



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 38 - 2021**

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

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

WHEREAS, Saratoga County Public Health Services is on a path towards becoming a full service Health Department in New York State, with a projected starting date of January 1, 2022; and

WHEREAS, as the county moves forward through to the eventual end of the COVID-19 pandemic and beyond, Public Health Services is in need of strong epidemiology capabilities for data analysis, displaying data, case investigation and contact tracing; and

WHEREAS, the Commissioner of Public Health has proposed that Public Health Services employ two (2) Public Health Epidemiologists; and one (1) Supervising Public Health Epidemiologist to investigate patterns and causes of disease and injury in humans to reduce the risk and occurrence of negative health outcomes through research, community education health policy; and

WHEREAS, the Commissioner of Public Health has proposed that Public Health Services employ one (1) Senior Public Health Educator to develop health education campaigns in order to educate the broadest group of people possible; and

WHEREAS, the Human Resources and Insurance Committee, the Director of Human Resources and the Commissioner of Public Health have recommended that the 2021 Saratoga County Compensation Schedule be amended under "Public Health Services" to create two (2) positions of Public Health Epidemiologist, Grade 15, Step 1A at the base salary of \$73,127, one (1) position of Supervising Public Health Epidemiologist, Grade 17, Step 1A at the base salary of \$83,444, and one (1) position of Senior Public Health Educator at the base salary of \$59,522 in the Compensation Schedule; now, therefore, be it

RESOLVED, that the 2021 Saratoga County Compensation Schedule is amended effective March 5, 2021 as follows:

#### **UNDER PUBLIC HEALTH SERVICES:**

Create (2) Public Health Epidemiologist, Grade 15, Step 1A, Base \$73,127

Create (1) Supervising Public Health Epidemiologist, Grade 17, Step 1A, Base \$83,444

Create (1) Senior Public Health Educator, Base \$59,522

and, be it further

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

PUBLIC HEALTH SERVICES

Appropriations:

Increase Acct.: #A.40.409-6000 Regular Wages	\$ 289,220
Increase Acct.: #A.40.409-6910 Retirement	\$ 43,383
Increase Acct.: #A.40.409-6930 Social Security	\$ 22,125
Increase Acct.: #A.40.409-6960 Health Insurance	<u>\$ 108,023</u>
	\$ 462,751

Revenues:

Increase Acct.: #A.0599.B Appropriated Fund Balance	\$ 462,751
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BUDGET IMPACT STATEMENT: Funds for these new positions will be covered by fund balance.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 39 - 2021**

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

**AUTHORIZING THE ACCEPTANCE OF ADDITIONAL FUNDS FROM NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR THE SAFE HARBOUR NY PROGRAM, AUTHORIZING A RENEWAL AGREEMENT WITH SARATOGA CENTER FOR THE FAMILY, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, pursuant to Resolution 46-2016, this Board of Supervisors authorized the Saratoga County Department of Social Services to accept a five (5) year Safe Harbour grant in the amount of \$483,600 from the New York State Office of Children and Family Services ("OCFS") for the development of human trafficking awareness and critical services programs for youth in need; and

WHEREAS, pursuant to Resolution 124-2016, this Board authorized an agreement with Saratoga Center for the Family, a local not-for-profit organization with experience in treating victims of human trafficking and the commercial sexual exploitation of children, to serve as the lead agency in the development of a human trafficking awareness program for Saratoga County, and to assist in the development of a critical services team within the County to meet the needs of youth that are identified as victims of labor and/or sex trafficking, with the term of said agreement to be from June 1, 2016 through December 31, 2016 at a cost not to exceed \$85,000; and

WHEREAS, pursuant to Resolution 79-2017 this Board authorized a renewal agreement with the Saratoga Center for the Family to continue to serve as the lead agency in the development and administration of a human trafficking awareness program in Saratoga County, and to assist in the development of a critical services team within the County to meet the needs of youth that are identified as victims of labor and/or sex trafficking, with said renewal agreement to be for the term January 1, 2017 to December 31, 2017 at a cost not to exceed the 2017 Safe Harbour grant amount of \$108,000, subject to annual renewal for up to three (3) additional years at a cost not to exceed the annual Safe Harbour grant amounts of \$108,000 in 2018, \$91,800 in 2019 and \$70,030 in 2020; and

WHEREAS, New York State OCFS has allocated an additional \$34,000 for the County's continued participation in the Safe Harbour NY program in 2021 for the specific purpose of meeting the needs of sexually exploited children through age 21; and

WHEREAS, the acceptance of these OCFS grant funds requires this Board's approval and an amendment to the 2021 County Budget; and

WHEREAS, the Commissioner of the Saratoga County Department of Social Services has proposed renewing the County's agreement with Saratoga Center for the Family to meet the needs of youth that are identified as victims of sex trafficking with the term of said agreement to be from February 1, 2021 through December 31, 2021 at a cost not to exceed \$29,000; and

WHEREAS, our Health and Human Services Committee has recommended that the proposal of the Commissioner of Social Services be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Commissioner of Social Services are hereby authorized to execute a renewal agreement with the Saratoga Center for the Family of Saratoga Springs, New York, for the provision of the development and administration of a human trafficking awareness program in Saratoga County, and to assist in the development of a critical services team within the County to meet the needs of youth that are identified as victims of labor and/or sex trafficking, with said renewal agreement to be for the term February 1, 2021 through December 31, 2021 at a cost not to exceed \$29,000; and, be it further

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

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

DEPARTMENT OF SOCIAL SERVICES:

Appropriations:

Increase Acct.: #A.60-610-7605 Safe Harbour	\$34,000
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Revenues:

Increase Acct.: #A.60.3644 Safe Harbour	\$34,000
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BUDGET IMPACT STATEMENT: None. 100% State Aid.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 40 - 2021**

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

#### **AUTHORIZING THE ACCEPTANCE OF ADDITIONAL AID FROM THE STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS) FOR THE YOUTH BUREAU'S 2020 YDP AND RHYA CONTRACTS**

WHEREAS, Resolution 225-2020 authorized the Youth Bureau Director's 2020 Resources Allocation for programs and agencies participating in its Youth Development Program (YDP) and its Runaway Homeless Youth Act (RHYA) program to include County sponsorship, administration and payment responsibility for one-half of the programs' costs; and

WHEREAS, additional state funding is available in the amount of \$16,047 for 2020 YDP Contracts and \$13,294 for the 2020 RHYA Contract.

WHEREAS, our Health & Human Services Committee and the Youth Bureau Director would like to accept these additional program funds in the amount of \$16,047 and \$13,294 and appropriate the funds into Saratoga County Youth Bureau's 2020 Program Budget for the aforementioned purpose; and

WHEREAS, the State Office of Children and Family Services (OCFS) offers 60% state funding, 40% local share, for qualified local services or agencies participating in its Runaway Homeless youth Act (RHYA) program; and

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

RESOLVED, that the Chair and Clerk of this Board and the Youth Bureau Director are hereby authorized and directed to execute any and all documents necessary to accept additional aid from the State Office of Children and Family Services (OCFS) in the amount of \$16,047 and \$13,294 for use in the 2020 Youth Bureau Resources Allocation for the County and its local governments; and, be it further

RESOLVED, that the Chair of the Board is authorized to execute amendments to the following subcontracts for acceptance of the following additional 2020 YDP funds by the following agencies:

<u>AGENCY</u>	<u>2020</u> <u>Additional YDP</u>
4-H Youth Service Project	\$ 706
Ballston Area Recreation Commission – BARC	\$ 616
CAPTAIN CAPteens (Clifton Park)	\$ 610
CAPTAIN CAPteens (Halfmoon)	\$ 164
Cool Out of School (Prevention Council)	\$ 0

Family Enrichment Services (Catholic Charities)	\$ 1,878
Job Assist - Ballston Spa (CAPTAIN Community Human Services)	\$ 433
Job Assist - Burnt Hills (CAPTAIN Community Human Services)	\$ 446
Job Assist - Clifton Park (T/Clifton Park)	\$ 385
Juvenile Aid (T/Waterford)	\$ 0
Lively Library Learning (Southern Adirondack Library System)	\$ 0
Mentoring (Big Brothers/Big Sisters of Capital Region)	\$ 498
Moreau Community Center - Camp Moreau	\$ 0
Moreau Community Center - Kids Korner	\$ 321
Outreach in the Park (CAPTAIN Community Human Services)	\$ 340
Parent and Child Support Services - Saratoga Center for the Family	\$ 932
Project LIFT - Franklin Area Community Center, Inc.	\$ 1,380
Project LIFT Volunteers - Franklin Area Community Center, Inc.	\$ 369
Saratoga Mentoring Program (Catholic Charities)	\$ 1,293
Schuylerville Youth Program (Greater Schuylerville Youth Center)	\$ 995
Support Treatment Groups for Children - Saratoga Center for the Family	\$ 157
Youth CPR (T/Clifton Park)	\$ 0
Youth Development Program (Mechanicville Area Community Services Center)	\$ 918
Youth Enrichment Program (T/Clifton Park)	\$ 472
SACC Teen Nights (Stillwater Area Community Center)	\$ 262
Youth Referral Service (T/Galway)	\$ 32
Youth Social Recreation (Ballston Area Community Center)	\$ 0
Burnt Hills-Ballston Lake Summer Recreation Program - T/Ballston	\$ 0
Corinth Youth Commission	\$ 0
Drop-In Program - T/Wilton	\$ 473
Edinburg Youth Recreation	\$ 0
Galway Recreation Program	\$ 332
Greenfield Summer Recreation	\$ 407
Hadley Luzerne Youth Recreation	\$ 0
Learn to Swim - T/Waterford	\$ 0
Recreation Summer Youth Program - T/Northumberland	\$ 0
Saratoga Joint Youth Recreation - T/Saratoga	\$ 0
Saratoga Springs Recreation Commission	\$ 894
Town of Halfmoon Recreation	\$ 0
Town of Malta Summer Recreation Program	\$ 329
Town of Milton Recreation Program	\$ 0
Town of Moreau Summer Youth Program	\$ 405
Youth Recreation Program - C/Mechanicville	\$ 0
Youth Recreation Program - T/Waterford	\$ 0
Youth Recreation Program - V/Waterford	\$ 0
	<u>\$16,047</u>

and, be it further

RESOLVED, that the Chair of the Board is authorized to execute the following subcontract for acceptance of the additional 2020 RHYA funds by the following agency:

<u>AGENCY</u>	<u>2020</u>
CAPTAIN/Youth Shelter	<u>Additional RHYA</u>
	\$13,294

BUDGET IMPACT STATEMENT: None. Funds were included in the 2020 Budget.



# **SARATOGA COUNTY BOARD OF SUPERVISORS**

## **RESOLUTION 41 - 2021**

**Introduced by Supervisors Gaston, Barrett, Connolly, Grasso, Peck, Smith and Veitch**

### **APPROVING AN INFORMATION TECHNOLOGY DEPARTMENT DATACENTER REFRESH PROJECT AND REMOTE WORK SOLUTION, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, pursuant to Resolution 27-2015, this Board established a capital account fund for the County's Data Processing 2015 network infrastructure project creating a centralized server environment and a single domain for the County, the creation of a remote disaster recovery site that meets State standards, and improvements to fire suppression security and HVAC equipment and facilities at the County's Data Center; and

WHEREAS, with the rise of COVID-19 and recent technology initiatives, the County's IT Datacenter needs to be refreshed as soon as possible which will allow for better performance, greatly increased security and the ability for more flexible remote working capabilities which will resolve resource and performance issues for the next five years or longer, while allowing the County to continue to grow its environment; and

WHEREAS, necessary changes to the Datacenter include, but are not limited to: i) replacing the five host servers with six new servers; ii) purchasing a new storage device which would double the county's current storage; iii) replacing and upgrading the datacenter switches; iv) replacing the core switch in Building #5; and v) replacing the firewall with a new device capable of high levels of security; and

WHEREAS, it is necessary to amend the 2021 Saratoga County Budget to effect a transfer of \$607,538 from Fund Balance to fund these changes to the Datacenter and to add a remote work solution; and

WHEREAS, our Technology & Resiliency Committee and the Director of Information Technology have recommended the County of Saratoga Information Technology Department Datacenter Refresh Project at a cost of \$590,913 and the Remote Work Solution at a cost of \$16,625 be approved; now, therefore, be it

**RESOLVED**, the County of Saratoga Information Technology Department Datacenter Refresh Project including a Remote Work Solution is approved; and, be it further

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

INFORMATION TECHNOLOGY

Appropriations:

Increase Acct. #: A.23.000-7032 PC Networks	\$549,887
Increase Acct. #: A.23.000-8520 Software	\$ 42,801
Increase Acct. #: A.23.000-8190 Other Professional Services	<u>\$ 14,850</u>
	\$607,538

Revenues:

Increase Acct. #: A-0599.B Appropriated Fund Balance	\$607,538
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BUDGET IMPACT STATEMENT: Funds will be covered from appropriated fund balance.





## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 42 - 2021**

**Introduced by Supervisors Veitch, Lant, Lucia, O'Connor, Richardson, Tollisen and Winney**

**INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS  
INTRODUCTORY NO. 1, PRINT NO. 1 OF 2021 AUTHORIZING  
THE LEASING OF REAL PROPERTY OF THE COUNTY OF  
SARATOGA TO GATEWAY HOUSE OF PEACE, INC., AND  
SETTING A DATE FOR A PUBLIC HEARING THEREON**

WHEREAS, pursuant to Local Law No. 2 of 2011, this Board of Supervisors adopted a Local Law authorizing the leasing of real property of the County of Saratoga to Gateway House of Peace, Inc. at 479 Rowland Street in the Town of Milton, for the purposes of operating a hospice home for terminally ill people and their families and providing related services for an initial term of five (5) years with an option to renew for an additional five (5) years at a rent to be paid to the County of Saratoga of One (\$1.00) Dollar per year with the tenant agreeing to repair refurbish and upgrade the property and to use it solely for the quasi-public purpose of operating a hospice home with said lease being a net lease with the tenant assuming all costs relative to the operation and maintenance of the property; and

WHEREAS, the lease with Gateway House of Peace, Inc. will expire May 14, 2021; and

WHEREAS, Gateway House of Peace, Inc. has requested that the County renew its lease of the property on Rowland Street in the Town of Milton to Gateway House of Peace, Inc. for the continued quasi-public purposes of operating a hospice home and providing related services; and

WHEREAS, the Building and Grounds Committee and the Commissioner of Public Works has recommended that the County renew its lease with the Gateway House of Peace, Inc. under the same terms for an initial term of five (5) years with an option to renew for an additional five (5) years at a rent to be paid to the County of Saratoga of One (\$1.00) Dollar per year with the tenant agreeing to maintain and/or upgrade the property as necessary; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 1 Print No. 1 of 2021, entitled "A LOCAL LAW AUTHORIZING THE LEASING OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO GATEWAY HOUSE OF PEACE, INC.", which is attached hereto as SCHEDULE A, is hereby introduced before this Saratoga County Board of Supervisors, and this Board of Supervisors shall hold a Public Hearing thereon on March 10, 2021 at 3:30 p.m., or as soon thereafter as the Board can convene, in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law; and, be it further

RESOLVED, due to public health and safety concerns related to COVID-19, and in accordance with Governor Cuomo's Executive Order 202.1, as last extended by Executive Order 202.79, public comment will be received via email to: [publiccomment@saratogacountyny.gov](mailto:publiccomment@saratogacountyny.gov),

or by written correspondence addressed to: Clerk of the Board, Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, NY, 12020, which public comment must be received by March 10, 2021 at 3:30 p.m.; and, be it further

RESOLVED, that the Clerk of the Board shall publish a notice of this public hearing in the official County newspapers; and, be it further

RESOLVED, that the Clerk of the Board shall post the notice of this public hearing on the home page of the County of Saratoga's website.

BUDGET IMPACT STATEMENT: No budget impact.

INTRODUCTORY NO. 1

PRINT NO. 1

INTRODUCED BY: Supervisors Veitch, Lant, Lucia, O'Connor, Richardson, Tollisen and Winney

COUNTY OF SARATOGA  
LOCAL LAW - 2021

A LOCAL LAW AUTHORIZING THE LEASING OF REAL PROPERTY  
OF THE COUNTY OF SARATOGA TO GATEWAY HOUSE OF PEACE, INC.

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

SECTION 1. The County of Saratoga is the owner of real property located in Town of Milton which is identified on the Tax Maps of the Town of Milton as Section 177.14, Block 2, Parcel 21.1, which was conveyed to the County of Saratoga by Warranty Deed from Henry P. Witthohn and Judith Witthohn, recorded in the Saratoga County Clerk's Office in Book 1247 of Deeds at Page 520 on November 7, 1988. There is an existing brick building on the premises which Gateway House of Peace, Inc., a not-for-profit corporation, has been leasing from the County since May of 2011 and has requested a renewal of its lease for the purposes of operating a hospice home for terminally ill people and their families and providing related services. The term of such lease is for an initial five (5) years, with the tenant to have the option of renewal for an additional five (5) years. The rent to be paid to the County of Saratoga shall be One (\$1.00) Dollar per year with the tenant agreeing to maintain and/or upgrade the property as necessary and to use it solely for the quasi-public purpose of operating a hospice home for terminally ill people and their families and providing related services. The lease shall be a net lease with the tenant assuming all costs relative to the operation and maintenance of the property. The form and content of the lease agreement shall be subject to the approval of the County Attorney.

SECTION 2. Notwithstanding the provisions of Section two hundred fifteen of the County Law, or any other law of the State of New York, authorization is hereby given to the Chairman of the Saratoga County Board of Supervisors to execute a lease of the real property identified on the Tax Maps of the Town of Milton, Saratoga County New York as Section 177.14, Block 2, Parcel 21.1 to Gateway House of Peace, Inc. for its quasi-public purposes of operating a hospice house and providing related services, and for the municipal purposes of maintaining the County's property in a structurally sound and usable condition, with such lease to be subject to the approval of the County Attorney.

SECTION 3. This Local Law is subject to a permissive referendum as provided in Section 24 of the Municipal Home Rule Law.

SECTION 4. This Local law shall take effect after it is filed as provided in Section 27 of the Municipal Home Rule Law.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 43 - 2021**

**Introduced by Supervisors Veitch, Lant, Lucia, O'Connor, Richardson, Tollisen and Winney**

#### **AUTHORIZING AN AGREEMENT WITH AUCTIONS INTERNATIONAL, INC. FOR THE CONDUCT OF AN AUCTION FOR THE SALE OF 31 WOODLAWN AVENUE IN THE CITY OF SARATOGA SPRINGS**

WHEREAS, the premises at 31 Woodlawn Avenue, Saratoga Springs is presently owned by the County of Saratoga; and

WHEREAS, the County of Saratoga seeks to auction the premises for the benefit of the citizens of the County of Saratoga; and

WHEREAS, pursuant to Resolution 191- 2020, as amended by Resolution 214-2020, the Saratoga County Board of Supervisors authorized a lease of the 2<sup>nd</sup> floor (ground floor) of the Woodlawn Avenue building to Shelters of Saratoga for use as an overflow homeless shelter as well as a hub for homeless outreach efforts, with the lease expiration coinciding with the end of Code Blue Season on March 31, 2021; and

WHEREAS, as the Governor of the State of New York has declared a State of Emergency due to the ongoing COVID-19 pandemic, the auction must be conducted online due to restrictions issued by the Governor of the State of New York and the New York State Department of Health; and

WHEREAS, the County of Saratoga issued a Request for Proposals, Saratoga County Specification 21-RFPAWAOB-1, for the services of an Auctioneer to conduct an online auction to be conducted beginning April 6, 2021 and ending April 28, 2021; and

WHEREAS, the Buildings and Grounds Committee of the Saratoga County Board of Supervisors has selected the proposal submitted by Auctions International, Inc. as the best proposal received; now, therefore, be it

**RESOLVED**, that the Chair of the Board is hereby authorized to execute an agreement with Auctions International, Inc. for the auction and sale to the highest responsible bidder of 31 Woodlawn Avenue, City of Saratoga Springs, New York; and, be it further

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

**BUDGET IMPACT STATEMENT:** None. Fees associated with services are collected from the successful bidder through a buyer's premium, with no cost to the County.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 44 - 2021**

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

#### **AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH THE PREVENTION COUNCIL OF SARATOGA COUNTY INC. FOR CERTIFIED RECOVERY PEER ADVOCATE SERVICES AT THE SARATOGA COUNTY CORRECTIONAL FACILITY**

WHEREAS, for the past several years, the Saratoga County Correctional Facility has engaged the services of a Certified Recovery Peer Advocate (“CRPA”) through The Prevention Council of Saratoga County Inc. (“Prevention Council”); and

WHEREAS, said services provided by the CRPA include working with the inmate population to promote inmate addiction recovery, offering support, advocacy and skill development opportunities, and assisting inmates in identifying and accessing post-incarceration addiction treatment services; and

WHEREAS, our Public Safety Committee and the Sheriff wish to enter into an agreement with the Prevention Council for the provision of a Certified Peer Recovery Advocate to be assigned full time to the Saratoga County Correctional Facility for the term January 1, 2021 through December 31, 2021 at a cost not to exceed \$35,000; now, therefore, be it

RESOLVED, that the Chairman of the Board, Sheriff or County Administrator are hereby authorized to enter into an agreement The Prevention Council of Saratoga County Inc. for the provision of a Certified Recovery Peer Advocate to be assigned full time to the Saratoga County Correctional Facility for the purpose of providing CRPA services to the inmate population, for the term January 1, 2021 through December 31, 2021, at a cost not to exceed \$35,000; 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: None. Funds for this agreement were included in the 2021 budget.



**SARATOGA COUNTY BOARD OF SUPERVISORS**

**RESOLUTION 45 - 2021**

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

**AUTHORIZING A 2021 CONTRACT FOR POLICE SERVICES  
WITH THE TOWN OF WILTON, AMENDING THE 2021 COMPENSATION  
SCHEDULE UNDER THE SHERIFF’S DEPARTMENT, AND AMENDING THE 2021  
COUNTY BUDGET IN RELATION THERETO**

WHEREAS, The Town of Wilton has requested authorization for a proposed three (3) year contract for Specialized Law Enforcement services for the Town of Wilton to be provided by the Sheriff’s Department; and

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

WHEREAS, our Public Safety Committee, the Director of Human Resources, and the Sheriff have recommended that: i) the County enter into an agreement with the Town of Wilton for Specialized Law Enforcement services for a term of three years commencing March 1, 2021; and ii) the 2021 Saratoga County Compensation Schedule be amended under the Sheriff’s Department to create one new position of PBA Contract Deputy Sheriff at a base salary of \$55,255; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a contract for police services with the Town of Wilton, for one patrol operating Monday through Friday from 8:00 a.m. to 4:00 p.m. covering the entire Town of Wilton, for a term of three years commencing on March 1, 2021 and terminating on December 31, 2023, at a total cost of \$275,904.47 to be paid as follows:

- 1) March 1, 2021 – December 31, 2021: \$ 74,093.75
- 2) January 1, 2022 – December 31, 2022: \$ 99,896.76
- 3) January 1, 2023 – December 31, 2023 \$101,023.96

and, be it further

RESOLVED, that the 2021 Saratoga County Compensation Schedule is amended effective March 1, 2021 as follows:

UNDER SHERIFF’S DEPARTMENT

Create one (1) PBA Contract Deputy Sheriff at base salary	\$55,255
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and, be it further

RESOLVED, that the Sheriff's Department shall provide such police services to the Town of Wilton 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; and be it further

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

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

SHERIFF'S DEPARTMENT

Appropriations:

Increase Acct.: #A.30.000-6000 Regular Wages	\$ 41,441.25
Increase Acct.: #A.30.000-6960 Health Insurance	\$ 24,864.75
Increase Acct.: #A.30.000-7041 Cars & Light Trucks	\$ 5,203.61
Increase Acct.: #A.30.000-8518 Uniform Expenses	\$ 712.50
Increase Acct.: #A.30.000-8533 Telephone	\$ 360.00
Increase Acct.: #A.30.000-8231 Police Supplies	<u>\$ 1,511.64</u>
	\$ 74,093.75

Revenue:

Increase Acct.: #A.30-2262 Reimb For Sheriff Services	\$ 74,093.75
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BUDGET IMPACT STATEMENT: Neutral impact. The expenses incurred by the Sheriff to provide these services will be reimbursed by the Town of Wilton.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 46 - 2021**

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

**PROPOSING THE EXECUTIVE ORDER 203 COMPLIANCE GROUP JANUARY 2021 REPORT BE CONSIDERED FOR ADOPTION BY THE BOARD OF SUPERVISORS, AND SCHEDULING A PUBLIC COMMENT PERIOD FOR COMMUNITY INPUT PRIOR TO RATIFICATION**

WHEREAS on July 12, 2020, Governor Andrew M. Cuomo issued Executive Order 203, entitled the “New York State Police Reform and Reinvention Collaborative;” and

WHEREAS, Executive Order 203 requires that all municipalities within New York State who have a law enforcement agency must perform a comprehensive review of strategies, deployment practices, and policies for the purpose of addressing the needs of communities served by the police agency and promote community engagement to foster trust, fairness, and legitimacy and to address any racial bias and disproportionate policing of communities of color; and

WHEREAS, on October 14, 2020, the Chairman of the Board appointed the seven-member “Executive Order 203 Compliance Group” to conduct a comprehensive review of the Saratoga County Sheriff’s Office, including strategies, deployment practices, and policies; to consult with stakeholders and thereafter submit a report and any recommendations to the Board of Supervisors for consideration; and

WHEREAS, the Executive Order 203 Compliance Group sought public input through written comments and survey responses, held forums with stakeholder groups on November 4, 2020, November 10, 2020, November 18, 2020, December 2, 2020, December 10, 2020, and December 16, 2020; and held public forums on January 5, 2021 and January 7, 2021, to consider and discuss policing strategies, deployments and policies; and

WHEREAS, on February 2, 2021, the Executive Order 203 Compliance Group presented the Executive Order 203 Compliance Group – January 2021 Report, to the Saratoga County Board of Supervisors Public Safety Committee; and

WHEREAS, Executive Order 203 requires that the plan or recommendations being considered by the Board of Supervisors must be offered for “public comment” prior to ratification or adoption; and

WHEREAS, Executive Order 203 requires that the plan or recommendations being considered be ratified or adopted by the Board of Supervisors prior to April 1, 2021; now, therefore be it



RESOLVED, that the Executive Order 203 Compliance Group – January 2021 Report be accepted for consideration by the Saratoga County Board of Supervisors as recommended by the Public Safety Committee; and be it further

RESOLVED, that the Executive Order 203 Compliance Group – January 2021 Report be offered for public comment prior to ratification at the March 2021 Regular Meeting of the Saratoga County Board of Supervisors, such public comments to be submitted via email to: [publiccomment@saratogacountyny.gov](mailto:publiccomment@saratogacountyny.gov), or by written correspondence addressed to: Clerk of the Board, Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, NY, 12020, which public comment must be received by March 5, 2021 at 4:25 pm; and, be it further

RESOLVED, that the Clerk of the Board shall post the notice of the public comment period and a copy of the Executive Order 203 Compliance Group – January 2021 Report on the home page of the County of Saratoga’s website and shall additionally provide notification of the public comment period to the Official Newspapers of Saratoga County as identified by Resolution 2-2021.

BUDGET IMPACT STATEMENT: No budget impact.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 47 - 2021**

**Introduced by Supervisors Barrett, Gaston, Grasso, Schopf, Tollisen, Winney and Wood**

#### **APPROVING AMENDMENTS TO THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICT #2 AND AUTHORIZING ISSUANCE OF A NEGATIVE DECLARATION UNDER SEQRA**

WHEREAS, New York State Agricultural and Markets Law Article 25-AA allows landowners with viable agricultural lands to petition the County Board of Supervisors to be included in agricultural districts; and

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 Timber, LLC, in the Town of Corinth, Tax Parcel #: 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, although the Town of Corinth is not currently included as a certified municipality within the boundaries of Saratoga County Consolidated Agricultural District #2, this Board's approval of the foregoing petition will result in the Town of Corinth being certified for inclusion within the boundaries of 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) and Resolution 32-2021, this Board of Supervisors held a public hearing on February 10, 2021 to consider the petitions for inclusion and the recommendations of the Saratoga County Agricultural and Farmland Protection Board, at which public hearing there were no objections raised to said petitions; and

WHEREAS, the proposed modifications of Saratoga County Consolidated Agricultural District #2 (“Project”) are an Unlisted Action subject to the requirements of the State Environment Quality Review Act (SEQRA) pursuant to 6 NYCRR Part 617; and

WHEREAS, the Saratoga County Board of Supervisors has reviewed the proposed Project, as well as Parts 1, 2 and 3 of a Short Environmental Assessment form prepared for the Project and the proposed responses thereto; now, therefore, be it

RESOLVED, that based upon the Project as proposed and the responses set forth in parts 2 and 3 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 the Saratoga County Board of Supervisors hereby approves the inclusion of the lands of Frank and Pamela Hoerauf, consisting of 23.38 ± acres located on Hermance Road in the Town of Galway, identified as Tax Parcel #185.-2-20.27, into Saratoga County Consolidated Agricultural District #2; and, be it further

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the inclusion of the lands of Ziggy and Timber, LLC, consisting of a combined total of 32.22 ± acres located on New York State Route 9N in the Town of Corinth, identified as Tax Parcel #: 73.-2-53.1 and 73.-2-53.2, into Saratoga County Consolidated Agricultural District #2; and, be it further

RESOLVED, that the boundaries of Saratoga County Consolidated Agricultural District #2 are hereby amended to include the Town of Corinth within Saratoga County Consolidated Agricultural District #2.

BUDGET IMPACT STATEMENT: None.

# 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>			
Name of Action or Project: Amendments to Saratoga County Consolidated Agricultural District #2			
Project Location (describe, and attach a location map): Towns of Galway and Corinth in Saratoga County, New York State			
Brief Description of Proposed Action: Pursuant to New York State Agriculture and Markets Law 25-AA Section 303b, the Saratoga County Board of Supervisors accepted petitions from landowners seeking to include property in a Saratoga County consolidated agricultural district. Petitions were accepted during a 30-day period in October 2020. Petitions were received from two landowners requesting inclusion of three parcels in Saratoga County Consolidated Agricultural District #2 in the towns of Galway and Corinth. The Saratoga County Agriculture and Farmland Protection Board has recommended that all of the aforementioned parcels be added to Agricultural District #2.			
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: New York	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:

5.  Urban  Rural (non-  agriculture) Industrial Commercial  Residential  
 (suburban)  Forest  Agriculture Aquatic Other(Specify):  
 Parkland

	NO	YES	N/A
5. Is the proposed action, <ul style="list-style-type: none"> <li>a. A permitted use under the zoning regulations?</li> <li>b. Consistent with the adopted comprehensive plan?</li> </ul>	<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	
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	
8. <ul style="list-style-type: none"> <li>a. Will the proposed action result in a substantial increase in traffic above present levels?</li> <li>b. Are public transportation services available at or near the site of the proposed action?</li> <li>c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?</li> </ul>	NO	YES	
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	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
12. <ul style="list-style-type: none"> <li>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?</li> <li>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?</li> </ul>	NO	YES	
13. <ul style="list-style-type: none"> <li>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?</li> <li>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?</li> </ul> If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline             Forest      Agricultural/grasslands       Early mid-successional  
 Wetland       Urban      Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

SEAF – Part 1

Question 1 Narrative - Intent of the proposed action and the environmental resources that may be affected in the municipality.

The proposed action is the addition of +/- 55.60 acres of viable farmland to Saratoga County Consolidated Agricultural District #2. New York State Agriculture and Markets Law article 25-AA authorizes the creation of local agricultural districts the intent of which is to encourage and promote the continued use of farmland for agricultural production. Agricultural districts provide a combination of landowner incentives and protections including partial real property tax relief and protections against overly restrictive local laws and private nuisance complaints involving agricultural practices. Adding additional acres to Saratoga County Consolidated Agricultural District #2 will further promote agricultural lands in Saratoga County.

The proposed action does not entail any changes in land use in the affected municipalities, no impacts to any environmental resources are expected.



Project:

Date:

**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? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <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"/>	

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, longterm and cumulative impacts.

The proposed action involved the addition of +/- 55.60 acres of viable farmland to Saratoga County Consolidated Agricultural District #2. No change in land use is proposed and no negative impact is expected from this proposed action.

<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
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 48 - 2021**

**Introduced by Supervisors Barrett, Gaston, Grasso, Tollisen, Winney and Wood**

#### **AUTHORIZING THE CHAIR TO ENTER INTO A RENEWAL AGREEMENT WITH CORNELL COOPERATIVE EXTENSION ASSOCIATION TO MANAGE THE MS4 STORMWATER MANAGEMENT PROGRAM**

WHEREAS, the Environmental Conservation Law and the Regulations of the Department of Environmental Conservation impose requirements on Saratoga County and its cities, towns and villages for the management of stormwater; and

WHEREAS, it is beneficial for the County to maintain an MS4 Stormwater Management Program to assist the municipalities in complying with the regulations regarding stormwater management; and

WHEREAS, pursuant to Resolution 124-2018, this Board authorized an agreement with Cornell Cooperative Extension of Saratoga County to administer the County's MS4 Stormwater Management Program for a term of three (3) years from 2018-2020 at a cost not to exceed \$183,200 for 2018, \$185,948 for 2019 and \$188,737 for 2020; and

WHEREAS, our Economic Development Committee has recommended that the current agreement with Cornell Cooperative Extension Association of Saratoga County for the administration of the County's MS4 Stormwater Management Program be renewed for a term of one (1) year commencing January 1, 2021 at a cost of \$188,737; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a renewal agreement with Cornell Cooperative Extension Association of Saratoga County, for its services in administering the MS4 Stormwater Management Program for a term of one (1) year commencing January 1, 2021, at a cost of \$188,737 with the form and content of such renewal agreement being subject to the approval of the County Attorney.

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



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 49 - 2021**

**Introduced by Supervisors Barrett, Gaston, Grasso, Schopf, Tollisen, Winney and Wood**

#### **AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH SARATOGA COUNTY PROSPERITY PARTNERSHIP, INC. TO AUTHORIZE FIRST QUARTER 2021 PAYMENT FOR ECONOMIC DEVELOPMENT SERVICES**

WHEREAS, pursuant to Resolution 252-2020, this board authorized the Chairman to enter into an agreement with the Saratoga County Prosperity Partnership to promote, provide and oversee all economic development activities of the County of Saratoga based on the amount set by Tax Law §1202-g(9), which is fifty percent (50%) of the County's occupancy tax revenues; and

WHEREAS, pursuant to Resolution 276-2020, this board revised the payment terms for the appropriated funding for the Saratoga County Partnership, Inc. ("Prosperity Partnership") to require that upon submission of a proper voucher and documentation consisting of copies of its current budget, financial statement and compensation schedule as well as any additional documentation which may be required by the Economic Development Committee for each fiscal quarter for review by the Economic Development Committee and upon a resolution duly advanced, the Board of Supervisors shall consider the quarterly payment to Prosperity Partnership based on the amount set by Tax Law §1202-g(9); and

WHEREAS, our Economic Development Committee has received and reviewed said documentation and has estimated the total amount of the County's occupancy tax revenues for 2021 to be no more than \$900,000, making the amount of \$450,000 to be paid to Prosperity Partnership for the term January 1, 2021 through December 31, 2021, which shall be paid in quarterly amounts of \$112,500 upon consideration and approval of the Economic Development Committee; and

WHEREAS, our Economic Development Committee has recommended that an amendment to the agreement with Prosperity Partnership authorize the first quarter payment of \$112,500 to be paid to the Prosperity Partnership by March 1, 2021; now, therefore be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Saratoga County Prosperity Partnership, Inc. to promote, provide and oversee all economic development activities of the County of Saratoga for the term January 1, 2021 through December 31, 2021 at a cost not to exceed \$450,000, with the first quarter payment in the amount of \$112,500 to be paid by March 1, 2021; and, be it further

RESOLVED, that the Economic Development Committee, having reviewed the budget, financial statements and compensation schedule submitted by Saratoga County Prosperity Partnership, Inc. and having considered the likely tax returns and budget estimates, authorize the first quarterly payment of \$112,500 to be paid by March 1, 2021, with said agreement being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 50 - 2021**

**Introduced by Supervisors Barrett, Gaston, Grasso, Schopf, Tollisen, Winney and Wood**

#### **AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AMENDED AGREEMENT WITH SARATOGA ECONOMIC DEVELOPMENT CORPORATION TO AUTHORIZE FIRST QUARTER 2021 PAYMENT FOR MARKETING AND PROMOTION SERVICES**

WHEREAS, pursuant to Resolution 252-2020, this board authorized the Chairman to enter into an agreement with the Saratoga Economic Development Corporation to provide marketing services for the promotion of the benefits of conducting business operations in the County of Saratoga for the amount of \$150,000 in 2021; and

WHEREAS, pursuant to Resolution 276-2020, this board revised the payment terms for the appropriated funding for Saratoga Economic Development Corporation ("SEDC") to require that upon submission of a proper voucher and documentation consisting of copies of its current budget, financial statement and compensation schedule as well as any additional documentation which may be required by the Economic Development Committee for each fiscal quarter for review by the Economic Development Committee and upon a resolution duly advanced, the Board of Supervisors shall consider the quarterly payment to SEDC; and

WHEREAS, our Economic Development Committee has received and reviewed said documentation and has recommended that an amendment to the agreement with SEDC to authorize the first quarter payment of \$37,500 to be paid to SEDC by March 1, 2021 be executed; now, therefore be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Saratoga Economic Development Corporation to provide marketing services for the promotion of the benefits of conducting business operations in the County of Saratoga for the term January 1, 2021 through December 31, 2021 at a cost not to exceed \$150,000, made in quarterly payments of \$37,500 with the first quarter payment in the amount of \$37,500 authorized to be paid by March 1, 2021; and, be it further

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

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



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 51 - 2021**

**Introduced by Supervisors Zlotnick, Allen, Kinowski, Lawler, Peck, Pemrick and Winney**

#### **SUPPORTING SARATOGA CASINO HOTEL'S REQUEST TO RETURN TO ORIGINAL HOURS OF OPERATION**

WHEREAS, as a result of the public health threat presented by the COVID-19 pandemic, Governor Cuomo issued Executive Order 202 on March 7, 2020 declaring a State disaster emergency throughout New York State; and

WHEREAS, in furtherance of his authorized powers during a State disaster emergency, Governor Cuomo issued Executive Order 202.3, 202.14, 202.55, and 202.74, restricting the capacity and hours of operations for facilities authorized to conduct video lottery gaming or casino gaming; and

WHEREAS, on November 14, 2020, pursuant to Executive Order 202.74, Governor Cuomo and the New York State Gaming Commission restricted video lottery gaming or casino gaming to the hours between 5:00 a.m. and 10:00 p.m.; and

WHEREAS, the Saratoga Casino Hotel has requested that the restrictions on hours of operation for video lottery gaming and casino gaming be reduced to allow for casino operations to occur between 9:00 a.m. and 5:00 a.m.; and

WHEREAS, the request of the Saratoga Casino Hotel to reduce restrictions is only for casino operations and does not include a request to reduce the current restrictions on restaurant food and beverage service, which under Executive Order 202.94 is restricted to the hours of 5:00 a.m. until 11:00 p.m.; and

WHEREAS, Saratoga Casino Hotel is one of the leading entertainment venues in the Capital District, hosting over 1.8 million visitors annually until the COVID-19 pandemic; and

WHEREAS, Saratoga Casino Hotel has developed as multi-layered "Safe Bet" plan to implement physical as well as policy and procedural changes to protect the health and safety of employees and guests, which plan follows all guidelines set forth by the Center for Disease Control and the New York State Department of Health; and

WHEREAS, Saratoga Casino Hotel's Safe Bet plan focuses on preventing the spread of the COVID-19 virus through heightening standards in cleanliness and sanitation; installation of MERV-13 air filters; enforcing social distancing with floor guides; installing Plexiglas barriers; taking every other video lottery terminal out of service; requiring face masks; conducting temperature checks and health screening upon entry; and having ID scanners available for contact tracing purposes if needed; and

WHEREAS, the continued restriction of casino operations of Saratoga Casino Hotel has significantly impacted harness racing at the facility, as 90% of the harness purses are earned through a percentage of video gaming revenues, and the absence of such revenues has resulted in the reduction of purses for the harness horsemen by 40% and a decrease in the number of weekly racing days from 4 to 3; and

WHEREAS, since opening in 2004, the Casino has contributed 48% of their total gaming revenues to New York State Education on a weekly basis, contributing 1 billion dollars to support education across the State; and

WHEREAS, since opening, the Casino has spurred economic activity by contributing over \$28 million to the City of Saratoga Springs, and \$9 million to the County of Saratoga; and

WHEREAS, it will never be known whether video lottery gaming and casino gaming facilities in New York State can be safely opened and operated in New York State until they are allowed to open under strict safety protocols; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby expresses its full support of Saratoga Casino Hotel's request to return to their original hours of operation for video lottery gaming and casino gaming, and urges Governor Andrew M. Cuomo and the New York State Gaming Commission in the strongest terms possible to authorize the reopening of Saratoga Casino Hotel as requested, subject to strict compliance with the safety protocols set forth in its Safe Bet plan; and be it further

RESOLVED, that the Clerk of the Board forward a copy of this Resolution to Governor Andrew M. Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Robert Ort, Assembly Speaker Carl Heastie, Assembly Majority Leader Crystal Peoples-Stokes, Assembly Minority Leader William Barclay, Senator James Tedisco, Senator Daphne Jordan, Senator Dan Stec, Assemblywoman Mary Beth Walsh, Assemblyman John McDonald, Assemblywomen Carrie Woerner, and Assemblyman Matthew Simpson.

BUDGET IMPACT STATEMENT: No budget impact.





## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 52 - 2021**

**Introduced by Supervisors Zlotnick, Allen, Kinowski, Lawler, Peck, Pemrick and Winney**

### **URGING GOVERNOR CUOMO AND THE STATE LEGISLATURE TO RESTORE VLT IMPACT AID TO THE COUNTY OF SARATOGA AND THE CITY OF SARATOGA SPRINGS**

WHEREAS, New York State Tax Law Section 1617-a afforded the Saratoga County Board of Supervisors the option of authorizing video lottery gaming at the Saratoga Equine Sports Center in Saratoga Springs; and

WHEREAS, after hearing significant public input both in favor of and against authorizing such gaming, and after substantial debate, this Board authorized video lottery gaming at the Saratoga Equine Sports Center by passage of Saratoga County Local Law No. 1 of 2002; and

WHEREAS, while the institution of video gaming at the Saratoga Equine Sports Center, now known as Saratoga Casino Hotel, has been successful in stimulating the harness racing industry by, among other things, increasing purses, communities hosting VLT gaming facilities have incurred certain expenses related to the hosting of VLT facilities, such as increased law enforcement and fire protection duties; and

WHEREAS, the State of New York provided financial aid to communities hosting VLT facilities, including the County of Saratoga and City of Saratoga Springs, in the form of VLT Impact Aid to Municipalities to help defray and offset expenses related to hosting VLT facilities; and

WHEREAS, said VLT impact aid was substantial and comprised a significant source of revenue for the City of Saratoga Springs; and

WHEREAS, Governor Andrew M. Cuomo's proposed 2020-2021 New York State Budget calls for the elimination for VLT impact aid to all communities hosting VLT facilities except for Yonkers, purportedly on the basis that the revenue benefits of hosting a VLT facility outweigh any associated costs; and

WHEREAS, in the previous period from April 2019 to March 2020 the VLT impact provision was \$2,325,592 in aid to the City of Saratoga Springs, and \$775,000 in aid to the County of Saratoga; and

WHEREAS, the projected gross gaming revenue in the period from April 2020 to March 2021 has been adversely effected by a seven-month shutdown of the Saratoga Casino Hotel,

resulting in a reduction of projected receipts of VLT impact aid in the sum of \$871,464 in aid to the City of Saratoga Springs and \$290,488 in aid to the County of Saratoga; and

WHEREAS, it is anticipated that gross receipts will increase upon the improvement in COVID-19 related restrictions, and as the Saratoga Casino Hotel increases its hours of operation; and

WHEREAS, the loss of such VLT Impact Aid will impose a significant financial hardship upon the City of Saratoga Springs, and could lead to layoffs of City employees, a reduction in municipal services to City residents, including police and fire protection, and a substantial increase in property taxes; and

WHEREAS, the loss of such VLT Impact Aid will result in a loss to the County of critical public safety funding and could lead to a reduction in the provision of public safety services; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby strongly urges Governor Andrew M. Cuomo and the New York State Legislature to fully maintain VLT Impact Aid to the County of Saratoga, the City of Saratoga Springs, and all VLT host communities in the 2020-2021 New York State budget; and be it further

RESOLVED, that the Clerk of the Board forward a copy of this Resolution to Governor Andrew M. Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader John Flanagan, Assembly Speaker Carl Heastie, Assembly Minority Leader William Barclay, Senator James Tedisco, Senator Daphne Jordan, Assemblywoman Mary Beth Walsh, Assemblyman John McDonald, Assemblywomen Carrie Woerner, and Assemblyman Dan Stec.

BUDGET IMPACT STATEMENT: No budget impact.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 53 - 2021**

**Introduced by Supervisors Veitch, Connolly, Gaston, Grasso, Raymond, Schopf and Tollisen**

### **AMENDING RESOLUTION 1 – 2021 TO CORRECT THE RULES OF THE SARATOGA COUNTY BOARD OF SUPERVISORS**

WHEREAS, pursuant to Resolution 1-2021, this board adopted the Rules of The Saratoga County Board of Supervisors, effective January 6, 2021; and

WHEREAS, subsequent to the adoption of said rules, an error in the title of the Government Review & Efficiency Committee was discovered under “XI. Standing Committee Definition and Scope”, Section c.; now, therefore be it

RESOLVED, that the title of “Section c.” under heading “XI. Standing Committee Definition and Scope” shall be amended to read as follows:

“XI. Standing Committee Definition and Scope

c. Government Review & Efficiency Committee”

and, be it further

RESOLVED, that all other parts of the “Rules of The Saratoga County Board of Supervisors” effective January 6, 2021 remain unchanged.

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



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 54 - 2021**

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

**AUTHORIZING THE CHAIR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE COUNTY OF FRANKLIN, NEW YORK, FOR THE SALE OF SARATOGA COUNTY SEWER DISTRICT NO. 1'S 2011 WESTERN STAR AND CAMEL COMBINATION SEWER CLEANER TRUCK**

WHEREAS, Saratoga County Sewer District No. 1 owns a 2011 Western Star and Camel Combination Sewer Vac/Jet Truck (hereinafter "2011 Vac/Jet Truck") that was purchased in 2010; and

WHEREAS, the proposed sale of the 2011 Vac/Jet Truck from Saratoga County Sewer District No. 1 to Franklin County is subject to General Municipal Law §119-O(2)(e), as an Intermunicipal Memorandum of Agreement; and

WHEREAS, on July 30, 2020, Cyncon Equipment provided a resale estimate of the 2011 Vac/Jet Truck at \$188,000 and the Franklin County Manager and Superintendent of Highways has expressed a willingness to purchase the 2011 Vac/Jet Truck for \$180,000; and

WHEREAS, the County of Franklin (NY) by Franklin County Resolution 14 – 2021 has resolved that the County Manager and Superintendent of Highways, upon review and approval of the Franklin County Attorney, is authorized to sign a Memorandum of Agreement to purchase the 2011 Vac/Jet Truck from Saratoga County Sewer District No. 1; and

WHEREAS, on January 7, 2021, upon the recommendation of the Executive Director of the Saratoga County Sewer District No. 1, the Saratoga County Sewer District No. 1 Sewer Commission duly adopted a resolution approving and recommending the sale of the 2011 Vac/Jet Truck to Franklin County for \$180,000; now, therefore, be it

**RESOLVED**, that the Chair of the Board is hereby authorized to execute a Memorandum of Agreement with Franklin County, providing for the sale of the Saratoga County Sewer District No. 1 owned 2011 Western Star and Camel Combination Sewer Vac/Jet Truck, for \$180,000; and, be it further

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

**BUDGET IMPACT STATEMENT:** No budget impact. Funds are included in the 2021 Revenue Budget.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 55 - 2021**

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

**AUTHORIZING THE CHAIRMAN TO EXECUTE A TASK ORDER WITH NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID FOR THE IMPLEMENTATION AND INSTALLATION OF AN LED LIGHTING REPLACEMENT PROJECT AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT AND MILTON PUMP STATION**

WHEREAS, pursuant to Resolution 226-2019, this Board authorized the execution of a Consent Order with the New York State Department of Environmental Conservation ("DEC") in order to resolve 69 effluent exceedances by Saratoga County Sewer District No. 1 in violation of the Sewer District's State Pollution Discharge Elimination System ("SPDES") permit; and

WHEREAS, one of the conditions of the Consent Order requires the Sewer District to complete an Environmental Benefit Project (EBP) in the form of the installation of a solar energy system to provide electrical service to the Sewer District's Wastewater Treatment Plant by December 31, 2020; and

WHEREAS, it is expected that the EBP will generate approximately 581 KW of energy, which it is estimated will result in approximately \$47,000 in annual savings at the Sewer District's Wastewater Treatment Plant; and

WHEREAS, Niagara Mohawk Power Corporation d/b/a National Grid ("National Grid") previously offered its services to the Sewer District, at no cost, to serve as General Contractor to manage the Sewer District's energy conservation project, which services were to include, but not be limited to, arranging for the provision of engineering and design studies, and initial labor, material, supplies and equipment, which services National Grid would assign to subcontractors via Task Orders; and

WHEREAS, pursuant to Resolution 264-2019, this Board authorized the Chair of the Board to execute a Master Agreement for Energy Conservation and Management Services with National Grid for the provision of General Contractor services in managing the Sewer District's construction of the solar energy system EBP; which General Contractor services were to be provided at no cost to the County; and

WHEREAS, National Grid has requested that the County, on behalf of the Sewer District, execute an implementation task order requiring payment in the amount of \$326,845.94 to National Grid for purposes of paying subcontractor Centrica Business Solutions Services Inc. ("CBSS") for the installation of energy efficient LED lighting to replace all existing lights at the Wastewater Treatment Plant and the Milton Pump Station; and

WHEREAS, National Grid has pre-qualification standards that the subcontractors performing this work must meet prior to selection by National Grid; and

WHEREAS, Centrica Business Solutions Services has met all subcontractor requirements as determined by National Grid; and

WHEREAS, the Sewer District hopes to receive incentives for this project by the electric utility New York State Electric and Gas (“NYSEG”) in the amount of approximately \$37,000 which would result in an approximate eight year simple pay back on energy savings, and six year simple payback when reduced operations and maintenance is included; and

WHEREAS, our Law and Finance Committee and the Saratoga County Sewer District Commission have recommended that the Chairman be authorized to execute an implementation task order with National Grid in the amount of \$326,845.94 for the implementation and installation of an LED lighting replacement project at the Saratoga County Sewer District No. 1’s Wastewater Treatment Plant and Milton Pump station; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an implementation task order with Niagara Mohawk Power Corporation, d/b/a National Grid, of Syracuse, New York, in the amount of \$326,845.94 to fund National Grid’s payment to Centrica Business Solutions Services Inc. for the installation of LED lighting replacements at the Saratoga County Sewer District No. 1’s Wastewater Treatment Plant and Milton Pump station; and, be it further

RESOLVED, that the form and substance of said implementation task order shall be subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. This work will be completed under the existing master agreement with National Grid.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 56 - 2021**

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

#### **AUTHORIZING AN AGREEMENT WITH WRIGHT-PIERCE ENGINEERING CONSULTANTS PC FOR SERVICES RELATED TO THE EVALUATION AND DESIGN OF UPGRADES TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT**

WHEREAS, Saratoga County Sewer District No. 1's 2021 Capital Budget as approved by this Board includes upgrades to the secondary clarifiers, gates, motor control center and 4160V transformers at the Sewer District's Wastewater Treatment Plant; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director solicited bids for the provision of design and evaluation of said upgrades which include: i) CFD modeling and dye testing of three secondary clarifiers; ii) designing necessary upgrades and replacement to three existing secondary clarifiers; iii) evaluating and designing upgrades to electrical systems at the Wastewater Treatment Plant including motor control centers and transformers; and iv) evaluating and designing replacements to existing process gates at the facility; and

WHEREAS, the bid of Wright-Pierce Engineering Consultants PC was considered to be the best value for the work to be performed and their proposal offered the best concepts to define the proper path forward for the upgrade; and

WHEREAS, our Law and Finance Committee, the Sewer District Commission and the Executive Director of the Sewer District have recommended that the bid of Wright-Pierce Engineering Consultants PC in the amount of \$454,180, be accepted; now, therefore, be it

**RESOLVED**, that the Chair of the Board is hereby authorized to execute an agreement with Wright-Pierce Engineering Consultants PC of Saratoga Springs, New York, for the provision of design and evaluation services for the upgrades to the secondary clarifiers, gates, motor control center and 4160V transformers at the Sewer District's Wastewater Treatment Plant, at a cost not to exceed \$454,180; 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 County Budget.



## SARATOGA COUNTY BOARD OF SUPERVISORS

### RESOLUTION 57 - 2021

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

#### AMENDING THE 2021 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO CAPITAL AND OTHER 2020 SARATOGA COUNTY SEWER DISTRICT NO. 1 PROJECTS

WHEREAS, unexpended 2020 funds for Saratoga County Sewer District No. 1's capital projects, including, but not limited to, Pump Station rehabilitations, engineering services for the Joint Feasibility Study, engineering services for the Saratoga Springs Pump Station Upgrade, HVAC and new storage building construction at the Wastewater Treatment Plant and secondary Clarifier Upgrades in the amount of \$8,163,891.80 need to be re-appropriated to the 2021 budget in order to complete the balance of work related to said projects in 2021, now, therefore, be it

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

#### SEWER DISTRICT:

##### Appropriations:

Increase Acct.: #ES.81.812-7092 Infrastructure	\$ 555,537.80
Increase Acct.: #ES.81-812-7098 Professional Services for Capital Purposes	\$ 636,660.00
Increase Acct.: #ES.81-813-7095 Capital Equipment	\$4,573,870.00
Increase Acct.: #ES.81-813-7098 Professional Services	<u>\$2,397,824.00</u>
	\$8,163,891.80

##### Revenues:

Increase Acct.: #ES-0599.B Appropriated Fund Balance	\$8,163,891.80
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BUDGET IMPACT STATEMENT: None. Funds for capital projects in the 2020 budget will be re-appropriated to the 2021 budget and cover the total projected costs of all new and ongoing capital projects.





## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 58 - 2021**

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

**INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS  
INTRODUCTORY NO. 2 OF 2021, PRINT NO. 1, ENTITLED  
“A LOCAL LAW LIMITING THIRD-PARTY FOOD DELIVERY SERVICE  
FEES DURING A DECLARED EMERGENCY”, AND SETTING A DATE FOR A  
PUBLIC HEARING THEREON**

WHEREAS, a proposed Local Law, identified as Introductory No. 2 of 2021, Print No. 1, entitled “A Local Law Limiting Third-Party Food Delivery Service Fees During a Declared Emergency” is being introduced before this Board and is attached hereto as SCHEDULE A, which if adopted will, among other things, enact rules and regulations limiting third-party food delivery services during a declared emergency; and

WHEREAS, Municipal Home Rule Law §20(5) requires this Board of Supervisors to hold a public hearing on said proposed Local Law; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 2 of 2021, Print No. 1, entitled “A Local Law Limiting Third-Party Food Delivery Service Fees During a Declared Emergency”, which is attached hereto as SCHEDULE A, is hereby introduced before the Saratoga County Board of Supervisors, and the Board of Supervisors shall hold a Public Hearing on March 10, 2021 at 3:35 p.m., or as soon thereafter as the Board can convene, in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law; and be it further

RESOLVED, due to public health and safety concerns related to COVID-19, and in accordance with Governor Cuomo’s Executive Order 202.1, as last extended by Executive Order 202.72, public comment will be received via email to: [publiccomment@saratogacountyny.gov](mailto:publiccomment@saratogacountyny.gov), or by written correspondence addressed to: Clerk of the Board, Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, NY, 12020, which public comment must be received by March 10, 2021 at 3:35 p.m.; and, be it further

RESOLVED, that the Clerk of the Board shall publish a notice of this public hearing in the official County newspapers; and, be it further

RESOLVED, that the Clerk of the Board shall post the notice of this public hearing on the home page of the County of Saratoga’s website.

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

SCHEDULE A

INTRODUCTORY NO. 2 OF 2021

PRINT NO. 1

INTRODUCED BY: Supervisors Schopf, Barrett, Gaston, Tollisen, Veitch, Winney and Wood

**COUNTY OF SARATOGA  
LOCAL LAW NO. OF 2021**

**A LOCAL LAW LIMITING THIRD-PARTY FOOD DELIVERY  
SERVICE FEES DURING A DECLARED EMERGENCY**

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

**SECTION 1. Title.** This Local Law shall be known as “A Local Law Limiting Third-Party Food Delivery Service Fees During a Declared Emergency”.

**SECTION 2. Definitions.**

A. The following words when used in this local law, shall have the meanings ascribed to them except in those instances where the context clearly indicated otherwise:

- a. The term “declared emergency” shall mean the period of time during which a State disaster emergency has been declared by the Governor of the State of New York or a state of emergency has been declared by the Chairman of the Board of Supervisors of Saratoga County, and such declaration is in effect in the County, and there are restrictions imposed on on-site dining at food service establishments in the County.
- b. The term “delivery fee” shall mean a fee charged by a third-party food delivery service for providing a food service establishment with a service that delivers food from such food service establishment to customers. The term does not include any other fee that may be charged by a third-party food delivery service to a food service establishment, such as fees for listing or advertising the food service establishment on the third-party food delivery service platform or fees related to processing an online order.
- c. The term “food service establishment” shall mean any fixed or mobile restaurant; drive-in; coffee shop; cafeteria; short-order café; delicatessen; luncheonette; grill; tea room; sandwich shop; soda fountain; bar; tavern; cocktail lounge; night club; roadside stand; take-out prepared food place; retail bakery; industrial feeding establishment; private, public, or nonprofit organization, including: schools; nursing homes; day care centers and hospitals; religious and fraternal organizations routinely serving food; catering kitchens; commissary or similar places in which food is prepared for sale on the premises or elsewhere; and any other establishment or operation where food is served or provided to the public, with or without charge.

- d. The term “online order” shall mean any order placed by a customer through or with the assistance of a platform provided by a third-party food deliver service, including a telephone order.
- e. The term “purchase price” shall mean the total price of the items contained in the online order that are listed on the menu of the food service establishment where such order is placed. Such term does not include taxes, gratuities, and any other fee that make up the total cost to the customer of an online order.
- f. The term “third-party food delivery service” shall mean any website, mobile application, or other internet service that offers or arranges for the sale of food and beverages offered by food service establishments, and the same-day delivery or same-day pickup of food and beverages from food service establishments located in the County that are owned and operated by different persons.

B. Unless otherwise indicated above or by the context in which they might be used, all words used herein shall have the meanings ascribed to them by the General Construction Law of the State of New York.

### **SECTION 3. Fee Limits During Declared Emergencies.**

- A. It shall be unlawful for a third-party food delivery service to charge a food service establishment a delivery fee that totals more than fifteen percent (15%) of the purchase price of each online order.
- B. It shall be unlawful for a third-party food delivery service to charge a food service establishment any fee or fees other than a delivery fee for the use of their service greater than five percent (5%) of the purchase price of each online order. Any fees or other charges from a third-party food delivery service to a food service establishment beyond such maximum five percent (5%) per online order, and a delivery fee collected pursuant to subdivision (A) of this section, are unlawful, provided that such cap shall not apply to a credit card fee that is charged to the third-party food delivery service and is charged in the same amount to by the third-party food delivery service to such food service establishment.
- C. It shall be unlawful for a person to cause a third-party food delivery service platform to reduce the compensation rate paid to a delivery service driver or garnish gratuities in order to comply with this section.
- D. The requirements of this section shall only apply during a declared emergency and for a period of ninety (90) days after the end of the declared emergency.

**SECTION 4. Enforcement.** If a third-party food delivery service charges a food service establishment fees in violation of this law, the food service establishment shall provide written notice to the third-party food delivery service requesting a refund within seven (7) days. If the third-party food delivery service does not provide the refund requested within seven (7) days of receipt of the written notice or the third-party food delivery service continues to charge fees in violation of this law after the initial written notice and seven-day cure period, a food service establishment may enforce this law by means of a civil action seeking damages and injunctive relief. The prevailing party in any such action shall be entitled to an award of reasonable attorney fees.

**SECTION 5. Severability.** In the event any section, part of section, sentence, clause or phrase of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment will not affect the validity of any other provision of this local law.

**SECTION 14. Effective Date.** This local law shall take effect upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 59 - 2021**

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

#### **AMENDING RESOLUTION 31-2021 AUTHORIZING AN AGREEMENT WITH SARATOGA SPRINGS CITY CENTER AUTHORITY FOR THE 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, security, 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, hitherto known in the contract as a "mass vaccination notification", with the rental for at least one month, with additional months contingent on vaccine supply and agreement of the parties and Resolution 31-2021 having authorized such an agreement to lease the Saratoga Springs City Center and the County having tentatively agreed to enter into such an agreement; and

WHEREAS, the tentative major agreement incorporates a \$2,000 per week holding fee with the rent increased to a total rate of no more than \$49,328 per month upon a mass vaccination notification, now, therefore, be it

RESOLVED, that the minor contract referred to above which expires on February 22, 2021 is replaced and superseded by the major contract referred to above which expires April 30, 2021; and, be it further

RESOLVED, that Resolution 31-2021 is amended accordingly.

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 for this contract were previously re-appropriated in resolution 30-2021.



# SARATOGA COUNTY BOARD OF SUPERVISORS

## RESOLUTION 60 - 2021

Introduced by Chairman Kusnierz

### APPOINTING A MEMBER OF THE BOARD OF ETHICS

WHEREAS, Local Law 3-89, as amended by Local Law 11-90, established the current Code of Ethics for certain County officials, employees and appointees and provided for its administration by an Ethics Advisory Council and Ethics Board; and

WHEREAS, a vacancy exists in the position of Chairman of the Board of Ethics; now, therefore, be it

RESOLVED, that the following person is appointed as Chairman of the Ethics Board for the stated term:

<u>Name</u>	<u>Prior Resolution</u>	<u>Term Expires</u>
Jonathan G. Schopf Clifton Park Town Hall 1 Town Hall Plaza Clifton Park, NY 12065	N/A	12/31/21

BUDGET IMPACT STATEMENT: No budget impact.



# SARATOGA COUNTY BOARD OF SUPERVISORS

## RESOLUTION 61 - 2021

Introduced by Chairman Kusnierz

### APPOINTING A MEMBER TO THE COMMUNITY SERVICES BOARD

WHEREAS, Mental Hygiene Law §41.11 requires the appointment of a community services board to advise a local mental hygiene director on the policies and performances of the local programs; and

WHEREAS, there is one vacancy on the County's Community Services Board due to a term expiration; and

WHEREAS, the Director of the Community Services Board and our Community Services Board have recommended an appointment to the Board to fill the vacancy; now, therefore, be it

RESOLVED, that the following individual is appointed as a member of the Community Services Board for the County of Saratoga for the following term:

<u>NAME/ADDRESS</u>	<u>REPRESENTING</u>	<u>EXPIRES</u>
Nicole Tremblay, M.D. 15 Four Leaf Manor Clifton Park, NY 12065	Mental Health	12/31/24

BUDGET IMPACT STATEMENT: No budget impact.





# SARATOGA COUNTY BOARD OF SUPERVISORS

## RESOLUTION 62 - 2021

**Introduced by Chairman Kusnierz**

### APPOINTING A MEMBER OF ETHICS ADVISORY COUNCIL

WHEREAS, Local Law 3-89, as amended by Local Law No. 1-98, established the current Code of Ethics for certain County officials, employees and appointees and provided for its administration by an Ethics Advisory Council and Ethics Board;

WHEREAS, the term of one member of the Ethics Advisory Council has expired; now, therefore, be it

RESOLVED, that the following individual is appointed as a member of the Ethics Advisory Council for the stated term:

<u>Name/Address</u>	<u>Prior</u>	<u>Term Expires</u>
Darren O'Connor Malta Town Hall 2450 Route 9 Malta, NY 12020	N/A	12/31/24

BUDGET IMPACT STATEMENT: No budget impact.



# SARATOGA COUNTY BOARD OF SUPERVISORS

## RESOLUTION 63 - 2021

Introduced by Chairman Kusnierz

### APPOINTING MEMBERS TO THE FISH AND WILDLIFE MANAGEMENT BOARD-REGION 5

WHEREAS, pursuant to Environmental Conservation Law §11-0501, the Board of Supervisors created the Fish and Wildlife Management Board-Region 5; and

WHEREAS, there are vacancies on the Fish and Wildlife Management Board-Region 5 due to term expirations and one resignation; now, therefore, be it

RESOLVED, that the following individuals are appointed as a members of the Fish and Wildlife Management Board-Region 5 for the stated term:

<u>NAME</u>	<u>Representing</u>	<u>Term Expires</u>
Ronald Rybicki 3902 Lewis Road Ballston Spa, NY 12020	Sportsman	12/31/22
David Friedman 8 Birchwood Drive Clifton Park, NY 12065	Alternate Sportsman	12/31/22
Garth Ellms 448 Charlton Road Ballston Spa, NY 12020	Landowner	12/31/22

BUDGET IMPACT STATEMENT: No budget impact.



## SARATOGA COUNTY BOARD OF SUPERVISORS

### RESOLUTION 65 - 2021

**Introduced by Chairman Kusnierz**

#### APPOINTING MEMBERS TO THE TOURISM ADVISORY COMMITTEE

WHEREAS, Local Law No. 1 of 2016, as authorized by Tax Law §1202-g, establishes a nine member advisory committee to advise and recommend to this Board of Supervisors expenditures to be made for the promotion of tourism and conventions in Saratoga County using revenues derived from the collection of the County's occupancy tax; and

WHEREAS, Local Law No. 1 of 2016 provides that the Tourism Advisory Committee shall be comprised of the Chair of the Board of Supervisors, the Chair of the Board's Law and Finance Committee, the Chair of the Board's Economic Development Committee, one member of the Board of Supervisors who also serves as a director of the Saratoga County Prosperity Partnership, Inc., the Saratoga County Treasurer, and one representative from each of the Saratoga County Chamber of Commerce, the Chamber of Southern Saratoga County, the Saratoga Convention and Tourism Bureau, and the Saratoga Springs City Center Authority; all of whom shall be appointed by the Saratoga County Board of Supervisors; and

WHEREAS, pursuant to Local Law No. 1 of 2016 members of the Tourism Advisory Committee are appointed on an annual basis; now, therefore, be it

RESOLVED, that the following individuals are appointed members of the Tourism Advisory Committee for the stated terms:

<u>NAME AND ADDRESS</u>	<u>POSITION/REPRESENTING</u>	<u>TERM EXPIRES</u>
Theodore T. Kusnierz, Jr. Moreau Town Hall 351 Reynolds Road Moreau, NY 12828	Chair, Board of Supervisors	12/31/21
Jonathan G. Schopf Clifton Park Town Hall 1 Town Hall Plaza Clifton Park, NY 12065	Chair, Law and Finance Committee	12/31/21
Philip C. Barrett Clifton Park Town Hall 1 Town Hall Plaza Clifton Park, NY 12065	Chair, Economic Development Committee	12/31/21

Eric Connolly Ballston Town Hall P.O. Box 67 Burnt Hills, NY 12027	Supervisor and Director of the Saratoga County Prosperity Partnership, Inc.	12/31/21
Andrew Jarosh County Treasurer's Office 40 McMaster Street Ballston Spa, NY 12020	County Treasurer	12/31/21
George "Skip" Carlson Saratoga County Chamber of Commerce 28 Clinton Street Saratoga Springs, NY 12866	Saratoga County Chamber of Commerce	12/31/21
Peter Bardunias, President/CEO Chamber of Southern Saratoga County 58 Clifton Country Road Suite 102 Clifton Park, NY 12065	Chamber of Southern Saratoga County	12/31/21
Darryl Leggieri, President Saratoga Convention and Tourism Bureau 60 Railroad Place Suite 301 Saratoga Springs, NY 12866	Saratoga Convention and Tourism Bureau	12/31/21
Ryan E. McMahon, President Saratoga Springs City Center Authority 522 Broadway Saratoga Springs, NY 12866	Saratoga Springs City Center Authority	12/31/21

BUDGET IMPACT STATEMENT: No budget impact.