



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 67 - 2021

Introduced by Supervisors Raymond, Allen, Lucia, Peck, Pemrick, Smith and Wright

ADOPTING 2021 SARATOGA COUNTY LEGISLATIVE PROGRAM

WHEREAS, our County is recognized as a statewide leader in economic growth and opportunity; and

WHEREAS, we wish to continue the reforms of non-productive state laws and policies, obtain greater flexibility in resource allocation for local governments, seek relief from unfunded State mandates, and promote economic development in Saratoga County; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors requests enactment of the following legislative initiatives:

Saratoga County 2021 Legislative Program

State

- 1. Restore Full 20% Local Assistance Withholdings.** The 2022 Executive Budget proposes a restoration of 15% of the 20% State Aid withheld to help close the State's budget gap. This proposal assumes at least \$6 billion in new Federal aid, which is not a given. Regardless, the State should restore the entire 20% of aid withholding to counties, who face their own fiscal challenges due to the COVID-19 pandemic. Should Federal aid not close the State's budget gap sufficiently, additional local assistance cuts must not be used to close the deficit.
- 2. End Mandatory Sales Tax Diversions for State Purposes.** The 2019 Enacted Budget changed how AIM payments to cities, towns and villages is funded, authorizing the Comptroller to withhold County sales tax disbursements to make AIM payment instead of the from the State's General Fund. The withholding amount for Saratoga County is about \$1.5 million. The State also enacted a program to withhold \$250 million in local sales tax collections from counties in quarterly installments into the Distressed Provider Assistance Account, to fund financially distressed hospitals and nursing homes. Saratoga County's estimated share of this withholding is also \$1.5 million. While aid to local governments and medical facilities is important, the shift of funding from the State to counties, who are dealing with their own fiscal stress, is unfair and they should be made whole.

- 3. Restore VLT Aid.** The County of Saratoga and City of Saratoga Springs jointly cover costs associated with public safety services in order to provide a venue for video lottery terminals. The County and City rely on VLT aid to offset these costs together with the growing list of unfunded mandates while the State continues to reap the benefits that these venues provide. This aid amounts to \$775,000 for the County and \$2.3 million for the City.
- 4. Ensure Regional Equity in the Pandemic Recovery and Restart Program.** The 2022 Executive Budget proposes tax credits aimed at two industries most adversely affected by the COVID-19 pandemic. First is the Small Business Return-To-Work Tax Credit which provides refundable tax credits to small businesses in the accommodations, arts, entertainment, or recreation sectors with 40% or greater revenue or job loss. Second is the Restaurant Return-to-Work Tax Credit Program, available to small restaurants located within New York City or outside of New York City in areas that were designated as a red or orange zone for at least 30 days. Under both programs, businesses that increase their employment will be eligible for a tax credit of \$5,000 for each net full-time equivalent position added, up to \$50,000 per business. The total refunds for both programs would be capped at \$50 million each. While this is a laudable program, it is important the rules for distributing these credits ensure equitably between NYC and upstate, which has also suffered economic loss due to the pandemic. A \$25 million program specifically for NYC Musical and Theatrical Production is also established in this section, already providing targeted aid to the City.
- 5. Enact “No New Unfunded Mandates” Legislation.** While counties are constrained from raising revenue by the tax cap, the State is free to enact new unfunded mandates and shift more costs on local governments for existing mandates with impunity. In 2021, all of the County’s property tax revenue will be consumed by unfunded mandates, plus an additional \$725,000 in General Fund revenue. Especially in this time of fiscal stress due to the COVID-19 pandemic and the fact that the State is already withholding aid and sales tax payments from counties, it is imperative that the State does not apply additional weight to local government’s already hefty fiscal burden.
- 6. Continued Support for an Overhaul of Recent Criminal Justice Reforms.** Saratoga County supports Senator Tedisco’s S.1523 bill to repeal bail and discovery reform laws. These recent reforms have caused widespread concern for public safety and are placing additional unfunded burdens on law enforcement agencies, District Attorney’s Office, and Public Defenders Offices across the State. Saratoga County also supports Senator Tedisco’s S.1522 bill to protect emergency first responders and provide them with the same personal information disclosure protections that are afforded to law enforcement personnel. The County also supports S.1521, which provides courts with more discretion when addressing felony convictions. As of 2/8/21, these bills are currently at the committee level, awaiting addition to the Floor Calendar.
- 7. Continued Effort to Restore Community College Funding.** The State’s reduction in community college tuition is driven by enrollment but fails to consider the rising costs of tuition. Historically, funding for community colleges was designed to be a three-way split between the State, counties, and students. Initially, the State offered financial support of 40% to encourage counties to develop campuses. This state commitment was later changed to “up to” 40%. Even with an increase in the per student rate, dropping enrollment can mean less state support for individual campuses and could ultimately lead to increased chargeback between counties based on the current chargeback methodology. State funding is currently well below the one-third promised and far short of 40%.

8. **Support Enhancements to NYS Historic Tax Credit.** Assemblywoman Woerner is advocating for enhancements to the NYS Historic Tax Credit be included in the 2022 Enacted Budget. The proposed changes would increase the credit for smaller projects, defined as projects with expenditures under \$2.5 million, from 20% to 30%. The proposed amendments would also ensure that smaller cities will qualify for the NYS Historic Tax Credit. Expansion of this eligibility threshold will open the credit for more upstate cities and provide an economic and tourism boon for communities looking to rehabilitate historic buildings.
9. **Restore Funding for Veterans Peer-to-Peer Program.** The 2022 Executive Budget does not provide funding for the Joseph P. Dwyer Veterans Peer-to-Peer Support Program, which provides coordination and cultivation of a safe atmosphere for veterans to connect and share their experiences. In Saratoga County, this program has been a tremendous success in providing outreach to the veteran community and connecting veterans with their peers. Saratoga County has been eligible for funding of up to \$185,000 in the last two budget cycles, and any residual funding still available should be released to counties if the program is not fully funded in the 2022 budget. Senator Jordan recently lent her support to the restoration of these funds.
10. **Support Funding for the New Generation Farmland Protection Fund.** Supporting Assemblywoman Woerner's request that \$400,000 in funding for the Farmland for a New Generation Program - specifically named to American Farmland Trust (AFT) - be included in the 2022 Enacted Budget. With nearly a third of New York's farmers over the age of 65 and cultivating almost two million acres of farmland, it is imperative that New York does its share to cultivate the next generation farmers. An aging farm workforce is not the only thing threatening the future of farming in New York – scarcity affordable land is a major barrier for new farmers. Since launching in 2018, The Farmland for a New Generation New York Resource Center has had over 55,000 users visit the site to browse resources and listings, 827 farmland seekers and owners have posted profiles, and their expert staff has provided one-on-one guidance to 649 farmers and landowners.
11. **Support the Creation of the Safe Water Infrastructure Action Program (SWAP).** Continuing support for Senator Tedisco's Safe Water Infrastructure Action Program. This bill (S.224) establishes a program to fund the replacement and rehabilitation of existing municipally-owned and funded drinking water, storm water and sanitary sewer systems, similar to the Consolidated Street and Highway Improvement Program (CHIPS). The program would apply to any county, city, town or village drinking water system, storm water system or sanitary sewer system within the state that is not under the maintenance and/or operational jurisdiction of the state nor any private entity. Annual funding for this program would be at least the same amount appropriated for CHIPS.

Federal

1. **Support 100% Airport Improvement Program (AIP) Funding** There is a bill being considered for reconciliation in the House includes 100% AIP (Airport Improvement Program) funding. This would mean there would be no County share needed for the airport grants in 2021. This would be a savings of about \$250,000 for Saratoga County. The County airport has a critical safety improvement scheduled for construction this year. A new partial parallel taxiway to separate jet traffic from two glider clubs that operate at our airport greatly reducing the potential for aircraft conflicts and accidents. Included in this project is the creation of essential habitat for the Federally protected Karner Blue Butterfly.

A 100% percent Federal share of AIP projects will ensure that these critical improvements are accomplished.

2. **Support Federal COVID Relief Funds for Municipalities** There is currently legislation in the House to provide resources for municipalities hard hit by the COVID pandemic and provide stability so their pre-COVID economy can be restored and reinvigorated. The plan is designed to provide all local governments with funding to respond to, or mitigate, the impact of the COVID, cover costs related to the public health emergency, replace lost and/or delayed revenues, and provide relief from the negative economic impacts of the pandemic emergency.
3. **Support Federal Broadband Infrastructure Expansion Funding.** This includes the Emergency Broadband Benefit Program, the American Rescue Act, and any additional federal broadband infrastructure legislation that will be considered in 2021. It is particularly important that the Federal Communications Commission finish updated their broadband and cellular service coverage maps in order to effectively deploy the 5G Fund for Rural America as well as other broadband infrastructure programs. There is a recognized and critical need for providing broadband access to rural areas for public safety, health, education, economic development, and quality of life, which has only been highlighted by the pandemic.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 68 - 2021

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

AUTHORIZING CONTACT TRACING SERVICES AGREEMENTS WITH KAITLYN ELLIS, ALANA MARTIN, AND DEIDRE HUGHES

WHEREAS, pursuant to Resolution 111-2020, as amended by Resolution 281-2020, this Board authorized the County Administrator to execute up to Seventy Five (75) minor contracts with individuals identified by Saratoga County Public Health Services as willing to serve and complete the required training to work as contact tracers on an as needed basis, at a rate of compensation of \$25.00 per hour; and

WHEREAS, the County entered into existing minor contracts with Kaitlyn Ellis dated September 29, 2020, Alana Martin dated September 15, 2020 and Deidre Hughes dated August 18, 2020 for contact tracer services to rapidly interview positive COVID-19 patients; identify their close contacts; interview and alert those contacts to the risk of infection; instruct the contacts to quarantine or isolate for 14 days and monitor those in quarantine or isolation to ensure their compliance and to ascertain if they are showing any symptoms of COVID-19; and

WHEREAS, as there continues to be cases of COVID-19, it is imperative to maintain the services of quality contractors to perform essential contact tracing services; and

WHEREAS, Kaitlyn Ellis has been a dependable contact tracer who is a college graduate who is able to work full time; and

WHEREAS, Alana Martin, an on-line college student who has been a dependable contact tracer and is available to perform contact tracing services on a full time basis; and

WHEREAS, Deidre Hughes, is a retired nurse and is available to work as a contact tracer four days a week; and

WHEREAS, the cost of services performed by Kaitlyn, Alana and Deidre have met or exceeded their minor contract limits of \$15,000; and

WHEREAS, our Health and Social Services Committee and Commissioner of Health have recommended that the County enter into new one year agreements with the following contact tracers, effective at the signing of said contracts: 1) Kaitlyn Ellis, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed the sum of \$45,500; 2) Alana Martin, at a rate of \$25.00 per hour, for a maximum of 40 hours per week, with the total contract amount not to exceed the sum of \$52,000; and 3) Deidre Hughes at a rate of \$25.00 per hours, for a maximum of 30 hours per week, with the total contract amount not to exceed the sum of \$39,000; and

WHEREAS, pursuant to Resolution 201-2020, this Board accepted a New York State Department of Health grant administered by Health Research, Inc. that includes \$478,215 for temporary and contracted employees that are hired exclusively for COVID-19 response activities, which grant funds will be used to cover the cost of these three contact tracing agreements; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute one year agreements with the following contact tracers, effective at the signing of said contracts: 1) Kaitlyn Ellis, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed the sum of \$45,500; 2) Alana Martin, at a rate of \$25.00 per hour, for a maximum of 40 hours per week, with the total contract amount not to exceed the sum of \$52,000; and 3) Deidre Hughes at a rate of \$25.00 per hours, for a maximum of 30 hours per week, with the total contract amount not to exceed the sum of \$39,000; and, be it further

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

BUDGET IMPACT STATEMENT: None. Costs associated with this contract will be covered by a Health Research, Inc. grant.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 69 - 2021

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

AMENDING RESOLUTION 200-2020, AUTHORIZING AMENDMENTS TO MENTAL HEALTH CONTRACTS TO INCLUDE STATE-FUNDED COST OF LIVING INCREASES AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 200-2020 authorized ongoing contracts for mental health services, subject to State appropriations therefor; and

WHEREAS, Resolution 200-2020 further authorized the Health and Human Services Committee to accept additional grant funds from the State of New York in support of the services to be rendered by the contracting agencies listed in Resolution 200-2020 provided the additional grant funds accepted did not exceed 10% of the contract amounts set forth in Resolution 200-2020; and

WHEREAS, additional funds have become available from the New York State Office of Addiction Services and Supports ("OASAS") and New York State Office of Mental Health ("OMH") totaling \$9,133 for cost of living adjustments (COLA) including workforce enhancements for direct care and clinical staff, increases to minimum wage, and salary enhancements for Direct Care/Direct Support Professionals, allocated to the following mental health service providers contractually retained pursuant to Resolution 200-2020:

- A) From OMH the amount of \$5,606 for workforce enhancements for direct care and clinical staff, increases to minimum wage, and salary enhancements for Direct Care/Direct Support Professionals; thereby increasing provider contracts by the following amount:

<u>PROVIDER</u>	<u>AMOUNT</u>
Unlimited Potential	\$ 2,387
Transitional Services Association, Inc.	\$ 2,253
Saratoga Bridges (NYSARC, Inc.)	\$ 47
Rehabilitation Support Services, Inc.	\$ 87
The Workshop, Inc. (t/a Northeast Career Planning)	\$ 34
Mechanicville Area Community Services Center	\$ 43
Captain Community Human Services, Inc.	\$ 221
Saratoga County (Transportation)	\$ 534

B) From OASAS the amount of \$3,527 for salary enhancements for Direct Care/Direct Support Professionals; thereby increasing provider contracts by the following amount:

<u>PROVIDER</u>	<u>AMOUNT</u>
Transitional Services Association, Inc.	\$ 1,230
Albany Diocesan School Board	\$ 73
The Alcohol and Substance Abuse Prevention Council	\$ 2,006
Franklin Community Center, Inc.	\$ 218

; and

WHEREAS, our Health and Human Services Committee has authorized the acceptance of the forgoing additional grant funds from the State of New York in accordance with its authority to accept additional State grant funds that do not exceed 10% of the contract amounts set forth in Resolution 200-2020; and

WHEREAS, an amendment of the 2021 County Budget is needed to accept these funds; now, therefore, be it

RESOLVED, that the Chair of the Board and/or Commissioner of Mental Health and Addiction Services are hereby authorized to execute any agreements and documents needed to accept such additional funding awarded by OMH and OASAS in the combined amount of \$9,133; and, be it further

RESOLVED, that Resolution 200-2020 is hereby amended to increase the authorized contract amounts for the following providers by the amounts set forth in this Resolution: Unlimited Potential; Transitional Services Association, Inc.; Saratoga Bridges (NYSARC, Inc.); Rehabilitation Support Services, Inc.; The Workshop, Inc. (t/a Northeast Career Planning); Mechanicville Area Community Services Center; Captain Community Human Services, Inc.; Saratoga County (Transportation); Albany Diocesan School Board; The Alcohol and Substance Abuse Prevention Council; and Franklin Community Center, Inc.; and, be it further

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

MENTAL HEALTH AND ADDICTION SERVICES:

Appropriations

Increase Acct. #A.43.435-8350 Transportation (Saratoga County)	\$ 534
Increase Acct. #A.43.441-8732.078 RSS SH	\$ 87
Increase Acct. #A.43.441-8726.078 Transitional Services SH	\$ 667
Increase Acct. #A.43.441-8726.200 TSA RF	\$ 72
Increase Acct. #A.43.441-8726.965 Salary COLA MH	\$ 1,514
Increase Acct. #A.43.441-8727.965 UP Salary COLA MH	\$ 2,387
Increase Acct. #A.43.441-8728.965 CHS COLA MH	\$ 221
Increase Acct. #A.43.441-8733.965 ARC COLA	\$ 47
Increase Acct. #A.43.441-8749.965 NECAR COLA	\$ 34
Increase Acct. #A.43.441-8729.965 MECH COLA	\$ 43
Increase Acct. #A.43.443-8726.013 TSA ASA	\$ 1,230

Increase Acct. #A.43.443-8650 Catholic Schools	\$ 73
Increase Acct. #A.43.443-8735.013 Franklin Comm. Center	\$ 218
Increase Acct. #A.43.443-8738.013 ASAPP	<u>\$ 2,006</u>
	\$ 9,133

Revenues

Increase Acct. #A.43-3491 MH – Supported Housing	\$ 754
Increase Acct. #A.43-3469 MH RIV – Reinvestment Increase	\$ 72
Acct. #A.43-3479 COLA MH	\$ 4,780
Increase Acct. #A.43-3483 Alc Abuse Program State Increase	\$ 2,006
Acct. #A.43-3489 State Aid – OASAS	<u>\$ 1,521</u>
	\$ 9,133

BUDGET IMPACT STATEMENT: No budget impact. 100% State Aid



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 70 - 2021

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

AUTHORIZING THE RENEWAL OF CONTRACTS FOR THE EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP)

WHEREAS, Resolution 67-2020 authorized contracts with various entities for the provision of Expanded In Home Services for the Elderly Program ("EISEP") services under the Office for the Aging's Annual Implementation Plan, and said contracts are set to expire on March 31, 2021 and need to be renewed; and

WHEREAS, Resolution 234-2019 approved the 2020-2021 Annual Implementation Plan for the Saratoga County Office for the Aging, which Plan includes the continuation of the provision of EISEP services; and

WHEREAS, our Office for the Aging wishes to renew the County's contracts with certain of said providers of EISEP services for an additional term of one (1) year; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to sign contracts with the following agencies to provide expanded in home services for the elderly of the nature and at the rates set forth next to their names for the term from April 1, 2021 through March 31, 2022:

Greater Adirondack Homes Aides 25 Willowbrook, Suite 4 Queensbury, NY 12804	Level 1 PCA-\$24.00 per hour Level 2 PCA-\$24.00 per hour
Home Health Care Partners Corporation 2-8 W. Main Street Johnstown, NY 12095	Level 1 PCA-\$24.00 per hour Level 2 PCA-\$24.00 per hour
ENS Healthcare Management, LLC dba Interim Healthcare 1735 Central Avenue, Suite 102 Albany, NY 12205	Level 1 PCA-\$24.00 per hour Level 2 PCA-\$24.00 per hour
Visiting Nurses Home Care Corp. 35 Colvin Avenue Albany, NY 12206	Level 1 PCA-\$24.00 per hour Level 2 PCA-\$24.00 per hour

Wesley Senior Solutions
396 Loudon Road
Saratoga Springs, NY 12866

Level 1 PCA-\$24.00 per hour
Level 2 PCA-\$24.00 per hour

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact. Funding for these contracts are included in the 2021 budget.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 71 - 2021

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

CORRECTING 2021 TAX BILL IN THE TOWN OF CHARLTON (Tax Map # 224.-1-49)

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls, and Real Property Tax Law §556 authorizes the provision of a credit against outstanding tax owed on a corrected tax bill; and

WHEREAS, Real Property Tax Law §550(2)(h) defines a “clerical error” as an incorrect entry on a tax roll of a relieved school tax which has been previously paid; and

WHEREAS, the owner of the following property has timely submitted proof of an error in their 2021 tax bill, to wit: The property owner paid their 2020 Galway Central School District tax bill but the payment was not credited resulting in school taxes being relieved onto the 2021 Town and County tax bill in error; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a new tax bill generated for said property which removes the relieved school taxes and penalties for the school taxes that were paid on September 30, 2020; now, therefore, be it

RESOLVED, that the application of the following property owner for correction of the 2021 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
King Neptune, NYS, LLC	Charlton	224.-1-49	\$1,942.83

and, be it further

RESOLVED, that the property owner shall have eight (8) days from the date a corrected 2021 tax bill is mailed to them to pay the corrected tax without additional penalties and interest; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward a copy of this Resolution to the Town Tax Collector of the Town of Charlton and the Saratoga County Treasurer.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 72 - 2021

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

CORRECTING 2021 TAX BILL IN THE TOWN OF GALWAY (Tax Map # 186.-2-44.2)

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls, and Real Property Tax Law §556 authorizes the provision of a credit against outstanding tax owed on a corrected tax bill; and

WHEREAS, Real Property Tax Law §550(2)(h) defines a “clerical error” as an incorrect entry on a tax roll of a relieved school tax which has been previously paid; and

WHEREAS, the owner of the following property has timely submitted proof of an error in their 2021 tax bill, to wit: The property owner paid their 2020 Galway Central School District tax bill but the payment was not credited resulting in school taxes being relieved onto the 2021 Town and County tax bill in error; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a new tax bill generated for said property which removes the relieved school taxes and penalties for the school taxes that were paid on September 30, 2020; now, therefore, be it

RESOLVED, that the application of the following property owner for correction of the 2021 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Kayla Sue Dodds	Galway	186.-2-44.2	\$1,091.20

and, be it further

RESOLVED, that the property owner shall have eight (8) days from the date a corrected 2021 tax bill is mailed to them to pay the corrected tax without additional penalties and interest; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward a copy of this Resolution to the Town Tax Collector of the Town of Galway and the Saratoga County Treasurer.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 73 - 2021

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

CORRECTING 2021 TAX BILL IN THE TOWN OF GALWAY (Tax Map # 200.-2-3)

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls, and Real Property Tax Law §556 authorizes the provision of a credit against outstanding tax owed on a corrected tax bill; and

WHEREAS, Real Property Tax Law §550(2)(h) defines a “clerical error” as an incorrect entry on a tax roll of a relieved school tax which has been previously paid; and

WHEREAS, the owner of the following property has timely submitted proof of an error in their 2021 tax bill, to wit: The property owner paid their 2020 Galway Central School District tax bill but the payment was not credited resulting in school taxes being relieved onto the 2021 Town and County tax bill in error; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a new tax bill generated for said property which removes the relieved school taxes and penalties for the school taxes that were paid on October 4, 2020; now, therefore, be it

RESOLVED, that the application of the following property owner for correction of the 2021 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Johanna L. Kinney, LE	Galway	200.-2-3	\$926.97

and, be it further

RESOLVED, that the property owner shall have eight (8) days from the date a corrected 2021 tax bill is mailed to them to pay the corrected tax without additional penalties and interest; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward a copy of this Resolution to the Town Tax Collector of the Town of Galway and the Saratoga County Treasurer.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 74 - 2021

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

CORRECTING 2021 TAX BILL IN THE TOWN OF GALWAY (Tax Map # 210.-1-47)

WHEREAS, Real Property Tax Law §554 provides the procedure for the correction of errors on the tax rolls, and Real Property Tax Law §556 authorizes the provision of a credit against outstanding tax owed on a corrected tax bill; and

WHEREAS, Real Property Tax Law §550(2)(h) defines a “clerical error” as an incorrect entry on a tax roll of a relieved school tax which has been previously paid; and

WHEREAS, the owners of the following property have timely submitted proof of an error in their 2021 tax bill, to wit: The property owners paid their 2020 Galway Central School District tax bill but the payment was not credited resulting in school taxes being relieved onto the 2021 Town and County tax bill in error; and

WHEREAS, our Director of Real Property Tax Services recommends that the error be corrected and a new tax bill generated for said property which removes the relieved school taxes and penalties for the school taxes that were paid on September 30, 2020; now, therefore, be it

RESOLVED, that the application of the following property owners for correction of the 2021 tax rolls be approved, and the tax rolls are so corrected:

<u>PROPERTY OWNER</u>	<u>TOWN</u>	<u>S/B/L</u>	<u>CORR. TAX</u>
Thomas F. Whalen	Galway	210.-1-47	\$1,190.27
Barbara E. Whalen			

and, be it further

RESOLVED, that the property owners shall have eight (8) days from the date a corrected 2021 tax bill is mailed to them to pay the corrected tax without additional penalties and interest; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward a copy of this Resolution to the Town Tax Collector of the Town of Galway and the Saratoga County Treasurer.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 75 - 2021

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

CANCELLING DELINQUENT TAXES IN THE TOWNS OF CORINTH, GREENFIELD, MILTON, SARATOGA, WATERFORD, AND WILTON

WHEREAS, pursuant to Real Property Tax Law 1138(6), a taxing district may cancel a delinquent tax lien if the taxing district determines that there is no practical method to enforce the collection of the delinquent tax lien and that a supplementary proceeding to enforce collection of the tax would not be effective; and

WHEREAS, from time to time parcels of taxable real property in Saratoga County which are in fact private roads or rights of way which serve as access to multiple adjoin parcels are included in the tax foreclosure proceeding for unpaid taxes; and

WHEREAS, the lack of proper construction, maintenance and repair of these roads create potential liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and

WHEREAS, amounts bid at auction sales of these private road parcels in the past have been significantly less than the unpaid taxes, and in many cases the purchasers of these parcels at auction later default in payment of taxes, causing the parcel to return to tax lien foreclosure; and

WHEREAS, there is no practical method of enforcing the collection of delinquent tax liens in the roads without incurring the potentially liability of ownership of the roads; and

WHEREAS, 2018 delinquent taxes in the amount of \$330.87 are outstanding on parcel 87.-1-28.1-6 in Town of Corinth and the aforementioned parcel was a mobile home that has since been removed; and

WHEREAS, 2011 delinquent taxes in the amount of \$356.88 are outstanding on parcel 151.-2-7.-1 in the Town of Greenfield and parcel 151.-2-7.-1 was a mobile home that has since been removed; and

WHEREAS, 2011 delinquent taxes in the amount of \$225.94 are outstanding on parcel 190.-7-6.-2 in the Town of Milton and parcel 190.-7-6.-2 was a mobile home that has since been removed; and

WHEREAS, parcel 193.5-1-36.21 in the Town of Saratoga has delinquent taxes outstanding in the amount of \$540.24 for 2018; \$319.00 for 2019; \$273.23 for 2020; and \$79.98 for 2021. Parcel 193.5-1-36.21 is a private road servicing multiple residents over which there is a common right of way; and

WHEREAS, 2015 delinquent taxes in the amount of \$275.79 are outstanding on parcel 295.12-1-55 in the Town of Waterford. Parcel 295.12-1-55 was conveyed to the State of New York as a highway right of way in 2014 and the tax parcel no longer exists; and

WHEREAS, 2010 delinquent taxes in the amount of \$421.03 are outstanding on parcel 153.-3-16.1 in the Town of Wilton, said parcel being a private road servicing multiple residents over which there is a common right of way; and

WHEREAS, the Tax Enforcement Officer has determined there is no practical method to enforce the collection of delinquent tax liens on the aforementioned properties and a supplementary proceeding to collect the taxes would be ineffective; and

WHEREAS, Real Property Tax Law §1138(6) allows the County to cancel the tax liens, both current and prospective, on these parcels; now, therefore, be it

RESOLVED, that the following delinquent tax liens on the following parcels are hereby cancelled pursuant to Real Property Tax Law §1138

<u>TOWN</u>	<u>PARCEL #</u>	<u>DELINQUENT OWNER</u>	<u>YEAR</u>	<u>TOTAL AMOUNT</u>
Corinth	87.-1-28.1-6	Jeanne Lee	2018	\$330.87
Greenfield	151.-2-7.-1	Joseph Kennedy	2011	\$356.88
Milton	190.-7-6.-2	Joan Woodbeck	2011	\$225.94
Saratoga	193.5-1-36.21	Estate of John Liapes	2018 2019 2020 2021	\$540.24 \$319.00 \$273.23 \$79.98
Waterford	295.12-1-55	State of New York	2015	\$275.79
Wilton	153.-3-16.1	Peggy Sue Riley	2010	\$421.03

and be it further

RESOLVED, that the Tax Enforcing Officer shall issue and file a certificate of cancellation prospective taxes on said parcels and file a copy of said certificate with the assessors of said towns and with the Director of Real Property Tax Services ; and it is further

RESOLVED, that the Saratoga County Treasurer shall cause the said delinquent taxes which have been credited to said towns to be charged back to the town so credited.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 76 - 2021

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

**AUTHORIZING THE TAX ENFORCEMENT OFFICER TO PERMIT THE
CANCELLATION IN WHOLE OF ANY INTEREST TO WHICH THE COUNTY
SHALL BE LAWFULLY ENTITLED
(Tax Parcels #262.-1-4.122 and #262.-1-4.2)**

WHEREAS, Real Property Tax Law §1182 authorizes the governing body of any tax district, upon a determination that it is in the best interest of the tax district, by resolution may cancel, in whole or in part, any interest imposed by law to which the tax district shall be lawfully entitled; and

WHEREAS, Tax Parcels #262.-1-4.122 and #262.-1-4.2, in the Town of Stillwater, are collectively known as the "Patenaude Properties" and are currently occupied by dilapidated industrial buildings and a 5,000 square foot industrial building containing hazardous materials that pose both an environmental and fire risk; and

WHEREAS, the Patenaude Properties are unoccupied and vacant and are a significant blight on the Stillwater and Mechanicville communities; and

WHEREAS, since 2017 the Tax Enforcement Officer having declined to pursue an In Rem Tax Foreclosure of the Patenaude Properties as being impractical after having assessed and determined that exposure of the county to environmental liability and costs associated with environmental remediation on the properties; and

WHEREAS, Tax parcel #262.-1-4.122 is currently subject to a County tax lien including \$30,165.72 in interest; and

WHEREAS, Tax parcel #262.-1-4.2 is currently subject to a County tax lien including \$26,288.90 in interest; and

WHEREAS, Best Avenue Ventures, LLC is an independent affiliate of DeCresente Distributing, Inc. Best Avenue Ventures, LLC has expressed and committed to both purchase the Patenaude properties and remediate the underlying environmental concerns including removing stored barrels of paint from the site, removing asbestos, demolishing the abandoned buildings, excavating contaminated soils and replacing said soils with clean soils, at an anticipated cost in excess of \$700,000; and

WHEREAS, it would be in the best interests of the County for a private owner to purchase the properties, remediate the environmental concerns, restore and redevelop the properties, and positively restore the properties to the County tax rolls; now, therefore, be it

RESOLVED, that, upon the joint recommendation of the Real Property Tax Committee and the County Treasurer, the Tax Enforcement Officer is, contingent upon the sale of the property and upon the written commitment of the buyers to remediate the environmental concerns, permitted to cancel in whole any interest assessed to Tax Parcels #262.-1-4.122 and #262.-1-4.2.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 77 - 2021

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

AUTHORIZING THE ACCEPTANCE OF A CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT GRANT FROM THE FEDERAL AVIATION ADMINISTRATION

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

WHEREAS, the Federal Aviation Administration ("FAA") has advised the County that it has set aside \$23,000 in Coronavirus Response and Relief Supplemental Appropriations Act Grant funds for the Saratoga County Airport to be applied toward existing airport related expenses, pending the receipt of the County's application for said funding; and

WHEREAS, airport consultant McFarland Johnson is assisting the Department of Public Works in preparing and submitting the Coronavirus Response and Relief Supplemental Appropriations Act Grant application to the Federal Aviation Administration ("FAA") for the guaranteed \$23,000 funding; and

WHEREAS, the approval of this Board of Supervisors is needed to apply for and accept these federal Coronavirus Response and Relief Supplemental Appropriations Act Grant funds; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the application for and the acceptance of the Coronavirus Response and Relief Supplemental Appropriations Act Grant in the amount of \$23,000 allocated through the Federal Aviation Administration to offset the decline in revenues arising from diminished airport operations and activities at the Saratoga County Airport resulting from the COVID-19 pandemic; and, be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all agreements and documents needed to apply for and accept said \$23,000 Coronavirus Response and Relief Supplemental Appropriations Act Grant funds from the Federal Aviation Administration, with the form and content of such agreements and documents to be approved by the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. This grant will be applied toward existing airport related expenses.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 78 - 2021

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

AMENDING THE 2021 BUDGET TO REAPPROPRIATE UNSPENT FUNDS RELATING TO DEPARTMENT OF PUBLIC WORKS CAPITAL PROJECTS

WHEREAS, unexpended 2020 funds in the amount of \$3,627,265 authorized for our Department of Public Works for the following projects need to be reappropriated to the 2021 County budget:

1. Airport Partial Parallel Taxiway - Engineering	\$ 15,683
2. Airport Perimeter Fence - Inspection	\$ 349,635
3. Airport Perimeter Fence – Construction	\$2,092,152
4. Airport Off Site Habitat Mitigation, N&S Sites – Inspection	\$ 198,572
5. Airport Off Site Habitat Mitigation, N&S Sites – Construction	\$ 691,913
6. Airport Pavement Management Program – Engineering	\$ 60,120
7. Airport Snow Removal Equipment Building – Engineering	\$ 16,167
8. Airport T-Hangar – Engineering	\$ 28,023
9. Water Tower Rehab. – Inspection	\$ 27,000
10. Water Tower Rehab. – Construction	<u>\$ 148,000</u>
	\$3,627,265

now, therefore, be it

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

DEPARTMENT OF PUBLIC WORKS

Appropriations:

Increase Acct: A.50.000-7094 Building Components Realty	\$ 175,000
Increase Acct: A.50.513-7093 Airport – Bldg. Construction Cost	\$ 2,784,065
Increase Acct: A.50.513-8130 Airport – Architects/Engineers	<u>\$ 668,200</u>
	\$ 3,627,265

Revenues:

Increase Acct: A.50-3592 State	\$ 40,555
Airport Increase Acct: A.50-4592	\$ 3,406,507
Federal Airport Increase Acct: A.0599.B	<u>\$ 180,203</u>
App. Fund Bal.	\$ 3,627,265

BUDGET IMPACT STATEMENT: This resolution will require an amendment to the 2021 budget in the amount of \$3,627,265

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 79 - 2021

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

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1 OF 2021, PRINT NO. 1, AUTHORIZING THE LEASING OF REAL PROPERTY OF THE COUNTY OF SARATOGA TO GATEWAY HOUSE OF PEACE, INC.

WHEREAS, Resolution 42-2021 introduced and presented a proposed Local Law identified as Introductory No. 1, Print No. 1 of 2021, to this Board of Supervisors and scheduled a public hearing thereon for March 10, 2021 at 3:30 PM in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

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

WHEREAS, the scheduled public hearing was held and all persons desiring to be heard submitted written comments by email or written correspondence to this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 16th day of March, 2021, hereby adopts a 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., as set forth in the annexed Schedule A, which once filed with the New York Secretary of State shall be known as Local Law No. 1 of 2021.

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 1 - 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 80 - 2021

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

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

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

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

WHEREAS, pursuant to Resolution 118 – 2020, the Board of Supervisors authorized an amendment to the Vacation Carryover Policy and Process as a result of the impacts of the COVID-19 pandemic on staffing and departmental operations, said amendment affecting accruals earned on or before December 31, 2020; and

WHEREAS, staffing and departmental operations continue to be heavily impacted by the COVID-19 Pandemic, including requiring employees in certain instances to not utilize accrued vacation time in response to maintaining departmental operations and ensuring adequate staffing to serve the public; and

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

WHEREAS, our Human Resources and Insurance Committee has recommended that the time in which County employees with staggered accrual anniversary dates through December 31, 2021 must use their accrued vacation time be extended through the employee's accrual anniversary date in 2022 in accordance with the Collective Bargaining Agreements; and that the following section be added at the end of the County's Vacation Carryover Policy:

TEMPORARY VACATION CARRYOVER AMENDMENTS RESULTING FROM THE COVID-19 PANDEMIC

Effective March 17, 2021 any currently approved vacation carryover request will be extended until the employee's 2022 accrual anniversary date. Upon the employee's 2022 accrual anniversary date, any unused vacation time will be removed from the employee's vacation accrual bank.

Upon the approval of an employee's Department Head and the Human Resources Department, all vacation carryover requests made by the employee through December 31, 2021 will expire on the employee's accrual anniversary in 2022. Upon the employee's 2022 accrual anniversary date any unused vacation accruals will be removed from the employee's vacation accrual bank.

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

; and

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

RESOLVED, that the time in which County employees with staggered accrual dates through December 31, 2021 are required to use their accrued vacation time is hereby extended through the employee's accrual anniversary date in 2022 in accordance with the Collective Bargaining Agreements; and be it further

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

<u>CHAP/SECTION</u>	<u>TITLE</u>	<u>ORIGINALLY ADOPTED</u>	<u>LAST REVISED</u>
4 M	Vacation Carryover Policy	5/13/80	Resolution 118 - 2020

and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 81 - 2021

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

AUTHORIZING RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE UNITED PUBLIC SERVICE EMPLOYEES UNION (UPSEU) TO ADD INTO THE UNION FROM THE SHERIFF'S DEPARTMENT, REGISTERED PROFESSIONAL NURSES AND A HEAD NURSE

WHEREAS, the County of Saratoga, the Saratoga County Sheriff, and the United Public Service Employees Union (UPSEU) entered into a Memorandum of Agreement to extend their collective bargaining agreement from January 1, 2020 to December 31, 2022; and

WHEREAS, Resolution 45 – 2020 approved the Memorandum of Agreement with the United Public Service Employees Union providing for a one year extension of the previously expired Collective Bargaining Agreement through December 31, 2019, and authorized the Chairman of this Board of Supervisors to execute the 2019 Collective Bargaining Agreement with the United Public Service Employees Union subject only to final agreement on, and the approval of, its language in final form by this Board's Negotiating Committee and the County's Labor Counsel, Goldberg Segalla, and

WHEREAS, the UPSEU seeks to have those nurses that work at the Saratoga County Jail employed by the Saratoga County Sheriff's Office become members of the United Public Service Employees Union and that Saratoga County acknowledge the Union as the selected bargaining agent for those nurses; and

WHEREAS, the titles that the United Public Service Employees Union seeks to make part of the United Public Service Employees Union are Registered Nurses and Head Nurses and the Sheriff has agreed to the nurses becoming part of the United Public Service Employees Union; and

WHEREAS, the Saratoga County Sheriff, the County Administrator and the United Public Service Employees Union have entered into a Memorandum of Agreement to add the Registered Nurses and Head Nurses to the United Public Service Employees Union; and

WHEREAS, Saratoga County Sheriff, the County Administrator, and the County's Director of Human Resources have recommended that the Memorandum of Agreement with the United Public Service Employees Union be ratified, and that the Registered Nurses and Head Nurses be added to the United Public Service Employees Union; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby approves the Memorandum of Agreement with the United Public Service Employees Union providing for adding Registered Nurses and Head Nurses to the United Public Service Employees Union; and be it further

RESOLVED, that the Chairman of this Board of Supervisors is authorized to execute an amended 2019 Collective Bargaining Agreement as authorized herein with the United Public Service Employees Union subject only to final agreement on, and the approval of, its language in final form by this Board's Negotiating Committee and the County's Labor Counsel, Goldberg Segalla.

BUDGET IMPACT STATEMENT: No Budget Impact.

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 82 - 2021

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

AUTHORIZING THE CHAIR TO EXECUTE AN AGREEMENT WITH SARATOGA HOSPITAL, INC., CORPORATE HEALTH SERVICES FOR THE PROVISION OF PHYSICAL EXAMINATIONS AND LABORATORY TESTING SERVICES

WHEREAS, pursuant to Resolution 43-2020, the County entered into an agreement with Saratoga Hospital, Inc., Corporate Health Services for the performance of physical examinations and laboratory testing required for new and current County employees, for the term January 1, 2020 through December 31, 2020 at the rates set forth in Saratoga Hospital's Corporate Health Services Fee Schedule at the time the services are rendered, with the total cost of the contract not to exceed \$30,000; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended that the County enter into a renewal agreement with Saratoga Hospital for the performance of physical examinations and laboratory testing required for new and current County employees, for the term January 1, 2021 through December 31, 2021 at a cost not to exceed \$30,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Saratoga Hospital, Inc., Corporate Health Services, of Saratoga Springs, New York, for the performance of physical examinations and laboratory testing required for new and current County employees, for the term January 1, 2021 through December 31, 2021 at the rates set forth in Saratoga Hospital's Corporate Health Services Fee Schedule at the time the services are rendered, with the total cost of the contract not to exceed \$30,000; and, be it further

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

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



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 83 - 2021

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

AMENDING THE 2021 COMPENSATION SCHEDULE UNDER SHERIFF DEPARTMENT

WHEREAS, the Saratoga County Sheriff is continually attempting to recruit qualified candidates for the Corrections Unit and Road Patrol Unit of the Saratoga County Sheriff's Department to maintain operational capacity; and

WHEREAS, recruitment of eligible transfers from other qualified law enforcement agencies provides a benefit to the Saratoga County Sheriff's Department, including increasing retention and decreasing the need for initial law enforcement training that has already been completed by the candidate; and

WHEREAS, competition for qualified law enforcement candidates continues to increase, in part as a result of the ongoing state hiring moratorium, and as a result the Saratoga County Sheriff has requested that he be authorized to hire eligible transfers at Step 1 rather than Base Salary, and after the first year of employment the terms of the operating collective bargaining agreement would determine any longevity increases in salary; and

WHEREAS, the Human Resources and Insurance Committee, the Saratoga County Sheriff, and the Director of Human Resources have recommended that the 2021 Compensation Schedule be amended to allow the Saratoga County Sheriff to hire transfers for both the Corrections Unit and Road Patrol Unit at Step 1 rather than at base salary, and after the first year of employment the terms of the operating collective bargaining agreement would determine any longevity increases in salary; now, therefore, be it

RESOLVED, that the 2021 Compensation Schedule be amended to authorize the Saratoga County Sheriff to hire transfers for both the Corrections Unit and Road Patrol Unit at Step 1 rather than at base salary, and after the first year of employment the terms of the operating collective bargaining agreement would determine any longevity increases in salary; and it is further

RESOLVED, that for purposes of this resolution, "eligible transfer," means the change, without further examination, of a permanent employee from a position under the jurisdiction of one Appointing Authority to a similar position under the jurisdiction of another Appointing Authority.

BUDGET IMPACT STATEMENT: No budget impact.

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 84 - 2021

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

AMENDING THE 2021 COMPENSATION SCHEDULE UNDER COUNTY TREASURER

WHEREAS, the Human Resources and Insurance Committee, the Director of Human Resources and the County Treasurer have recommended that the 2021 Saratoga County Compensation Schedule be amended under County Treasurer to reclassify the position of Senior Account Clerk to Special Clerk to the County Treasurer at the base salary of \$41,686 in order to better serve the needs of the County Treasurer; and

WHEREAS, the reclassification from Senior Account Clerk to Special Clerk to the County Treasurer reflects that the position requires experience unique among positions of a similar class including an accounting, finance, bookkeeping or similar experience with a preference towards tax collection; now, therefore, be it

RESOLVED, that the 2021 Saratoga County Compensation Schedule is amended effective as of March 16, 2021 as follows:

UNDER COUNTY TREASURER:

Reclassify (1) Senior Account Clerk to (1) Special Clerk to the County Treasurer,
Base Salary \$41,686

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 85 - 2021

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

APPOINTING A COUNTY ATTORNEY

WHEREAS, Section 500 of the County Law authorizes the appointment of a County Attorney; and

WHEREAS, in the past the County Attorney has been designated as the person to hear appeals regarding the denial of access to public records under the Freedom of Information Law, pursuant to Resolution 66 of 1978; and

WHEREAS, pursuant to Resolution 4 – 2020, Stephen M. Dorsey was appointed County Attorney on January 2, 2020 for a term to expire on December 31, 2021, and thereafter Stephen M. Dorsey retired on December 31, 2020; and

WHEREAS, pursuant to Resolution 264 – 2020, Hugh G. Burke was appointed Acting County Attorney commencing January 1, 2021 and continuing until such time as a new County Attorney is appointed by this Board and assumes the duties of the position; and

WHEREAS, the Human Resources and Insurance Committee has recommended a qualified applicant to fill the vacant position of County Attorney; now, therefore, be it

RESOLVED, that commencing April 1, 2021, Michael J. Hartnett be and he hereby is appointed full-time County Attorney, that the duties of said County Attorney shall be the same as prescribed by Section 501 of the County Law and that his term shall expire on December 31, 2021; and, be it further

RESOLVED, commencing April 1, 2021, pursuant to Public Officers Law, Article 6, Michael J. Hartnett be and he is hereby designated as the person to hear appeals regarding the denial of access to public records under the Freedom of Information Law; and, be it further

RESOLVED, that in the event Michael J. Hartnett shall have a conflict in hearing an appeal of a Freedom of Information Law request on which he provided legal advice to the Saratoga County Public Access Officer, Hugh G. Burke is hereby designated to hear all such appeals.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 86 - 2021

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

**AUTHORIZING THE CHAIRMAN TO ENTER INTO
AN AGREEMENT WITH THE NEW YORK STATE OFFICE
OF INDIGENT LEGAL SERVICES TO ACCEPT A \$423,201
INDIGENT LEGAL SERVICES GRANT (DISTRIBUTION #11)**

WHEREAS, grant funds are available for the grant period January 1, 2021 through December 31, 2023 from the New York State Office of Indigent Legal Services in the amount of \$423,201 to assist Saratoga County, the County Public Defender's Office and the County Conflict Defender's Office in improving the quality of indigent legal services provided by the County pursuant to County Law Article 18-B; and

WHEREAS, the County proposes to use said grant funds to continue to fund salaries and operational expenses of the Conflict Defender's Office; and

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

RESOLVED, that the Chair of the Board of Supervisors is authorized to execute all necessary documents with the New York State Office of Indigent Legal Services for the acceptance of a State Office of Indigent Legal Services Grant (Distribution #11) in the amount of \$423,201 for improving the quality of indigent legal services in Saratoga County for the period January 1, 2021 through December 31, 2023; with the form and content of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. 100% State Aid.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 87 - 2021

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

**APPROVING THE COUNTY'S ALTERNATIVES TO
INCARCERATION (ATI) PERFORMANCE-BASED
SERVICES PLAN AND AUTHORIZING ACCEPTANCE
OF STATE GRANTS FOR COMMUNITY WORK ORDER
AND PRE-TRIAL RELEASE SERVICES PROGRAMS**

WHEREAS, by Resolution 130-2019, this Board authorized the approval of our current Alternatives to Incarceration (ATI) program through June 30, 2020, and the acceptance of funding from the State Division of Criminal Justice Services' Office of Probation and Correctional Alternatives; and

WHEREAS, the State Division of Criminal Justice Services has allocated funding for the County's ATI Program in the amount of \$26,224 for the period of July 1, 2020 through June 30, 2021; and

WHEREAS, it is necessary to approve the County's ATI Performance-Based Service Plan program through June 30, 2021, and to authorize acceptance of the allocated ATI grant funding from the State Division of Criminal Justice Services' Office of Probation and Correctional Alternatives during said period; now, therefore, be it

RESOLVED, that this Board of Supervisors approves the County's Alternatives to Incarceration (ATI) Performance-Based Service Plan through June 30, 2021; and, be it further

RESOLVED, that the Chairman of the Board execute all necessary documents with the State Division of Criminal Justice Services' Office of Probation and Correctional Alternatives for the application for and acceptance of the following grants:

<u>FUND</u>	<u>PROGRAM</u>	<u>PERIOD</u>	<u>AMOUNT</u>
ATI	Community Work Order	7/1/20 - 6/30/21	\$ 9,853.20
ATI	Pre-Trial Release Services	7/1/20 - 6/30/21	\$16,370.80

BUDGET IMPACT STATEMENT: No budget impact. 100% State Aid.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 88 - 2021

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

ADOPTING AND IMPLEMENTING THE EXECUTIVE ORDER 203 COMPLIANCE GROUP JANUARY 2021 REPORT PER GOVERNOR ANDREW M. CUOMO'S EXECUTIVE ORDER 203, NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

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 23, 2020, per Resolution 46 – 2021, the Saratoga County Board of Supervisors accepted the Executive Order 203 Compliance Group Report for consideration and established a public comment period to elicit community input regarding the report and recommendations therein; and

WHEREAS, the Executive Order 203 Compliance Group January 2021 Report provides ten (10) recommendations to the Saratoga County Sheriff's Office, and implementation of those recommendations by the Saratoga County Sheriff's Office will ensure that all of the citizens of Saratoga County are continued to be treated equally, fairly, and justly before the law with greater transparency, and

WHEREAS, after consideration of the input offered from the Stakeholders and the public, now therefore, be it

RESOLVED, the proposed Executive Order 203 Compliance Group Report and the recommendations contained therein, as required by the Governor's Executive Order #203, aforementioned are hereby adopted, and that a certified copy of this resolution be forwarded to the New York State Budget Director on or before April 1, 2021.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 89 - 2021

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

AUTHORIZING PARTICIPATION IN 2021 STATE STOP-DWI PROGRAM AND CONTRACTS WITH LOCAL AGENCY PARTICIPANTS

WHEREAS, Vehicle and Traffic Law §1197 authorizes establishment of county special traffic options programs for driving while intoxicated (STOP-DWI) to reduce drug-related and alcohol-related traffic injuries and fatalities; and

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

WHEREAS, 2020 County participants wish to continue their services in 2021; and

WHEREAS, the participation and cooperation of these local agencies and of the County are essential for effective action against this continuing menace to our residents; now, therefore, be it

RESOLVED, that the County of Saratoga renew its annual application to participate in the New York State STOP-DWI program for 2021; and, be it further

RESOLVED, that this Board of Supervisors approves the following 2021 STOP-DWI Program and budget for Saratoga County:

<u>ADMINISTRATION:</u>	<u>\$ 21,684</u>
Personnel (Coordinator)	\$ 16,000
Training/Travel	\$ 220
Dept. Expenses	\$ 5,464
<u>ENFORCEMENT AGENCIES:</u>	<u>\$ 110,554</u>
Saratoga County Sheriff	\$ 46,754
City of Saratoga Springs	\$ 33,000
Village of South Glens Falls	\$ 7,000
Town of Waterford	\$ 7,000
City of Mechanicville	\$ 5,600
Village of Ballston Spa	\$ 7,000
Town of Stillwater	\$ 4,200
<u>CRACK DOWN</u>	<u>\$ 25,000</u>

<u>COUNTY DEPARTMENTS:</u>	<u>\$ 112,312</u>
District Attorney	\$ 40,000
Probation	\$ 32,312
Mental Health	\$ 40,000
 <u>INFORMATIONAL AGENCIES:</u>	 <u>\$ 40,944</u>
ASAPC	\$ 36,544
SADD Programs	\$ 4,400
 Total 2021 Grants:	 <u>\$310,494;</u>

and, be it further

RESOLVED, the Chair of the Board shall execute any agreements and documents needed with the above agencies and the State of New York to implement the above 2021 STOP-DWI program, with the form and content of such agreements and documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: No budget impact. 100% State Aid.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 90 - 2021

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

AMENDING THE 2021 COUNTY BUDGET TO REAPPROPRIATE UNSPENT NEW YORK STATE HOMELAND SECURITY GRANT FUNDS UNDER THE SHERIFF'S DEPARTMENT

WHEREAS, Resolution 220-2019 authorized the acceptance of a 2018 New York State Explosive Detection Canine Team grant from the New York State Division of Homeland Security and Emergency Services for the term October 1, 2019 through August 31, 2021, to pay for K9 equipment and training for the Sheriff's Department; and

WHEREAS, Resolution 221-2018 authorized the acceptance of a 2018 State Law Enforcement Terrorism Prevention Program grant from the New York State Homeland Security and Emergency Services for the term September 1, 2018 through August 31, 2021, to pay for enhanced counter terrorism and response programs and equipment for the Sheriff's Department; and

WHEREAS, Resolution 221-2019 authorized the acceptance of a 2019 State Law Enforcement Terrorism Prevention Program grant from the New York State Homeland Security and Emergency Services for the term September 1, 2019 through August 31, 2022, to pay for training, planning and equipment for the Sheriff's Department; and

WHEREAS, Resolution 185-2020 authorized the acceptance of a 2020 State Law Enforcement Terrorism Prevention Program grant from the New York State Homeland Security and Emergency Services for the term September 1, 2020 through August 31, 2023, to pay for training, planning and equipment for the Sheriff's Department; and

WHEREAS, unexpended funds from said grants in the amount of \$141,477.89 need to be reappropriated for the Sheriff's Department to the 2021 County Budget; now, therefore, be it

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

SHERIFF'S DEPARTMENT:

Appropriations:

Increase Acct.: A.30.000-6810 Overtime	\$ 567.05
Increase Acct.: A.30.000-7041 Cars & Light Trucks	\$ 36,862.00
Increase Acct.: A.30.000-7051 Communications Equipment	\$ 959.00
Increase Acct.: A.30.000-7033 Personal Computers	\$ 2,078.61
Increase Acct.: A.30.000-7080 Other Equipment	\$ 47,085.00
Increase Acct.: A.30.000-7205 Dive Equipment >\$500	\$ 8,150.73
Increase Acct.: A.30.000-8150 Training Services	\$ 2,500.00
Increase Acct.: A.30.000-8231 Police Supplies	\$ 3,197.00

Increase Acct.: A.30.000-8293 Equipment Maintenance	\$ 1,000.00
Increase Acct.: A.30.000-8514 Publications	<u>\$ 39,078.50</u>
	\$141,477.89

Revenues:

Increase Acct.: #A.30-3306 Homeland Security	\$141,477.89
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BUDGET IMPACT STATEMENT: None. 100% State Aid.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 91 - 2021

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

AUTHORIZING AN AGREEMENT WITH BLACK CREEK INTEGRATED SYSTEMS CORP. TO EXTEND THE CURRENT CONTRACT FOR THE LICENSING AND SUPPORT OF THE BLACK CREEK SALLY-PORT JAIL MANAGEMENT SYSTEM AT THE SARATOGA COUNTY CORRECTIONAL FACILITY

WHEREAS, pursuant to Resolution 132-2016 the Sheriff's Department retained the services of Black Creek Integrated Systems Corp. to install Black Creek's SallyPort Jail Management System at the Saratoga County Correctional Facility, which software system maintains inmate records that include individual inmate photos, personal information, admission date, intake information, health services, inmate funds and release date; and

WHEREAS, Black Creek Integrated Systems Corp. ("Black Creek") has submitted a proposal to extend the current contract for one (1) year to the Sheriff's Department for the continued licensing and support maintenance of the Black Creek Sally-Port Jail Management System at the County Correctional Facility; and

WHEREAS, the Black Creek Sally-Port Jail Management System is primarily a sole source product in that it is the only touch screen security control system for jails with software that is both compatible with and will fully integrate with the existing SallyPort Jail Management System; and

WHEREAS, the Public Safety Committee and Sheriff Zurlo have recommended that the proposal to extend the current contract for one year with Black Creek Integrated Systems Corp. for the continued licensing and support of the Black Creek SallyPort Jail Management System, at the Saratoga County Correctional Facility at a cost not to exceed \$43,564.50; now therefore be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Black Creek Integrated Control Systems Corp. of Irondale, Alabama, to extend for one (1) year the licensing and support of the Black Creek SallyPort Jail Management System at a total cost not to exceed \$43,564.50; and be it

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

BUDGET IMPACT STATEMENT: None. Costs associated with this agreement are included in the Sheriff's Office 2021 Budget.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 92 - 2021

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

PROCLAIMING APRIL 11-17, 2021 AS “PUBLIC SAFETY TELECOMMUNICATORS WEEK” IN SARATOGA COUNTY

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers, firefighters and paramedics is dependent upon the quality and accuracy of information obtained from citizens who contact the Saratoga County Sheriff’s Office Communications Division; and

WHEREAS, public safety telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, public safety telecommunicators are the single vital link for our police officers, firefighters, and paramedics by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, public safety telecommunicators of the Saratoga County Sheriff’s Office have contributed substantially to the apprehension of criminals, suppression of fires and treatment of those in need of medical care; and,

WHEREAS, each telecommunicator of the Saratoga County Sheriff’s Office has exhibited compassion, understanding and professionalism during the performance of their job during the 144,909 calls for service handled during 2020; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby proclaims the week of April 11-17, 2021 as “Public Safety Telecommunicators Week” in Saratoga County, in honor of the men and women of the Saratoga County Sheriff’s Office Communications Division, whose diligence and professionalism keep us safe.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 93 - 2021

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A 2021 CRIMES AGAINST REVENUE PROGRAM GRANT

WHEREAS, pursuant to Resolution 243-2019, this Board authorized the acceptance of a 2020 Crimes Against Revenue Program Grant from the State Division of Criminal Justice Services ("DCJS") and the New York State Department of Taxation and Finance in the amount of \$118,900 to provide salary support to the District Attorney's Office for the investigation and prosecution of crimes related to the nonpayment of taxes and the commission of Medicaid, welfare, unemployment and Workers' Compensation fraud; and

WHEREAS, the State DCJS has made additional aid available in the amount of \$118,900 under the Crimes Against Revenue Program to provide continued salary support and travel reimbursement to the District Attorney's Office for the investigation and prosecution of crimes related to the nonpayment of taxes and the commission of Medicaid, welfare, unemployment and Workers' Compensation fraud for the grant period January 1, 2021 through December 31, 2021; and

WHEREAS, the State DCJS requests that the County approve and authorize the acceptance of this grant; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute all necessary documents with the New York State Division of Criminal Justice Services for the acceptance of a Crimes Against Revenue Program grant in the amount of \$118,900 for the grant period January 1, 2021 through December 31, 2021; with the form and content of such documents being subject to the approval of the County Attorney.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 94 - 2021

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

AUTHORIZING ACCEPTANCE OF A CRIMINAL JUSTICE DISCOVERY REFORM GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, a grant in the amount of \$380,056 is available from the New York State Division of Criminal Justice Services for the purpose of providing funding to support local district attorneys with expenses related to the implementation of discovery and bail reforms for the grant period April 1, 2020 through March 31, 2021; and

WHEREAS, the acceptance of this Criminal Justice Discovery Reform Grant requires our approval; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the County Administrator execute all documents necessary to apply for and accept a New York State Division of Criminal Justice Services grant in the amount of \$380,056 to assist the District Attorney's Office with expenses related to the implementation of discovery and bail reforms for the grant period April 1, 2020 through March 31, 2021.

BUDGET IMPACT STATEMENT: No budget impact. 100% State Aid.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 95 - 2021

Introduced by Supervisors Tollisen, Barrett, Kinowski, Lawler, Richardson, Wright and Zlotnick

AUTHORIZING THE CHAIRMAN TO EXECUTE A COOPERATIVE AGREEMENT WITH THE GREENWAY CONSERVANCY OF THE HUDSON VALLEY, INC. PROVIDING FOR THE CONSTRUCTION BY THE COUNTY AND STATE FUNDING OF A 1.2 MILE SECTION OF THE CHAMPLAIN CANALWAY TRAIL IN THE TOWN/VILLAGE OF WATERFORD, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, in January 2017, Governor Cuomo announced the creation of the Empire State Trail, which when completed, will be the nation's longest state multi-use trail, and will consist of a 750-mile bicycle and walking trail that will run from New York City through the Hudson and Champlain Valleys to Canada, and from Albany to Buffalo on the Erie Canalway Trail; and

WHEREAS, a section of the Empire State Trail known as the Champlain Canalway Trail is a 61 mile long linear trail area primarily along the old Champlain Canal Towpath from the Village of Waterford in Saratoga County in the south to the Village of Whitehall in Washington County in the north; and

WHEREAS, the Greenway Conservancy for the Hudson River Valley, Inc. (hereinafter "Greenway Conservancy") is a public benefit corporation established by the State of New York in 1991, which is provided funding by the State for the purposes of creating and upgrading the Empire State Trail; and

WHEREAS, pursuant to Resolution 174-2018, a cooperative agreement with the Greenway Conservancy for the Hudson River Valley, Inc. authorized the County of Saratoga to act as contract administrator and project manager for the construction of a 1.2 mile section of the Champlain Canalway Trail over the lands of the City of Mechanicville and Town of Waterford in the Town of Waterford, and to construct said section of the Champlain Canalway Trail at a cost not to exceed \$408,000 with the Greenway Conservancy for the Hudson River Valley, Inc. to reimburse the County for its costs in constructing said section of the Champlain Canalway Trail up to an amount not to exceed \$408,000

WHEREAS, the Greenway Conservancy has proposed to provide the reimbursement funding to the County of Saratoga in an amount not to exceed \$210,000 to allow the County to administer as project manager and construct an additional 1.2 mile section of the Champlain Canalway Trail in the Town and Village of Waterford; and

WHEREAS, our Trails and Open Space Committee has recommended that the County enter into a cooperative agreement with the Greenway Conservancy providing for: 1) the County of Saratoga: a) to act as contract administrator and project manager for the construction of a 1.2 mile section of the Champlain Canalway Trail over lands of the State of New York in the Town and Village of Waterford, and b) to construct said section of the Champlain Canalway Trail, at a cost not to exceed \$210,000; and 2) the Greenway Conservancy to reimburse the County for its costs in constructing said section of the Champlain Canalway Trail up to an amount not to exceed \$210,000; and

WHEREAS, an amendment to the 2021 Saratoga County Budget is needed to facilitate construction of this portion of the trail in the Town/Village of Waterford prior to receiving reimbursement from the Greenway Conservancy in the amount of \$210,000; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a cooperative agreement with the Greenway Conservancy for the Hudson River Valley, Inc., providing for:

1) the County of Saratoga: a) to act as contract administrator and project manager for the construction of a 1.2 mile section of the Champlain Canalway Trail over lands of the State of New York in the Town and Village of Waterford, and b) to construct said section of the Champlain Canalway Trail, at a cost not to exceed \$210,000; and

2) the Greenway Conservancy for the Hudson River Valley, Inc. to reimburse the County for its costs in constructing said section of the Champlain Canalway Trail up to an amount not to exceed \$210,000;

and, be it further

RESOLVED, that the form and content of such cooperative 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:

PLANNING

Appropriations

Increase Acct: A.80.000-7098 Professional Services for Cap Purposes \$210,000

Revenues

Increase Acct: A.80.2770 (Unclassified Revenue) \$210,000

BUDGET IMPACT STATEMENT: No budget impact. 100% of the funding for this project will be provided through a grant with Hudson River Valley Greenway with no cost to Saratoga County.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 96 - 2021

Introduced by Supervisors Tollisen, Barrett, Kinowski, Lawler, Richardson, Wright and Zlotnick

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH CHA CONSULTING, INC. FOR DESIGN, CONSTRUCTION ADMINISTRATION, AND CONSTRUCTION INSPECTION SERVICES RELATED TO THE CONSTRUCTION OF A 1.2 MILE SECTION OF THE CHAMPLAIN CANALWAY TRAIL IN THE TOWN AND VILLAGE OF WATERFORD

WHEREAS, pursuant to Resolution 95-2021, this Board of Supervisors authorized a cooperative agreement with the Greenway Conservancy for the Hudson River Valley, Inc. providing for the County to act as contract administrator and project manager for the construction of a 1.2 mile section of the Champlain Canalway Trail over the lands of the State of New York in the Town and Village of Waterford, and to construct said section of the Champlain Canalway Trail at a cost of not to exceed \$210,000; and

WHEREAS, pursuant to Resolution 95-2021, the Greenway Conservancy for the Hudson River Valley, Inc. is to reimburse the County for its costs in constructing said section of the Champlain Canalway Trail up to an amount not to exceed \$210,000; and

WHEREAS, the 1.2 mile section of Champlain Canalway Trail to be constructed originates in the Village of Waterford at Broad Street (CR 32) and terminates at the Southern portion of the previously constructed section of the Champlain Canalway Trail over the lands of the City of Mechanicville and the Town of Waterford; and

WHEREAS, through a competitive proposal process, the Greenway Conservancy for the Hudson River Valley, Inc. previously retained CHA Consulting, Inc. to prepare the original professional engineering design work for portions of the Champlain Canalway Trail; and

WHEREAS, CHA Consulting, Inc. submitted a proposal for the provision of construction administration and inspection services for the construction of the 1.2 mile section of the Champlain Canalway Trail, which services include, but are not limited to: preparation of contract design documents, bidding services, and construction administration and inspection services, at a cost of \$35,000; and

WHEREAS, our Trails and Open Space Committee and the Director of Planning have recommended that the proposal of CHA Consulting, Inc. for the provision of professional engineering construction bid phase, administration and inspection services at a cost not to exceed \$35,000, be accepted ; and

WHEREAS, the costs incurred by the County pursuant to this contract with CHA Consulting, Inc. will be reimbursed by the Greenway Conservancy for the Hudson Valley, Inc. now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with CHA Consulting, Inc. of Albany, New York for the provision of construction bid phase, administration and inspection services for the construction of a 1.2 mile section of the Champlain Canalway Trail in the Village of Waterford, at a cost not to exceed \$35,000, with the form and content of such agreement to be subject to the approval of the County Attorney; 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: No budget impact. 100% State Aid.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 97 - 2021

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

ESTABLISHING A CAPITAL RESERVE FUND FOR UNSPENT MUNICIPAL ECONOMIC DEVELOPMENT ASSISTANCE GRANT MONIES

WHEREAS, this Board has appropriated grant funds related to the Municipal Economic Development Assistance grant program; and

WHEREAS, in 2020 this Board appropriated \$150,000 in the 2021 budget for the Municipal Economic Development Assistance Program and \$111,744.02 has not been expensed; and

WHEREAS, the Director of Finance has recommended that a reserve account A-0888.ED be created to house the unexpended funds until such funds are needed and a reimbursement voucher is submitted by a municipality, at which point the funds will be appropriated to the General Fund budget and unspent monies in succeeding years may be transferred to the account; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby establishes an account to be known as Account "Economic Dev Grant Reserve" (hereinafter "Reserve Fund") for the purpose of depositing unexpended funds for the Municipal Economic Development Assistance Program; and, be it further

RESOLVED, that the Saratoga County Treasurer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Treasurer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the Investment Policy of Saratoga County. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Treasurer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investment of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investment, and shall, at the end of each fiscal year, render to the Board of Supervisors a detailed report of the operation and condition of the Reserve Fund.; and, be it further

RESOLVED, that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of the Board of Supervisors and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 98 - 2021

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

AMENDING THE 2021 BUDGET TO REAPPROPRIATE UNSPENT FUNDS FOR DEPARTMENT OF PUBLIC WORKS CAPITAL PROJECTS

WHEREAS, unexpended 2020 funds in the amount of \$1,363,060 authorized for our Department of Public Works for the following projects need to be reappropriated to the 2021 County budget:

1.	Ashdown Road Bridge over CP Rail – Engineering	\$ 24,220
2.	Coons Crossing Road Bridge over Anthony Kill – Engineering	\$ 192,079
3.	CR 23 (Brook Road) Culvert over Slade Creek – Engineering	\$ 15,000
4.	CR 23 (Brook Road) Culvert over Slade Creek – Construction	\$ 467,000
5.	CR 13 (Barkersville-Fayville Road over Cadman Creek – Engineering	\$ 18,519
6.	Clark Road Bridge over Snook Kill – Engineering	\$ 541
7.	CR 29 (West River Road) over Snook Kill – Engineering	\$ 1,421
8.	Hans Creek Road Bridge over Hans Creek – Engineering	\$ 27,442
9.	CR 4 (North Shore Road) Bridge over Paul Creek, New Bridge, C	\$ 2,131
10.	Hadley Hill Road Bridge over Paul Creek – Construction	\$ 42,878
11.	CR 31 (Fortsville Road) Culvert over North Branch Creek-Engineering	\$ 71,169
12.	CR24 (Spier Falls Rd.) Culvert over Trib. of Hudson River-Engineering	\$ 12,660
13.	CR 28 (S. Glens Falls-Ft. Edward Road) Pavement, Part 1, 1.6 miles- Engineering	\$ 20,000
14.	CR 28 Pavement (S. Glens Falls-Ft. Edward Road), Part 2, 1.0 mile- Engineering	\$ 43,000
15.	CR 4 (North Shore Road) Wearing Surface – Construction	<u>\$ 425,000</u>
		\$1,363,060

now, therefore, be it

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

DEPARTMENT OF PUBLIC WORKS

Appropriations:

Increase Acct: D.50.510-7502 Contracted Highway Services	\$ 469,131
Increase Acct: D.50.510-8130 Architects/Engineers	\$ 468,929
Increase Acct: D.50.510-8251 Hwy Supply	<u>\$ 425,000</u>
	\$ 1,363,060

Revenues:

Increase Acct: D.50-3590 State Aid – Trans.	\$ 67,070
Increase Acct: D.50-4590 Federal Aid – Trans.	\$ 324,427
Increase Acct: D-50-5031 Transfer from General Fund	<u>\$ 971,563</u>
	\$ 1,363,060

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 99 - 2021

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

AUTHORIZING A CHANGE ORDER TO THE AGREEMENT WITH BARTON & LOGUIDICE, D.P.C. FOR ADDITIONAL ENGINEERING SERVICES TO INCLUDE THE DESIGN, INSTALLATION AND MONITORING OF A PILOT INTEGRATED FIXED FILM ACTIVATED SLUDGE PLANT AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 266-2017, this Board authorized an agreement with Barton & Loguidice, D.P.C. to perform an Ammonia Capacity Analysis and to design necessary upgrades to Aeration Tanks 1-4 at Saratoga County Sewer District No.1's Wastewater Treatment Plant, at a cost not to exceed \$283,500; and

WHEREAS, pursuant to Resolution 210-2018, this Board authorized an amendment to the foregoing agreement with Barton & Loguidice, D.P.C. for the provision of additional engineering services required by the New York State Department of Environmental Conservation ("NYSDEC") to include the evaluation of alternative ammonia reduction technologies and the possible need for upgrades to Aeration Tanks 5-8 at the Sewer District's Wastewater Treatment Plant, at an additional cost of \$32,200, thereby increasing the total contract cost to \$315,700; and

WHEREAS, pursuant to Resolution 136-2019, this Board authorized a second amendment to the foregoing agreement with Barton & Loguidice, D.P.C. for the provision of additional engineering services required by the NYSDEC to include an in-depth investigation of other technologies that will be included in the Basis of Design Report for upgrades to the Wastewater Treatment Plant for nutrient removal, a preliminary analysis of off-site treatment as well as a modified Basis of Design Report that evaluates the treatment capacity of the Plant in its entirety taking into account amended industrial loading projections and advanced treatment technologies, at an additional cost of \$90,600, thereby increasing the total contract to the not to exceed amount of \$406,300; and

WHEREAS, pursuant to Resolution 187-2019, this Board authorized a third amendment to the foregoing agreement with Barton & Loguidice, D.P.C. for the provision of additional engineering services to include the design, installation, and monitoring of a pilot Integrated Fixed Film Activated Sludge plant, analysis of the resulting data, and preparation of a final summary report, at an additional cost of \$153,200, thereby increasing the contract total to the not to exceed amount of \$559,500; and

WHEREAS, pursuant to Resolution 39-2020, this Board of Supervisors authorized the Chairman to execute an Administrative Order on Consent with the United States Environmental Protection Agency to address Saratoga County Sewer District No.1's ammonia exceedances; and

WHEREAS, Barton & Loguidice, D.P.C. has recommended that the Sewer District consider an Integrated Fixed Film Activated Sludge ("IFAS") system as a viable technical solution that would be able to consistently meet NYSDEC's proposed effluent limitations for ammonia-nitrogen; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal for a change order to its existing contract for provision of additional engineering services to include the final design, installation and maintenance of the pilot IFAS plant to handle increased ammonia loading from residential and commercial growth as well as industrial discharges, at a cost of \$1,468,300; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the proposal of Barton & Loguidice, D.P.C. be accepted, and that a change order to the County's contract with Barton & Loguidice, D.P.C. be approved and executed authorizing the provision of said additional engineering services at a cost of \$1,468,300; and

WHEREAS, an amendment to the 2021 County Budget is needed to authorize the expenditure of these additional funds; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a change order to the agreement with Barton & Loguidice, D.P.C. of Albany, New York, for the provision of additional engineering services to include the final design, installation and maintenance of a pilot Integrated Fixed Film Activated Sludge plant, at an additional cost of \$1,468,300, thereby increasing the contract total to the not to exceed amount of \$2,027,800; and, be it further

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

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

SEWER DISTRICT No. 1

Appropriations:

Increase Acct.: #ES.81.813-7098 Professional Services for Capital Purposes \$968,300

Revenues:

Increase Acct.: #ES-0599.B Appropriated Fund Balance Budgetary \$968,300

BUDGET IMPACT STATEMENT: Currently, there is \$500,000 available in the 2021 budget related to this project. An amendment to the 2021 budget in the amount of \$968,300 will fund all remaining costs related to the change order.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 100 - 2021

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

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

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

WHEREAS, pursuant to Resolution 197-2020, this Board authorized an amendment to the agreement with Adirondack Environmental Services, Inc., for the provision of additional lab testing and wastewater analysis services at Saratoga County Sewer District No. 1's Wastewater Treatment Plant in connection with the design of the Ammonia Capacity Upgrades, with such additional services to be provided at a cost not to exceed \$9,500, at AESI's rates in effect at the time said services are rendered to the Sewer District, thereby increasing the total contract amount to the not to exceed amount of \$74,500; and

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

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the County's contract with Adirondack Environmental Services, Inc. be amended to authorize the provision of additional lab testing and wastewater analysis services associated with the design of the Ammonia Capacity Upgrades, with said services to be provided at the additional cost not to exceed \$78,058; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Adirondack Environmental Services, Inc. of Albany, New York for the provision of additional lab testing and wastewater analysis services at Saratoga County Sewer District No. 1's Wastewater Treatment Plant in connection with the design of the Ammonia Capacity Upgrades, with such additional services to be provided at a cost not to exceed \$78,058, at AESI's rates in effect at the time said services are rendered to the Sewer District; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact. Funds are available in the Sewer District's 2021 budget.

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 101 - 2021

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

ADOPTING A 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”

WHEREAS, Resolution 58-2021 introduced and presented a proposed Local Law identified as Introductory No. 2, Print No. 1 of 2021, entitled “A Local Law Limiting Third-Party Food Delivery Service Fees During a Declared Emergency” to this Board of Supervisors and scheduled a public hearing thereon for March 10, 2021 at 3:35 PM in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

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

WHEREAS, the scheduled public hearing was held and all persons desiring to be heard submitted written comments by email or written correspondence to this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 16th day of March, 2021, hereby adopts a Local Law identified as Introductory No. 2, Print No. 1 of 2021, entitled “A Local Law Limiting Third-Party Food Delivery Service Fees During a Declared Emergency”, as set forth in the annexed Schedule A, which once filed with the New York Secretary of State shall be known as Local Law No. 2 of 2021.

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 102 - 2021

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

PROCLAIMING APRIL 2021 AS "DONATE LIFE MONTH" IN SARATOGA COUNTY

WHEREAS, through Saratoga County's membership with the New York State Association of Counties (NYSAC) and New York State Association of County Clerks (NYSACC) New York's Counties have come together to collectively support Donate Life Month in New York State; and

WHEREAS, nationally, one person is added to the organ transplant waiting list every ten minutes, 113,000 men, women and children are awaiting organ transplants and 22 people die each day because the organ they need is not donated in time; and

WHEREAS, organ, tissue, marrow and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and

WHEREAS, a single individual's donation of the heart, lungs, liver, kidneys, pancreas and small intestine can save up to eight lives; an eye and tissue donation can save and heal the lives of up to 75 others; and a single blood donation can help three people in need; and

WHEREAS, no one is too old or too sick to register with the NYS Donate Life Registry. Anyone 16 years of age or older can register; and

WHEREAS, in New York State there are approximately 10,000 people waiting for an organ transplant; with more than 1,500 New Yorkers having been waiting more than five years for an organ transplant; and an estimated 500 New Yorkers dying every year while waiting for an organ transplant; and

WHEREAS, more than 2,600 transplants were performed in New York State in 2019; and

WHEREAS, New York State's County governments play a key role in raising awareness of the need for organ and tissue donation through the interactions County officials have with the public with regard to this subject through local DMV offices, local boards of elections, departments of health, naturalization ceremonies and veterans' programs; and

WHEREAS, such interactions by Saratoga County officials with the public provide opportunities for the provision of information on how individuals can help their fellow New Yorkers by signing up as organ and tissue donors; and

WHEREAS, Counties across New York State are proclaiming the month of April 2021 as "Donate Life Month", and engaging in various activities designed to promote an increase in the number of registered organ and tissue donations; and

WHEREAS, one activity that the New York Alliance for Donation has encouraged counties to undertake in order to raise awareness of the need for organ and tissue donations is to raise the "Donate Life Flag" at their county municipal offices; and

WHEREAS, our Law and Finance Committee and the Saratoga County Clerk's Office, through its Department of Motor Vehicles, wish to promote the month of April 2021 as "Donate Life Month" in Saratoga County; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby proclaims the month of April 2021 as "Donate Life Month" in Saratoga County, and encourages those Saratoga County departments and agencies involved in providing information on organ and tissue donations or in registering organ and tissue donors to engage in activities throughout the month to increase the number of organ and tissue donors and promote awareness of the need for organ and tissue donations in Saratoga County; and be it further

RESOLVED, that our County Department of Public Works is directed to raise the "Donate Life Flag" at the Saratoga County Municipal Center at 40 McMaster Street in Ballston Spa for the month of April 2021 as a means to raise awareness of the need for organ and tissue donors in Saratoga County.

BUDGET IMPACT STATEMENT: No budget impact.

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 103 - 2021

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

AUTHORIZING AN AGREEMENT WITH DIRAD TECHNOLOGIES, INC. FOR INBOUND AND OUTBOUND CALL SERVICES TO ASSIST PUBLIC HEALTH SERVICES WITH 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, Saratoga County Public Health Services is in need of assistance to provide residents with accurate up-to-date information regarding COVID-19 vaccine distribution, as the volume of inbound inquiries have diverted staffing resources from COVID-19 pandemic response; and

WHEREAS, in the event of a substantial increase in the availability and quantity of COVID-19 vaccine, Saratoga County Public Health Services has identified a need to dispense accurate and up-to-date information regarding COVID-19 vaccine distribution to residents, and the potential volume of outbound calls may exceed the operational capacity of the Saratoga County Public Health Services; and

WHEREAS, DiRad Technologies, Inc., has provided inbound call solutions in connection with Public Health Service COVID-19 response under a minor contract not to exceed \$15,000 and it is anticipated that the cost of services performed by DiRad Technologies, Inc. will meet or exceed the minor contract limit of \$15,000 before the end of March 2021; and

WHEREAS, Our Law and Finance Committee and the Commissioner of Public Health Services have recommended that this Board authorize an agreement with DiRad Technologies, Inc. for inbound and outbound calling services at a cost not to exceed \$50,000; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with DiRad Technologies, Inc. of Clifton Park, New York, for inbound and outbound call services to assist Saratoga County Public Health Services with COVID-19 vaccine distribution at a cost not to exceed \$50,000; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact funds are allocated in the 2021 Budget.

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 104 - 2021

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

DECLARING APRIL AS “NATIONAL COUNTY GOVERNMENT MONTH” IN SARATOGA COUNTY

WHEREAS, the nation’s 3,609 counties serving more than 300 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties provide health services, administer justice, keep communities safe, and foster economic opportunities; and

WHEREAS, Saratoga County takes pride in our responsibility to protect and enhance the health, safety and wellbeing of our residents in efficient and cost-effective ways; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs, and services; now, therefore, be it

RESOLVED, that the Board of Supervisors proclaims April as “National County Government Month” in Saratoga County and encourages all county officials, employees, schools and residents to participate in county government celebration activities.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 105 - 2021

Introduced by Chairman Kusnierz

APPOINTING A DIRECTOR OF THE SARATOGA COUNTY PROSPERITY PARTNERSHIP, INC. LOCAL DEVELOPMENT CORPORATION

WHEREAS, pursuant to Resolution 106-2014, this Board of Supervisors authorized the formation of the Saratoga County Prosperity Partnership, Inc., an economic development local development corporation in accordance with Not-For-Profit Corporation Law §1411; and

WHEREAS, the Certificate of Incorporation of Saratoga County Prosperity Partnership, Inc. was duly executed by the Chair of this Board, and filed in the New York State Department of State on May 29, 2014; and

WHEREAS, pursuant to the provisions of the corporation's Certificate of Incorporation, the corporation shall be managed by a Board of Directors consisting of not less than seven (7) nor more than fifteen (15) Directors appointed by and serving at the pleasure of the Saratoga County Board of Supervisors; and

WHEREAS, by reason of the resignation of Scott Solomon a vacancy exists on the Corporation's Board of Directors for Scott Solomon's unexpired term; and

WHEREAS, the Chair of the Board has proposed a candidate to fill said vacancy on the Corporation's Board of Directors; now, therefore, be it

RESOLVED, that the following person is appointed as Director of the Board of Directors of the Saratoga County Prosperity Partnership, Inc. for the stated term:

NAME:

TERM EXPIRES:

Timothy Szczepaniak
22 Edgewood Dr.
Burnt Hills, NY 12027

12/31/2021

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 106 – 2021

Introduced by Chairman Kusnierz

APPOINTING MEMBERS OF THE COUNTY FIRE ADVISORY BOARD

WHEREAS, pursuant to County Law §225-a, the Board of Supervisors created the County Fire Advisory Board; and

WHEREAS, the terms of the present board members have expired; now, therefore, be it

RESOLVED, that the following individuals be appointed as members of the County Fire Advisory Board for terms expiring on December 31, 2022:

<u>MUNICIPALITY</u>	<u>NAME</u>
Town of Ballston	William A. Crawford, 12 Charlton Road, Ballston Spa, NY 12020
Town of Charlton	Aaron Dyer, 123 Jenkins Road, Burnt Hills, NY 12027
Town of Clifton Park	Patrick Champagne, P.O. Box 1272, Clifton Park, NY 12065
Town of Corinth	Graham Champagne, 327 1 st Street, Corinth, NY 12822
Town of Edinburg	Alex A. Rockwell, 26 Northville Road, Edinburg, NY 12134
Town of Galway	Kevin L. Barkley Jr., 1201 Perth Road, Hagaman, NY 12086
Town of Greenfield	Robert Williams, 23 Cider Mill Way, Saratoga Springs, NY 12866
Town of Hadley	Billy Winslow, 4003 South Shore Road, Corinth, NY 12822
Town of Halfmoon	Arthur T. Hunsinger, 5 North Pointe 8S, Halfmoon, NY 12065
Town of Malta	Peter F. Shaw, 31 Collamer Drive, Malta, NY 12020
City of Mechanicville	Matt Dunn, 510 Park Ave., Mechanicville, NY 12188
Town of Milton	Kevin Krogh, 103 Independence Drive, Ballston Spa, NY 12020
Town of Moreau	John E. Smith, Jr., 26 Sisson Road, Moreau, NY 12828
Town of Northumberland	Thomas E. Wood, 13 Peach Lane, Gansevoort, NY 12831
Town of Providence	David Houston, 7471 Wileytown Road, Middle Grove, NY 12850
City of Saratoga Springs	Joseph Dolan, 60 Lake Avenue, Saratoga Springs, NY 12866
Town of Saratoga	Brian Myers, 25 Chestnut St., Schuylerville NY 12871
Town of Stillwater	Thomas J. Rinaldi, 8 County Route 76, Stillwater, NY 12170
Town of Waterford	Don Baldwin, P.O. Box 58, Waterford, NY 12188
Town of Wilton	William Morgan, 712 Wilton-Gansevoort Rd., Gansevoort, NY 12831

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 107 - 2021

Introduced by Supervisor Richardson

AUTHORIZING THE CREATION OF A GRANT PROGRAM HONORING SARATOGA COUNTY VETERANS

WHEREAS, this Board of Supervisors continues to support Veterans initiatives throughout the County; and

WHEREAS, as a result of the COVID-19 Pandemic, municipalities throughout New York State have been extensively impacted including in their ability to conduct programs and events including in some instances, programs and events honoring Veterans; and

WHEREAS, the establishment of this grant program requires this Board’s approval and an amendment to the 2021 County Budget under County Administrator and Veteran’s Service Agency is necessary, now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the creation of a grant program honoring Saratoga County Veterans in the amount of \$52,500, for reimbursement to towns and cities within Saratoga County for expenses up to \$2,500 per town or city municipality, incurred in calendar year 2021, for programs, events or expenses related to honoring Veterans, such grant program to be administered by the Saratoga County Veteran’s Service Agency, and, be it further

RESOLVED, that reimbursement vouchers shall be submitted to the Veteran’s Service Agency with sufficient documentation as required by the Director of the Veteran’s Service Agency, and any reimbursement request shall be subject of the approval of the Veteran’s Affairs Committee of this Board; and, be it further

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

COUNTY ADMINSTRATOR

Decrease Contingency - Acct. #A.14.999-9000 – Unallocated Amount \$52,500

VETERAN’S SERVICE AGENCY

Increase Acct. #A.65.000-8764 Veterans Support Program \$52,500

BUDGET IMPACT STATEMENT: No budget impact. Contingency funds appropriated in 2021 Budget will be transferred to the Veterans Service Agency.

2/23/21

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 64 – 2021

Introduced by Chairman Kusnierz

APPOINTING COMMISSIONERS OF SARATOGA COUNTY SEWER DISTRICT NO. 1

WHEREAS, Resolution 230-71, as amended by Resolution 127-72, established the nine member Commission for Saratoga County Sewer District No. 1 and its initial membership; and

RESOLVED, that the following individuals are reappointed members of the Saratoga County Sewer District Commission for the stated terms:

<u>NAME/ADDRESS</u>	<u>MUNICIPALITY</u>	<u>TERM EXPIRES</u>
Frank Bisnett 55 Brickyard Road Mechanicville, NY 12118	Town of Stillwater	12/31/2023
C. Daniel Keegan 6 Stoney Heights Court Clifton Park, NY 12065	Town of Clifton Park	12/31/2023
Scott Lansing 1 Rainbow Way Malta, NY 12020	Town of Malta	12/31/2023

BUDGET IMPACT STATEMENT: No budget impact.