, 2020, Chairman Preston Allen, pursuant to Resolution 84-2020 declared a County State of Emergency due to the COVID-19 pandemic; and

WHEREAS, on March 17, 2020, the Board of Supervisors, pursuant to Resolution 84-2020 allocated \$1,000,000 to fight COVID-19; and

WHEREAS, the State of New York has indicated that significant numbers of vaccine doses may be available in the near future; and

WHEREAS, the County of Saratoga requires a mass vaccination site with suitable floor space, parking, furnishings, office space, waiting areas, sanitation services, safe ingress and egress, and central location within the County; and

WHEREAS, the Saratoga Springs City Center Authority has agreed to lease its facility at 522 Broadway, Saratoga Springs, New York 12866, which facility can provide the necessary vaccination site services for mass vaccination; and

WHEREAS, the Health and Human Services Committee, on a motion by Chairman of that Committee, Supervisor Gaston, unanimously approved a resolution authorizing the execution of a \$12,000 minor contract between the County and the Saratoga Springs City Center Authority to hold the facility available for lease by the County for six weeks at a cost of \$2,000 per week commencing January 13, 2021; and

WHEREAS, the Health and Human Services Committee unanimously approved a resolution authorizing rental of the facility at a cost not to exceed \$49,328 per month, commencement contingent on the delivery to the County of sufficient vaccine doses to justify use of the facility as a mass vaccination site, the rental shall be for at least one month, with additional months contingent on vaccine supply and agreement of the parties; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement to lease the Saratoga Springs City Center of a rental of the facility at a cost not to exceed \$49,328 per month, for at least one month, commencement contingent on the delivery to the County from New York State of sufficient vaccine doses as determined by the Commissioner of Public Health; with additional months contingent on vaccine supply and agreement of the parties; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact. Expenses will be covered by funds reappropriated by Resolution 30-2021.

Ms. Gaston thanked the City Center Director Ryan McMahon for attending to be available for questions.

Mr. Kusnierz said under New Proposals a draft resolution which will be #37 has been sent out and asked the Clerk to read it.

Mr. Smith said the date in the Resolution of January 4, he asked what that was. Mr. Kusnierz said the date should have been January 6; the date of the Organizational Meeting.

Ms. Gaston moved Resolution #37 to be added to the agenda. Mr. Tollisen seconded the motion to add to the agenda. Resolution #37 was added to the agenda on a unanimous vote.

On a motion by Ms. Gaston, seconded by Mr. Lant Resolution #37 was moved for discussion.

Mr. Zlotnick said he was looking at the numbers in the resolution and it says people will be hired at \$22 and \$25 per hour with \$175,000 being set aside. If these people are going to be working full time, is that an adequate number of people do the work.

Mr. Kusnierz asked if Ms. Gaston wanted to address this question. Ms. Gaston said someone else should respond. Mr. Kusnierz asked Mr. Kemper to respond.

Mr. Kemper said this is a result of a meeting that occurred with staff and Commissioner Kuhles. As of right now there are three or four people who are answering phones and performing these services. This is an initial first step that will double what is able to be done right now and free up staff to perform other activities. Mr. Kuhles said this will give the channel/mechanism if there is a need for more, this is a first step. If there is a need for more staff, he would let the Board know.

Ms. Gaston said this was an initiative that was put forth before we proposed any additional allocations of Covid response funds we are making sure of the accounting of the money that was already spent. Ideally expenses like this would come out of that in the future. This hasn't been allocated so this is necessary.

Mr. Allen said there isn't a time frame on this. Ms. McNamara said these are temporary positions. Mr. Allen said there will be no benefits, no insurance, etc. Ms. McNamara said no.

Mr. Kusnierz said Mr. Smith had pointed out a typo on the date. This will be handled as a typo and will be changed administratively.

On a motion by Ms. Gaston seconded by Mr. Lant Resolution #37 was adopted by a unanimous vote.

RESOLUTION 37 - 2021

Introduced by Supervisor Gaston

AMENDING THE 2021 COMPENSATION SCHEDULE UNDER PUBLIC HEALTH SERVICES, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, on January 6, 2021 the Chairman of the Board of Supervisors provided that the top priority of the Saratoga County Board of Supervisors shall be enhancing the response and efforts to combat the ongoing COVID-19 Pandemic; and

WHEREAS, the Commissioner of Health has proposed the creation of “Temporary COVID Response Support Personnel” and “COVID Response Coordinator” to assist Public Health in activities such as answering phones, triaging calls to appropriate staff, assembling data, data input, flow control, Point of Distribution personnel and to assist Public Health staff and the general public in preparing and submitting documentation requirements; and

WHEREAS, the Commissioner of Health has recommended that the 2021 Saratoga County Compensation Schedule be amended under “Public Health” to create temporary positions of COVID Response Support Personnel as needed at the base salary of \$22.00/hr.; and to create temporary positions of COVID Response Coordinator as needed at the base salary of \$25.00/hr.; now, therefore, be it

RESOLVED, that the 2021 Saratoga County Compensation Schedule is amended as follows:

UNDER PUBLIC HEALTH:

- Create Temporary COVID Response Support Personnel, Base \$22.00/Hr.
- Create Temporary COVID Response Coordinator, Base \$25.00/Hr.

;and, be it further

RESOLVED, that the 2021 County Budget is amended as follows:

PUBLIC HEALTH

Appropriations

Increase Acct. #A.40.409-600 Regular Wages	\$170,000.00
Increase Acct. #A.40-409-6930 Social Security	\$13,005.00

Revenues

Increase Acct. #A.0599.B Appropriated Fund Balance	\$183,005
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BUDGET IMPACT STATEMENT: Authorizing the hiring of additional temporary employees to respond to the COVID-19 pandemic will require an appropriation of fund balance in the amount of \$183,005.

Mr. Kusnierz said for the record, under other business, he had named Supervisor Winney as the Chair of the Racing Committee. She has requested that she remain on the Committee but would not like to serve in the capacity as Chair. He said he received her email on January 13th and had asked Supervisor Zlotnick to serve as Chair as the Racing Committee. He has graciously agreed.

Mr. Veitch wanted to highlight again the County would be participating in the Covid 19 Memorial this evening. The lights will be left on in County buildings to honor those who have passed from Covid 19. He said he appreciated Naco for asking the County to join in that celebration. He pointed out the conference tables and chairs that were purchased from the Capital Resource Corporation and thanked them for asking the County first.

On a motion by Mr. Smith, seconded by Ms. Gaston the meeting adjourned by a unanimous vote.

Respectfully submitted,

Pamela A. Wright, Clerk