

REGULAR MEETING
TUESDAY, August 17, 2021
AT 4:00 p.m., E.S.T.

Board called to order by Chairman Kusnierz.

Roll call was taken. PRESENT – Eric Connolly, Joseph Grasso, Philip C. Barrett, Jonathon Schopf, Richard Lucia, Preston Allen, Daniel Pemrick, Arthur M. Wright, Kevin Tollisen, Darren O’Connor, Thomas Richardson, Theodore Kusnierz, Sandra Winney, Thomas N. Wood, III, Tara Gaston, Matthew E. Veitch, Edward D. Kinowski, John Lant – 18. ABSENT Jean Raymond, Michael Smith, Benny Zlotnick, Willard H. Peck, John Lawler – 5.

The invocation was given by Thomas N. Wood, III, Chaplain.

Mr. Kusnierz said that in just a few short weeks our country will mark the 20th anniversary of the tragic events of September 11, 2001. This attack on our nation aimed to disrupt our American way of life. It failed, and the American spirit grew stronger in the decades since. This anniversary is an important reminder to all of us that we continue to honor those who lost their lives in the attacks and those who've defended our freedom in the Global War on Terror. We must strive, every day, to live in a way worthy of their sacrifices. Mr. Kusnierz read the following proclamation into the record.

Recognizing the 20th Anniversary of
SEPTEMBER 11, 2021

WHEREAS, Twenty years ago, on the morning of September 11, 2001, The United States of America came under attack by cowardly terrorists who sought to destroy our American way of life; and

WHEREAS, the residents of Saratoga County join their fellow Americans in remembering and honoring those who lost their lives in the attack on this nation; and

WHEREAS, the world witnessed countless acts of bravery, heroism, selflessness, valor, courage and compassion by first responders, ordinary citizens and volunteers who risked their lives to assist in the rescue of those injured as a result of the attacks; and

WHEREAS, in the days, months and years since these attacks, the Saratoga County residents, emboldened by the American Spirit, joined their fellow citizens, and responded with remarkable patriotism and unity; and

WHEREAS, September 11, 2001 is indelibly marked as a day to never be forgotten in Saratoga County; and

WHEREAS, the tragic events of September 11, 2001 tested the resolve of our country and reminded us of the values of liberty and freedom upon which this nation was founded and today our nation remains steadfast in our resolve to protect and defend our cherished way of life; and

WHEREAS, the United States is unified in our purpose to prevent further tragedies like those experienced on September 11, 2001, and it is right to honor the men and women of our Armed Forces who have fought tirelessly to keep us safe from further attacks on U.S. soil; and

WHEREAS, we offer our support and condolences to the families and friends of those who lost loved ones as a result of the attacks and the ongoing Global War on Terror; now, therefore, be it

PROCLAIMED, that the Saratoga County Board of Supervisors proclaims recognition of the 20th Anniversary of September 11, 2001 in Saratoga County and call this day to the attention of all citizens.

IN WITNESS WHEREOF, WE have hereunto set our hand and affixed the Seal of the Saratoga County Board of Supervisors this 17th day of August 2021.

In further recognition of the 20th Anniversary of 9/11, Saratoga County will be proudly displaying a new Memorial Flag at our September 11th Remembrance Site at 40 McMaster Street. The official State 9/11 Flag was presented by Director of County Veterans Services and US Army Veteran Frank McClement, and Commissioner of Emergency Services and US Naval Reserve Officer Carl Zeilman. Mr. Kusnierz thanked John Gervasio from the Buildings and Grounds Division of Public Works for securing this flag for the County.

Mr. Kusnierz announced the issuance of a proclamation honoring the non-profits throughout Saratoga County for their hard work and dedication to their communities throughout the ongoing COVID-19 Pandemic. Mr. Kusnierz said that early in the pandemic, non-profit leaders began to collaborate with one another to find ways to help serve the most vulnerable among us. Through a request made by Ellen Sax, a representative of the Community Foundation of the Greater Capital Region, Saratoga County worked with non-profits to coordinate efforts and provide resources to raise awareness of the virus, educate residents on protection measures, and distribute PPE. Undoubtedly, the leaders and staff of these non-profits worked tirelessly to get the job done and help their neighbors. Mr. Kusnierz presented the proclamation to Maggie Fronk, Executive Director of Wellspring.

Mr. Kusnierz announced the graduation of 12 Women from the first Saratoga County Women in Government Leadership Program Encouraging Young Women to Participate in Local Government. Developed in coordination with Soroptimist International of Saratoga County, the program is designed to increase knowledge about and education in local government, while also building confidence and leadership skills. This program provided an opportunity for high school aged women, from various school districts, in Saratoga County to learn about their county government, learn about our various departmental operations, and build representation and participation. Curriculum for the Dream It Be It series was presented by many members of the Soroptimists over the 6-week program. Additionally, the New York State Association of Counties is assisting in the creation of this program as a pilot to be potentially expanded across the state. The launch of this innovative program took place during National County Government Month, as well as during the 100th year of the Soroptimist of Saratoga County who provided guidance, education content, and hands-on support for the programming. Mr. Kusnierz thanked all the leaders who helped bring this program to fruition including NYSAC Executive Director Steve Acquario, NYSAC Women's Leadership Council Chair Martha Saubrey, Saratoga County Soroptimist Presidents Sandra Reulet and Susan Bartkowski, Lieutenant Governor Kathy Hochul, and various County leaders and staff. Mr. Kusnierz presented certificates to each of the program participants.

PUBLIC INPUT

Robert Ingalls, Saratoga Springs, re: Introduction

Mr. Ingalls said that he is currently homeless and expressed frustration with getting help on a legal issue.

On a motion by Mr. Lucia, seconded by Mr. Wood the minutes of the July 20, 2021 Board meeting was unanimously approved.

The Clerk presented the following correspondence:

Letter from County Attorney Michael Hartnett appointing Maribeth A. Hunt as Assistant County Attorney effective August 20, 2021 with a term expiration of December 31, 2021

Received and Filed.

Letter from Nexamp, Inc. notifying Saratoga County of their intent to develop a ground mounted Solar facility in Moreau, NY.

Forward to Saratoga County IDA.

Resolution from the Saratoga Springs City Council requesting a resolution from the Saratoga County Board of Supervisors for submittal to the State Liquor Authority to prohibit the sale of alcoholic beverages

for on-premise consumption to the hours from 2am and 10am on Sunday, and 2am and 8am on any other day.

Copy to all Supervisors.

REPORTS OF COMMITTEES

There were no reports of Committees.

On a motion by Mr. Kinowski, seconded by Mr. Lucia, Resolutions 219 through 248 with the exception of Resolution #'s 238 and 240 were adopted by a unanimous vote. Mr. Schopf recused from voting on Resolution 239.

RESOLUTION 219 - 2021

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

AMENDING RESOLUTION 151-2021 TO AUTHORIZE THE TECHNOLOGY AND RESILIENCY COMMITTEE TO APPROVE CHANGE ORDERS TO THE AGREEMENT WITH PRESENTATION CONCEPTS CORPORATION

WHEREAS, the Technology and Resiliency subcommittee and the Director of Information Technology have identified that the Board of Supervisors Room and Board of Supervisors Conference Room are in need of audio/visual upgrades to enable more efficient and effective interaction with the public during open meetings; and

WHEREAS, Resolution 151-2021 authorized the Chair of the Board to execute an agreement with Presentation Concepts Corporation for audio/visual upgrade design and implementation at a cost not to exceed \$143,735, and authorized the Technology and Resiliency Committee to approve change orders to the agreement with Presentation Concepts Corporation in an amount not to exceed 10% of the above stated amount; and

WHEREAS, the Technology and Resiliency subcommittee approved a change order to the agreement on June 24, 2021 in the amount of \$10,537.00; and

WHEREAS, a second change order in the amount of \$11,283.00 has been proposed by Presentation Concepts Corporation, and it is necessary to amend resolution 151-2021 to increase the authorization to the Technology and Resiliency Committee to approve change orders to the agreement, not to exceed a total project cost of \$315,000, in accordance with the total 2021 adopted budget appropriation established by this Board for such upgrades; and

WHEREAS, the Technology and Resiliency Committee and the Director of Information Technology have recommended that Resolution 151-2021 be amended accordingly; now, therefore, be it

RESOLVED, that Resolution 151-2021 is hereby amended to authorize the Technology and Resiliency Committee to approve change orders to the agreement with Presentation Concepts Corporation for audio/visual upgrade design and implementation, not to exceed a total project cost of \$315,000, in accordance with the total 2021 adopted budget appropriation established by this Board for such upgrades; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 220 - 2021

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

AUTHORIZING A TAX REFUND IN THE TOWN OF CLIFTON PARK

WHEREAS, Resolution 280-2020 Section 3 (f) of the Saratoga County Board of Supervisors authorized a fifty (50) percent unit reduction for restaurants directly billed by the Saratoga County Sewer District No. 1, and restaurants that are anchor tenants of properties billed by the Sewer District for 2021 due to the COVID-19 pandemic; and

WHEREAS, tax parcel 271.16-1-3, which contains two restaurants, was not included in the original list of eligible parcels sent from the sewer district to the town assessor; and

WHEREAS, on February 3, 2021 the tax bill, including a sewer charge of \$13,797.00, was paid to the Town of Clifton Park Receiver of Taxes; and

WHEREAS, on June 23, 2021, the Saratoga County Sewer District approved the sewer unit reduction for tax parcel 271.16-1-3; now, therefore, be it

RESOLVED, that the Saratoga County Treasurer is hereby authorized and directed to issue a real property tax refund to Donald C. Greene in the amount of \$6,898.50 resulting from reducing the sewer unit charge from 54 units to 27 units; and, be it further

RESOLVED, that the Clerk of the Board of Supervisors shall forward a copy of this Resolution to the Saratoga County Treasurer.

BUDGET IMPACT STATEMENT: No budget impact. Funds are available in the 2021 budget to cover this refund.

RESOLUTION 221 - 2021

Introduced by Supervisors Tollisen, Grasso, Lant, Richardson, Schopf, Veitch and Wood

AMENDING THE 2021 COMPENSATION SCHEDULE TO CREATE A POSITION UNDER PUBLIC HEALTH SERVICES

WHEREAS, the County Public Health Services is anticipating a transition to a full service health department pursuant to Article 340 of the Public Health Law, and such transition will require adding a Director of Environmental Health Services; and

WHEREAS, the Public Health Advisory Task Force, the Commissioner of Health, and the Director of Human Resources have recommended that the 2021 Saratoga County Compensation Schedule be amended under Public Health Services to Create (1) Director of Environmental Health Services, Grade 19, Base Salary of \$95,472; now, therefore, be it

RESOLVED, that the 2021 Saratoga County Compensation Schedule is amended effective as of August 17, 2021, as follows:

UNDER PUBLIC HEALTH SERVICES

Create (1) Director of Environmental Health Services – Grade 19, Base Salary \$95,472;

and it is further;

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Funds are allocated within the 2021 budget.

RESOLUTION 222 - 2021

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

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

WHEREAS, Resolution 200-2020 authorized ongoing contracts for mental health services, subject to State appropriations therefore; 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 contracting agencies listed in Resolution 200-2020, provided the additional grant funds accepted did not exceed 10% of the contract amounts; and

WHEREAS, Resolution 69-2021 amended Resolution 200-2020 to increase the authorized contract amounts to accept additional funding awarded by the NYS Office of Mental Health (OMH) and NYS Office of Addiction Services and Supports (OASAS) in the amount of \$9,133; and

WHEREAS, Resolution 116-2021 amended Resolution 200-2020 to increase the authorized contract amounts to accept additional funding awarded by the NYS Office of Mental Health (OMH) in the amount of \$11,400 for the provision of OMH supported housing services; and

WHEREAS, additional funds have become available from OMH and OASAS totaling \$23,369 for 1% cost of living adjustments (COLA), allocated for the following mental health service providers contractually retained pursuant to Resolution 200-2020 as amended by Resolution 69-2021:

A) From OMH the amount of \$15,877; thereby increasing provider contracts by the following amount:

PROVIDER	AMOUNT
Unlimited Potential, Inc.	\$ 4,391
Rise Healthy Housing and Support Services, Inc.	\$ 8,460
Saratoga Bridges (NYSARC, Inc.)	\$ 61
Rehabilitation Support Services, Inc.	\$ 980
The Workshop, Inc. (t/a Northeast Career Planning)	\$ 102
Mechanicville Area Community Services Center	\$ 73
Captain Community Human Services, Inc.	\$ 221
Saratoga County (Transportation)	\$ 1,083
Community, Work and Independence, Inc.	\$ 64
Northeast Parent and Child Society, Inc.	\$ 96
Saratoga Center for the Family, Inc.	\$ 57
Shelters of Saratoga, Inc.	\$ 289

B) From OASAS the amount of \$7,492; thereby increasing provider contracts by the following amount:

PROVIDER	AMOUNT
Rise Healthy Housing and Support Services, Inc.	\$ 1,974
Albany Diocesan School Board	\$ 207
The Alcohol and Substance Abuse Prevention Council, Inc.	\$ 4,889
Franklin Community Center, Inc.	\$ 422

and;

WHEREAS, our Health and Human Services Committee has authorized the acceptance of the foregoing 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 the Commissioner of Mental Health and Addiction Services are hereby authorized to execute any agreements or documents needed to accept such funding awarded by OMH and OASAS in the combined amount of \$23,369; and it is further

RESOLVED, that Resolution 200-2020, as amended by Resolutions 69-2021 and 116-2021, is hereby amended to increase the authorized contract amounts for the following providers by amounts set forth in this Resolution: Unlimited Potential, Inc.; Rise Healthy Housing and Support Services, 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); Community, Work and Independence, Inc.; Northeast Parent and Child Society, Inc.; Saratoga Center for the Family, Inc.; Shelters of Saratoga, Inc.; Albany Diocesan School Board; The Alcohol and Substance Abuse Prevention Council, Inc.; and Franklin Community Center, Inc.; and it is further

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

MENTAL HEALTH AND ADDICTION SERVICES

Increase Appropriations

Acct.: #A.43.435-8350 – CSS Transportation	\$ 1,083.00
Acct.: #A.43.441-8728.046 – Community Human Services	\$ 126.00
Acct.: #A.43.441-8728.200 – Community Human Services	\$ 95.00
Acct.: #A.43.441-8730.200 – Community Workshop RF	\$ 64.00
Acct.: #A.43.441-8729.001 – Mechanicville Services LA	\$ 70.00
Acct.: #A.43.441-8729.014 – Mechanicville Services CSS	\$ 3.00
Acct.: #A.43.441-8749.037 – Northeast Career Planning	\$ 102.00
Acct.: #A.43.441-8741.200 – NE Parent & Child Society RF	\$ 96.00
Acct.: #A.43.441-8732.078 – Rehabilitation Support Services SH	\$ 473.00
Acct.: #A.43.441-8732.200 – Rehabilitation Support Services SH RIV	\$ 507.00
Acct.: #A.43.441-8733.037 – Assn of Ret Citizens LSE	\$ 61.00
Acct.: #A.43.441-8731.001 – Saratoga Center for the Family LA	\$ 57.00
Acct.: #A.43.441-8734.034 – Shelters of Saratoga LCM	\$ 289.00
Acct.: #A.43.441-8726.014 – Transitional Services CSS	\$ 26.00
Acct.: #A.43.441-8726.034 – Transitional Services ICM	\$ 302.00
Acct.: #A.43.441-8726.039 – Transitional Services Rehab	\$ 12.00
Acct.: #A.43.441-8726.078 – Transitional Services SH	\$ 3,622.00
Acct.: #A.43.441-8726.200 – Transitional Services RF	\$ 2,587.00
Acct.: #A.43.441-8726.570 – TSA Health Homes	\$ 1,911.00
Acct.: #A.43.441-8727.014 – Unlimited Possibilities CSS	\$ 1,730.00
Acct.: #A.43.441-8727.037 – Unlimited Possibilities ISE	\$ 212.00
Acct.: #A.43.441-8727.039 – Unlimited Possibilities PR	\$ 291.00
Acct.: #A.43.441-8727.040 – Unlimited Possibilities IJR	\$ 825.00
Acct.: #A.43.441-8727.200 – Unlimited Possibilities RF	\$ 1,333.00
Acct.: #A.43.443-8726.013 – TSA ASA	\$ 1,974.00
Acct.: #A.43.443-8650 – Catholic Schools	\$ 207.00
Acct.: #A.43.443-8735.013 – Franklin Comm Cntr.	\$ 422.00
Acct.: #A.43.443-8738.013 – ASAPP	\$ 4,889.00
Total	\$ 23,369.00

Increase Revenues

Acct.: #A.43-3469 – MH Reinvestment	\$ 4,682.00
Acct.: #A.43-3470 – MH Health Homes	\$ 1,911.00
Acct.: #A.43-3474 – Family Support	\$ 126.00
Acct.: #A.43-3475 – Innovative Job Rehab	\$ 825.00
Acct.: #A.43-3476 – SA Special Employment	\$ 678.00
Acct.: #A.43-3483 – Alc Abuse Program State	\$ 4,889.00
Acct.: #A.43-3489 – State Aid – OASAS	\$ 2,603.00
Acct.: #A.43-3491 – Supported Housing	\$ 4,095.00
Acct.: #A.43-3494 – CSS	\$ 2,842.00
Acct.: #A.43-3495 – Intensive Case Management	\$ 591.00
Acct.: #A.43-3497 – Local Assistance Contract Agency	\$ 127.00
Total	\$ 23,369.00

and it is further;

RESOLVED, that Resolution 200-2020 as previously amended by 69-2021, is hereby amended accordingly; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 223 - 2021

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

AUTHORIZING THE ACCEPTANCE OF ADDITIONAL STATE AID FROM HEALTH RESEARCH, INC. FOR THE ELC COVID-19 ENHANCED DETECTION NON-LAB GRANT AND AMENDING THE 2021 BUDGET IN RELATION THERETO

WHEREAS, Resolution 201-2020 authorized the acceptance of a grant from New York State Department of Health (“NYS DOH”) through Health Research, Inc. (“HRI”) New York State Department of Health ELC-COVID-19 Enhanced Detection Non-Lab grant in the amount of \$1,520,735 for the term July 1, 2020 through June 30, 2022; and

WHEREAS, additional funding is available from HRI for the ELC-COVID-19 Enhanced Detection Non-Lab grant in the amount of \$652,203 for the funding period of February 1, 2021 through March 31, 2023 for enhanced detection, surveillance and prevention of COVID-19 and to pay for temporary and contracted employees that are hired for COVID-19 response activities; and

WHEREAS, our Health and Human Services Committee and Commissioner of Health have recommended acceptance of these additional program funds in the amount of \$652,203 and appropriation to the 2021 budget for the aforementioned purpose; and

WHEREAS, the acceptance of these additional funds requires approval of this Board and an amendment to the 2021 County budget; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute any and all documents necessary to accept additional aid from the New York State Department of Health through Health Research, Inc. for the New York State Department of Health ELC-COVID-19 Enhanced Detection Non-Lab grant in the amount of \$652,203 for the grant period of February 1, 2021 through March 31, 2023; and, be it further

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

PUBLIC HEALTH SERVICES

Increase Appropriations
 Acct.: #A.40.409-8190 – Other Professional Services \$ 652,203

Increase Revenues
 Acct.: #A.40-4487 – PHEP Federal Aid Bioterrorism \$ 652,203

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 224 - 2021

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

ACCEPTING AN EPIDEMIOLOGY AND LABORATORY CAPACITY REOPENING SCHOOLS GRANT FOR PUBLIC HEALTH SERVICES AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Federal Center for Disease Control and Prevention (CDC) through the New York State Department of Health (NYSDOH) and the Health Research Institute, Inc. (HRI) have established an Epidemiology and Laboratory Capacity (ELC) Reopening Schools grant; and

WHEREAS, Saratoga County Public Health Services has been awarded \$3,986,793.00 to assist with establishing COVID-19 screening and testing programs for students, teachers and staff to support and maintain safe, in-person instructions for schools; and

WHEREAS, Public Health Services intends to use the grant funding to obtain diagnostic tests and laboratory services to screen for COVID-19, shipping costs for specimens, support of a K-12 COVID surveillance officer, and support of school managers to provide on-site testing support to schools throughout the county; and

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

RESOLVED, that the Chair of the Board or the Commissioner of Health is hereby authorized, on behalf of Public Health Services, to execute all necessary documents and agreements for the acceptance of an Epidemiology and Laboratory Capacity (ELC) Reopening Schools grant in the amount of \$3,986,793, with the form and content of such documents being subject to the approval of the County Attorney; and it is further

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

PUBLIC HEALTH SERVICES

Increase Appropriations
 Acct.: #A.40.409-8190 – Other Professional Services \$3,958,793
 Acct.: #A.40.409-8531 – Mailing \$ 28,000
 \$3,986,793

Increase Revenues
 Acct.: #A.40.4487 – PHEP Federal Aid Bioterrorism \$3,986,793

and it is further;

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 225 - 2021

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

AUTHORIZING AN AGREEMENT WITH QUADRANT BIOSCIENCES, INC. FOR COVID-19 SCREENING, DIAGNOSTIC AND LABORATORY SERVICES TO PROVIDE SCHOOLS WITH COVID-19 TESTING RESOURCES

WHEREAS, the COVID-19 pandemic continues to have a significant impact across the county and its schools are in need of assistance to provide screening and diagnostic testing for COVID-19, which is recommended by the Centers for Disease Control and Prevention to reduce the risk to in-person education.

WHEREAS, Quadrant Biosciences, Inc. can provide Clarifi COVID-19 saliva testing kits which are FDA approved saliva-based, qPCR screening and diagnostic testing for the virus; along with laboratory services with results available in 24 hours or less, a complete suite of data management and electronic reporting platforms, sequencing of positive specimens, and both training and technical assistance to Public Health Services and schools throughout the county in implementing COVID-19 testing; and

WHEREAS, the Clarifi COVID-19 saliva testing kits provided by Quadrant Biosciences, Inc., is a sole source product sold and distributed exclusively by Quadrant Biosciences, Inc.; and

WHEREAS, our Health and Human Services Committee, Law and Finance Committee, and the Commissioner of Health have recommended that this Board authorize an agreement with Quadrant Biosciences, Inc. for COVID-19 screening, diagnostic and laboratory services, at a cost not to exceed \$3,520,000; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Quadrant Biosciences, Inc., of Syracuse, New York, for COVID-19 screening, diagnostic and laboratory services to assist schools with enhanced detection and response to COVID-19, at a cost not to exceed \$3,520,000; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 226 - 2021

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

AUTHORIZING CONTACT TRACING SERVICES AGREEMENTS WITH JESSICA MCCAMY, HANNAH IVES, MARY ANN PRIEST, AND BRIANNA MCLAIN

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 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 Jessica McCamy, Hannah Ives, Mary Ann Priest, and Brianna McLain for contact tracer services; and

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

WHEREAS, Jessica McCamy has been a dependable contact tracer who is a college student and available to work full-time; and

WHEREAS, Hannah Ives has been a dependable contact tracer who is a college student and available to work full-time; and

WHEREAS, Mary Ann Priest has been a dependable contact tracer who is a school aide and is available to work full-time; and

WHEREAS, Brianna McLain has been a dependable contact tracer who is a college student and available to work full-time

WHEREAS, the cost of services performed by Jessica McCamy, Hannah Ives, Mary Ann Priest, and Brianna McLain have met or exceeded the minor contract limit of \$15,000; and

WHEREAS, our Health and Human Services Committee and Commissioner of Health have recommended that the County enter into one-year agreements with the following contact tracers, effective at the signing of said contracts: 1) Jessica McCamy, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; 2) Hannah Ives, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; 3) Mary Ann Priest at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; and 4) Brianna McLain, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 227 - 2021

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

AUTHORIZING THE ACCEPTANCE OF AN AMERICAN RESCUE PLAN ACT OF 2021 AIRPORT GRANT FROM THE FEDERAL AVIATION ADMINISTRATION

WHEREAS, federal legislation passed in response to the ongoing COVID-19 pandemic, known as the American Rescue Plan Act of 2021 (ARPA), includes funding for eligible local municipalities 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, our Department of Public Works submitted an ARPA grant application to the Federal Aviation Administration (FAA); and

WHEREAS, the FAA has advised The County of Saratoga that it has been awarded an ARPA Grant # 3-36-0004-044-2021 in the amount of \$59,000 for purposes directly related to the Saratoga County Airport, which may include, but not be limited to, reimbursement of the airport's operational, maintenance, and sanitation expenses; and

WHEREAS, the approval of this Board is needed to accept these ARPA grant funds; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby accepts the American Rescue Plan Act of 2021 Airport Grant in the amount of \$59,000 allocated through the Federal Aviation Administration; and it is further

RESOLVED, that the Chair of the Board and/or the Commissioner of Public Works is hereby authorized to execute any and all agreements or documents necessary to accept the \$59,000 ARPA Airport Grant funding from the FAA, with the form and content of such agreements and documents to be approved by the County Attorney; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 228 - 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 HOMELAND SECURITY AND EMERGENCY SERVICES TO ACCEPT A 2021 HOMELAND SECURITY PROGRAM GRANT AND AMENDING THE 2021 BUDGET IN RELATION THERETO

WHEREAS, funds are available from the New York State Division of Homeland Security and Emergency Services for a 2021 State Homeland Security Program (SHSP) grant in the amount of \$185,651; and

WHEREAS, said funds are available to pay for Verizon charges; a renewal of the “I Am Responding” (IAR) contract; and copier lease charges and the approval of this Board is needed to accept the SHSP grant funds; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby accepts the New York State Division of Homeland Security and Emergency Services – 2021 SHSP grant in the amount of \$185,651; and it is further

RESOLVED, that the Chair of the Board and/or the County Administrator is hereby authorized to execute any and all agreements or documents necessary to accept the \$185,651 SHSP grant, with the form and content of such agreements and documents to be approved by the County Attorney; and it is further

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

UNDER DEPARTMENT OF EMERGENCY SERVICES

Increase Appropriations	
Acct.: #A.36.366-8544 – Communications Equip.	\$ 28,921
Acct.: #A.36.366-7033 – Personal Computers	\$ 55,500
Acct.: #A.36.366-7080 – Equipment	\$ 14,000
Acct.: #A.36.366-8190 – Other Professional Services	\$ 82,550
Acct.: #A.36.366-8533 – Other Professional Services	\$ 3,600
Acct.: #A.36.366-8543 – Office Equipment Rental	<u>\$ 1,080</u>
	\$ 185,651
Increase Revenues	
Acct.: #A.36-3306 – Homeland Security	\$ 185,651

and, it is further;

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 229 - 2021

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO INTERMUNICIPAL AGREEMENTS WITH PARTICIPATING MUNICIPALITIES FOR 2022
SARATOGA COUNTY ANIMAL SHELTER SERVICES

WHEREAS, pursuant to Resolution 212-2020, the County entered into intermunicipal agreements with those municipalities within Saratoga County which utilize the services of the Saratoga County Animal Shelter for shelter services rendered for the service period of January 1, 2021 through December 31, 2021; and

WHEREAS, our Public Safety Committee and the Director of the Animal Shelter have recommended that the County enter into renewal intermunicipal agreements with all participating municipalities for Saratoga County Animal Shelter services for the service period of January 1, 2022 through December 31, 2022, at the same rates and upon the same terms and conditions as authorized by Resolution 212-2020; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute intermunicipal agreements with those municipalities within Saratoga County which utilize the services of the Saratoga County Animal Shelter for shelter services rendered for the service period of January 1, 2022 through December 31, 2022, at the same rates and upon the same terms and conditions as authorized by Resolution 212-2020; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 230 - 2021

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

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

WHEREAS, pursuant to Resolution 221-2019, this Board accepted a New York State Homeland Security Program 2019 State Law Enforcement Terrorism Prevention Program (SLETPP) Grant in the amount of \$72,479, for the term September 1, 2019 through August 31, 2022, to pay for the costs of enhanced counter terrorism and response programs and equipment, including the Lexipol policy development and training program, dive team equipment, night vision equipment, and the replacement of a crime scene/evidence van for the Sheriff's Department; and

WHEREAS, pursuant to Resolution 186-2020, this Board authorized a cooperative agreement with the United States Department of the Navy's Naval Surface Warfare Center (NAVSEA), Crane division, for the loan of three (3) thermal imaging cameras and twelve (12) night vision goggles for a term of one year, at a cost of

\$4,500, including maintenance and replacement if required, the cost of which was 100% funded by a 2018 Homeland Security grant; and

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

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

WHEREAS, our Public Safety Committee and the Saratoga County Sheriff have recommended that the County enter into a new one-year cooperative agreement with NAVSEA for the lease of fifteen (15) night vision goggles, consisting of twelve (12) AN/PVS 7B goggles and three (3) AN/PS 14S goggles, effective August 4, 2021 at a cost of \$4,500, which cost will be fully funded by the aforesaid 2019 Homeland Security grant; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Saratoga County Sheriff or his designee, are hereby authorized to execute a cooperative agreement with the United States Department of the Navy's Naval Surface Warfare Center, Crane Division, for the lease of fifteen (15) night vision goggles, consisting of twelve (12) AN/PVS 7B goggles and three (3) AN/PS 14S goggles, effective August 4, 2021 at a cost of \$4,500; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 231 - 2021

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

AUTHORIZING THE CHAIR OF THE BOARD TO ENTER INTO NECESSARY AGREEMENTS TO APPLY FOR, ACCEPT AND ADMINISTER A NEW YORK STATE SNOWMOBILE GRANT-IN-AID PROGRAM GRANT, AND AUTHORIZING THE ISSUANCE OF A NEGATIVE DECLARATION UNDER SEQRA

WHEREAS, on an annual basis since 1994, this Board has authorized the acceptance of State aid for the maintenance of snowmobile trails and the administration of such aid by the Saratoga County Association for Snowmobile Clubs (Association); and

WHEREAS, the Association has requested that Saratoga County apply for a 2021-2022 New York State Snowmobile Grant-In-Aid Program Grant in an amount up to \$89,000, and to serve as a conduit between the State and the Association for the distribution of grant funds; and

WHEREAS, the Association has submitted to our Trails and Open Space Committee a list of the 2020-2021 trail mileage planned for each snowmobile club within the County, and the Committee has approved said list; and

WHEREAS, the approved trail mileage includes a new trail designated as "new trail 'x'" in the Town of Galway; and

WHEREAS, the approved trail mileage includes an extension of trail "S80" in the Town of Corinth and the Town of Hadley; and

WHEREAS, the approved trail mileage includes an extension of trail "S86B" in the Town of Malta; and

WHEREAS, the proposed modifications to the snowmobile trail system in the County (the "Project") is an Unlisted Action subject to the requirements of the State Environmental Quality Review Act ("SEQRA"); now, therefore, be it

RESOLVED, that the Chair of the Board and/or the Director of Planning is hereby authorized to execute all necessary documents to apply for, accept, and administer the 2021-2022 State Snowmobile Grant-In-Aid Program Grant not to exceed \$89,000 for the administration by the Saratoga County Association of Snowmobile Clubs; and it is further

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

RESOLVED, that the County Auditor is hereby authorized to approve payment of the actual grant funds to the Association for use in the development of locally maintained snowmobile trails throughout the County; and it is further

RESOLVED, that based upon the Project as proposed and the responses set forth in Parts 1 and 2 of the Environmental Assessment Form prepared for the Project, this Board hereby determines that the Project will not have any significant adverse environmental impacts; and it is further

RESOLVED; that this Board hereby issues a Negative Declaration for this Unlisted Action pursuant to SEQRA and its implementing regulations found in 6 NYCRR Part 617; and it is further

RESOLVED, that the Chair of the Board is hereby authorized to execute the Environmental Assessment Form indicating the proposed action will not result in any significant adverse environmental impacts; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 232 - 2021

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

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH GREENWAY CONSERVANCY OF THE HUDSON VALLEY, INC. FOR THE CONSTRUCTION OF A SECTION OF THE CHAMPLAIN CANALWAY TRAIL IN THE TOWN/VILLAGE OF WATERFORD

WHEREAS, in January 2017, Governor Andrew M. 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 to the Village of Whitehall in Washington County; and

WHEREAS, the Greenway Conservancy for the Hudson River Valley, Inc. (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 95-2021, this Board authorized a cooperative agreement with Greenway Conservancy in the amount of \$210,000 for Saratoga County construct and 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

WHEREAS, following submission of bids for construction and due to increased construction costs, the anticipated cost of the project will be \$275,000, requiring an amendment of the cooperative agreement with Greenway Conservancy; and

WHEREAS, our Trails and Open Space Committee and the Director of Planning have recommended that the County's cooperative agreement with Greenway Conservancy for the Hudson River Valley, Inc., be amended to provide that a) Saratoga County construct 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 at a cost not to exceed amount to \$275,000; and b) that Greenway Conservancy for the Hudson River Valley, Inc., reimburse the County for its construction costs for the section of trail in an amount not to exceed \$275,000; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amended cooperative agreement with 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 \$275,000; 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 \$275,000;

and, be it further

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

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

UNDER PLANNING DEPARTMENT

Increase Appropriations

Acct.: #A.80.000-7098 – Professional Services for Cap Purposes	\$ 65,000
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Increase Revenues

Acct.: #A.80.2770 – Unclassified Revenue	\$ 65,000
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and, be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% of funding for this project will be provided through a grant with Hudson River Valley Greenway with no cost to Saratoga County.

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

AUTHORIZING A CONSTRUCTION AGREEMENT WITH W.M.J. KELLER & SONS CONSTRUCTION CORPORATION FOR THE CONSTRUCTION OF A PORTION OF THE CHAMPLAIN CANALWAY TRAIL IN THE TOWN AND VILLAGE OF WATERFORD

WHEREAS, pursuant to Resolution 95-2021, this Board authorized a cooperative agreement with the Greenway Conservancy for the Hudson River Valley, Inc. (Greenway Conservancy) 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 in the Town and Village of Waterford, and for the Greenway Conservancy to reimburse the County for construction costs; and

WHEREAS, pursuant to Resolution 96-2021, the County entered into an agreement with CHA Consulting, Inc. (CHA) for the provision of construction bid phase, administration and inspection services for the construction of the 1.2 mile section of the Champlain Canalway Trail in the Town and Village of Waterford; and

WHEREAS, pursuant to specifications prepared by CHA, competitive bids for the construction work were solicited, and opened on July 15, 2021; and

WHEREAS, our Trails and Open Space Committee and the Director of Planning have recommended the award of the Champlain Canalway Trail construction contract to W.M.J. Keller & Sons Construction Corporation, the lowest bid received, at a cost of \$227,600; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with W.M.J. Keller & Sons Construction Corporation, of Castleton, New York, for construction services for the construction of a 1.2 mile section of the Champlain Canalway Trail in the Town and Village of Waterford, at a cost of \$227,600; and it is further

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

RESOLVED, that the Trails and Open Space Committee is hereby authorized to approve change orders to such agreement not to exceed 10% of the contract amount; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% of funding for this project will be provided through a grant with Hudson River Valley Greenway with no cost to Saratoga County.

RESOLUTION 234 - 2021

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

AWARDING 2021 TRAILS GRANTS AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, the 2021 Saratoga County Budget included a Trails Grant Program to give matching grants to local municipalities to fund trail development and construction projects; and

WHEREAS, the 2021 Trails Grant Program provides a pool of up to \$75,000 to fund trail feasibility studies, engineering work, and construction in local municipalities; and

WHEREAS, the Trails and Open Space Committee received ten applications for funding totaling \$82,011.44, which the Committee recommended be fully funded; and

WHEREAS, our Trails and Open Space Committee and Law and Finance Committee approved fully funding all ten applications submitted at a cost of \$82,011.44 through the transfer and utilization of \$7,011.44 from fund balance; and

WHEREAS, the funding in full of all 2021 Trails Grant Program applications received requires an amendment to the 2021 Saratoga County Budget; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the payment under the 2021 Trails Grant Program of the sum of \$75,000 plus the transfer and payment of \$7,011.44 from fund balance, to the following municipalities for the purposes stated, upon condition that each municipality provide matching funds or services in-kind:

1. Town of Greenfield – in the amount of \$10,000 to be applied towards the Brookhaven Park Trail Upgrades including clearing, grading, and placing of gravel.
2. Town of Edinburg – in the amount of \$10,000 to be applied towards the cost of the Edinburg Walking and Natural Trail – Phase II, consisting of an upgrade of 3,000 linear feet of Phase II with wood fiber, passive exercise equipment, picnic tables, and benches and connection to Phase I.
3. Town of Ballston – in the amount of \$2,500 to be applied towards the Ballston Veteran’s Trail Extension to Garrett Road, consisting of a feasibility study to further extend the Veteran’s Trail to the west and determine the best route to connect to existing residential neighborhoods and the Ballston Spa School District.
4. Town of Halfmoon – in the amount of \$10,000 to be applied towards the Crescent Road Park path paving – Phase II, consisting of paving 1,900 linear feet on an existing stone dust trail on Canal Road between Beach Road and 165 Old Canal Road.
5. Town of Moreau – in the amount of \$10,000 to be applied towards the Hudson River Byway Trail – Phase I Design and Expansion, consisting of the construction of a trailhead, primary waterfront loop, fishing pier and kayak launch for Phase I of the scenic Hudson River Byway trail.
6. Town of Clifton Park – in the amount of \$10,000 to be applied towards the Summer Hill – The Oaks – Wishing Well Trail Restoration, consisting of restoring a portion of the one-mile paved trail connecting existing neighborhoods.
7. Town of Greenfield / Saratoga PLAN – in the amount of \$10,000 to be applied towards the Saratoga County Community Forest – Greenfield Access, consisting of establishing a public parking area along Wilton Road.
8. Town of Wilton / Saratoga PLAN – in the amount of \$10,000 to be applied towards the Saratoga County Community Forest – Wilton Access, consisting of establishing an off-road public parking area along U.S. Route 9.
9. Town of Malta – in the amount of \$2,111.44 to be applied towards the Malta Ecological Park Trail Restoration – Phase II, consisting of restoring the existing 0.75-mile trail with engineered wood fiber.
10. Town of Charlton – in the amount of \$7,400 to be applied towards the Elmer Smith Pedestrian Trail Extension, consisting of construction of an additional looping trail and link to existing 1,300 linear foot trail.

and, be it further

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

DEPARTMENT OF PLANNING

Appropriations

Increase Acct.: #A.80.000-8492 Local Assistance \$7,011.44

Revenues

Increase Acct.: #A.0599.B Appropriated Fund Balance \$7,011.44

BUDGET IMPACT STATEMENT: An allocation from Fund Balance in the amount of \$7,011.44 is required to fully fund all the trail applications.

RESOLUTION 235 - 2021

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

AMENDING THE POLICIES AND PROCEDURES MANUAL
UNDER OPERATING BUDGET PROCEDURES

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, the annual review of the Manual, mandated by Section 104-b of the General Municipal Law, has disclosed the appropriateness of revisions proposed by the Board’s Government Review and Efficiency Committee to the County’s Operating Budget Policy, including the Capital Budget Procedure and the Support for Outside Agencies and Not-For-Profit Corporations; and

WHEREAS, a copy of the Government Review and Efficiency Committee’s proposed Operating Budget Policy, including the Capital Budget Procedure and the Support for Outside Agencies and Not-For-Profit Corporations, was provided to each member of this Board; and

WHEREAS, the Government Review and Efficiency Committee and the Law and Finance Committee have recommended that the Operating Budget Policy, including the Capital Budget Procedure and the Support for Outside Agencies and Not-For-Profit Corporations, be amended as proposed; and

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

RESOLVED, that the following section of the Saratoga County Policies and Procedures Manual is amended to revise the Operating Budget Policy, as more particularly described in the Government Review and Efficiency proposal:

CHAP/SECTION	TITLE	LAST AMENDED	RESOL.
2 A	Operating Budget	July 2021	211-2021

and, it is further

RESOLVED, that the Human Resources Department shall distribute copies of this amendment to all County departments and agencies; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 236 - 2021

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

RESCINDING RESOLUTIONS 170-2018, 171-2018 AND 195-2020

WHEREAS, on July 17, 2018, this Board adopted Resolution 170-2018, entitled “Approving the Proposed Construction of a Regional Biosolids Digester Facility by Saratoga County Sewer District No. 1 in Cooperation with the Albany County Water Purification District, and Adopting a Negative Declaration Under SEQRA”; and

WHEREAS, on July 17, 2018, this Board adopted Resolution 171-2018, entitled “Authorizing the Issuance of \$24,250,000 Bonds of the County of Saratoga, or So Much Thereof As May Be Necessary, To Finance the County’s 50% Share of the Cost of Construction of a Regional Biosolids Digester Facility By Saratoga County Sewer District No. 1 in Cooperation with the Albany County Water Purification District; Stating the Estimated Maximum Cost Thereof is \$24,250,000; Stating the Plan of Financing; Providing for a Tax to Pay the Principal Of And Interest on Said Bonds; and Providing for Reimbursement by Saratoga County Sewer District No. 1 to Said County;” and

WHEREAS, on September 15, 2020, this Board adopted Resolution 195-2020, entitled “Authorizing the Issuance of an Additional \$3,750,000 Serial Bonds of the County of Saratoga, or So Much Thereof as May Be Necessary, to Finance the County’s 50% Share of the Cost of Construction of a Regional Biosolid Digester Facility By Saratoga County Sewer District No. 1 in Cooperation with the Albany County Water Purification District”; and

WHEREAS, pursuant to Resolution 170-2020, Saratoga County entered into an intermunicipal cooperative agreement with Albany County for the purposes of constructing a Regional Biosolids Digester Facility to be located in Menands, New York; and

WHEREAS, citing an increase in costs associated with the construction of the facility, Albany County invoked the provisions of the cooperative agreement to terminate their participation with the construction of the regional joint biosolids facility on May 3, 2021, thereby terminating the feasibility of the regional project; and

WHEREAS, special bond counsel for the County, Bond, Schoeneck & King, PLLC, has recommended that this Board adopt a resolution rescinding Resolutions 170-2018, 171-2018, and 195-2020; and

WHEREAS, based upon the recommendation of the Sewer District Commission, the Executive Director of Saratoga County Sewer District No. 1, and upon the recommendation of bond counsel, Bond, Schoeneck & King, PLLC, and the County Attorney, rescinding Resolutions 170-2018, 171-2018, and 195-2020 is necessary and appropriate under the circumstances; now, therefore, it is

RESOLVED, that Resolution 170-2018, adopted by this Board on July 17, 2018, is hereby rescinded; and it is further

RESOLVED, that Resolution 171-2018, adopted by this Board on July 17, 2018, is hereby rescinded; and it is further

RESOLVED, that Resolution 195-2020, adopted by this Board on September 15, 2020, is hereby rescinded; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 237 - 2021

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

APPROVING THE PROPOSED CONSTRUCTION OF A BIOSOLIDS DIGESTER FACILITY BY SARATOGA COUNTY SEWER DISTRICT NO. 1 AND ADOPTING A NEGATIVE DECLARATION UNDER SEQR

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

WHEREAS, for a variety of technical and financial reasons, the District was unable to comply with new federal Title V air regulations pertaining to the incineration of sludge/biosolids at the District's Wastewater Treatment Plant, and as a consequence thereof, terminated operations of the Plant's sludge incinerator on March 20, 2016; and

WHEREAS, as a result of ceasing operations of its sludge incinerator, the District had to retain the services of a commercial hauler to remove, transport and dispose of sludge/biosolids from its Treatment Plant; and

WHEREAS, a feasibility study has been completed by Arcadis of New York, Inc., reviewed by the members of the District Commission and filed with the Board of Supervisors pursuant to Section 268 of the County Law in relation to a proposed increase and improvement of the facilities of said District; and

WHEREAS, the construction of a biosolids management facility at Saratoga County Sewer District No. 1's wastewater treatment plant (the "Project") is necessary to ensure the long term stability in the management and treatment of biosolids; and

WHEREAS, the biosolids facility currently proposed will utilize anaerobic digestion and a dryer to reduce volume, produce a Class A biosolids product for land application, and the biogas produced will be cleaned and potentially used as Renewable Natural Gas injected into the common utility owned pipeline; and

WHEREAS, the annual net cost to the typical property in said District as a result of such costs has been estimated to be \$5.08; and

WHEREAS, pursuant to Resolution 214-2021, this Board set a time for the holding of a public hearing on said increase and improvement of facilities in accordance with the feasibility study and estimate of cost; and

WHEREAS, Resolution 214-2021 authorized and directed the Clerk of the Board of Supervisors to publish the notice of public hearing and file a certified copy of such notice with the office of the State Comptroller; and

WHEREAS, said public hearing was duly held at the Chambers of the Saratoga County Board of Supervisors, 40 McMaster Street, in the Village of Ballston Spa, New York, in Saratoga County, on August 17, 2021, at 3:30 p.m.; and

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

WHEREAS, the Saratoga County Board of Supervisors wishes to reduce the volume and mass of biosolids not being utilized as a renewable gas source; and

WHEREAS, the Saratoga County Board of Supervisors proposes to address this issue by constructing a biosolids management facility that consists of sludge thickening and anaerobic digestion followed by dewatering and thermal drying in a sludge dryer, where biosolids will be disposed of by a third-party hauler. Biogas will be stored at lower pressure, conditioned, and introduced into the natural gas grid as renewable natural gas. Excess biogas will be utilized in boilers or flared; and

WHEREAS, the project which will treat 7,230 dry tons of biosolids in the digesters and 4,780 dry tons being dewatered and hauled off site annually, is consistent with the goals and objectives of the Saratoga County Sewer District; and

WHEREAS, the Saratoga County Board of Supervisors recognizes the importance of the Saratoga County Sewer Districts facility and has incorporated advancements in treating waste and utilizing it in a form of renewable energy sources; and

WHEREAS, this project is a Type I action pursuant to the State Environmental Quality Review Act (SEQR) and therefore subject to the regulations of that law (6 NYCRR 617); and

WHEREAS, the Saratoga County Board of Supervisors has conducted coordinated review with the involved agencies pursuant to 6 NYCRR 617.6 and no agencies objected to the Board's request to act as Lead Agency; and

WHEREAS, the Saratoga County Board of Supervisors has reviewed the potential impacts identified in the Parts 1, 2 and 3 of the Full Environmental Assessment Form (FEAF) and as a result has found no significant adverse environmental impacts will occur as a result of the project.

WHEREAS, it would appear that the construction of said sewer facility improvements would be in the best interests of the people of the County of Saratoga residing within the boundaries of Saratoga County Sewer District No. 1; now, therefore be it

RESOLVED, that the Saratoga County Sewer District hereby declares its intent to act as Lead Agency; and the Saratoga County Board of Supervisors shall file the Negative Declaration in accordance with 6 NYCRR 617.7; and 617.12; and be it further

RESOLVED, that upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interests of the people of the County of Saratoga residing within the boundaries of the District to proceed with the expenditure for the District's cost for construction of said sewer facility improvements, all as more fully described in the preambles hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$51,900,000; and be it further

RESOLVED, the expense of said increase and improvement of facilities shall be financed by the issuance of bonds in an amount not to exceed \$51,900,000 of said County and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be apportioned in accordance with the Sewer District's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and will be amended and adopted on an annual basis, with the expectation that any funds received by the District from NYS grants shall be used to pay a part of the cost of the project or to pay debt service on bonds issued to finance the project or shall be budgeted as an offset to such assessments to be levied and collected; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 239 - 2021

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

APPROVING THE PROPOSED CONSTRUCTION UPGRADES TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT TO PROPERLY TREAT AMMONIA AND MEET NEW LIMITS PROPOSED BY NYSDEC

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

WHEREAS, Saratoga County Sewer District No. 1 operates pursuant to the terms and conditions of a State Pollution Discharge Elimination System (SPDES) Permit issued and regulated by the Department of Environmental Conservation (DEC); and

WHEREAS, the Sewer District's SPDES Permit contains limits on the discharge of various pollutants and requirements for the measurement of said pollutants and the reporting of said measurements; and

WHEREAS, Saratoga County Sewer District No. 1 resolved violations of its SPDES permit by entering into administrative consent order with the DEC approved by Board Resolution 226-2019, and with the United States Environmental Protection Agency (USEPA) by Board Resolution 39-2020 and both consent orders called for Saratoga County Sewer District No. 1 to upgrade its existing facilities and properly treat ammonia; and

WHEREAS, the annual net cost to the typical property in said District as a result of such costs has been estimated to be \$5.08; and

WHEREAS, the proposed construction includes upgrades to the aeration blowers, upgrades to aeration diffusers, construction of two aeration basins, electrical upgrades and a new chemical storage and feed facility (collectively referred to hereinafter as the "Ammonia Treatment Project"); and

WHEREAS, the annual net cost to the typical property in said District as a result of such costs has been estimated to be \$5.08; and

WHEREAS, pursuant to Resolution 215-2021, this Board set a time for the holding of a public hearing on said increase and improvement of facilities in accordance with the project and estimate of cost; and

WHEREAS, said public hearing was duly held at the Chambers of the Saratoga County Board of Supervisors, 40 McMaster Street, in the Village of Ballston Spa, New York, in Saratoga County, on August 17, 2021, at 3:40 p.m.; and

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

WHEREAS, it would appear that the construction of said sewer facility improvements would be in the best interests of the people of the County of Saratoga residing within the boundaries of Saratoga County Sewer District No. 1; now, therefore be it

RESOLVED, that this Board hereby determines that the construction of said sewer facility improvements constitutes a "Type II Action" pursuant to the State Environmental Quality Review Act (SEQRA) and no further SEQRA review is required; and it is further

RESOLVED, that upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interests of the people of the County of Saratoga residing within the boundaries of the District to proceed with the expenditure for the District's cost for construction of said sewer

facility improvements, all as more fully described in the preambles hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$33,100,000; and be it further

RESOLVED, the expense of said increase and improvement of facilities shall be financed by the issuance of bonds in an amount not to exceed \$33,100,000 of said County and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be apportioned in accordance with the Sewer District's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and will be amended and adopted on an annual basis, with the expectation that any funds received by the District from NYS grants shall be used to pay a part of the cost of the project or to pay debt service on bonds issued to finance the project or shall be budgeted as an offset to such assessments to be levied and collected; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 241 - 2021

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH BOND, SCHOENECK & KING, PLLC FOR PROFESSIONAL LEGAL SERVICES RELATIVE TO THE ISSUANCE OF SERIAL BONDS IN AN AMOUNT NOT TO EXCEED \$85,000,000 TO FINANCE THE CONSTRUCTION OF A BIOSOLIDS DIGESTER FACILITY AND AMMONIA TREATMENT UPGRADES TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S FACILITIES

WHEREAS, pursuant to Resolution 238-2021, this Board authorized the issuance of \$51,900,000 of serial bonds to finance the construction of a Biosolids Digester Facility at Saratoga County Sewer District No. 1's Wastewater Treatment Plant located in Mechanicville, New York; and

WHEREAS, pursuant to Resolution 240-2021, this Board authorized the issuance of \$33,100,000 of serial bonds to finance the construction of ammonia treatment upgrades to Saratoga County Sewer District No. 1's Wastewater Treatment Plant located in Mechanicville, New York; and

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

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

RESOLVED, that the Chair of the Board is hereby authorized to execute a retainer agreement with Bond, Schoeneck & King, PLLC of Syracuse, New York, for the provision of professional legal services as bond counsel in connection with the upcoming issuance of serial bonds in the amount of \$85,000,000 to finance the construction a Biosolids Digester Facility and the construction of ammonia treatment upgrades to Saratoga County Sewer District No. 1's Wastewater Treatment Plant, with said legal services to be provided at a cost of \$.60 (sixty cents) per thousand dollars of the principal amount of the bonds issued subject to a minimum fee of \$10,000 and up to a maximum of \$15,000 per issue, \$950 for preparation of the bond resolution, plus any out-of-pocket disbursements; with any other necessary legal services provided to be compensated at the hourly rate of the staff member(s) providing such services; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 242 - 2021

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

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH CKM ELECTRICAL SERVICES, INC. TO PROVIDE ADDITIONAL ELECTRICAL CONSTRUCTION SERVICES TO THE SARATOGA COUNTY SEWER DISTRICT NO. 1'S RIVERSIDE #1 PUMP STATION

WHEREAS, the 2020 Capital Budget approved by this Board for Saratoga County Sewer District No. 1 includes upgrades to the Knox Woods and Riverside #1 pump stations; and

WHEREAS, pursuant to Resolution 138-2020, this Board authorized an agreement with CKM Electrical Services, Inc. for electrical construction services at a cost of \$111,815 for electrical construction services related to upgrades at Saratoga County Sewer District No. 1's Riverside #1 pump station; and

WHEREAS, it has been necessary for CKM Electrical Services, Inc. to provide additional unanticipated electrical construction services associated with pump voltage, and CKM Electrical Services, Inc., having submitted a change order for \$14,646.78 for such additional electrical construction services; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the County's contract with CKM Electrical Services, Inc. be amended to authorize the provision of additional electrical construction services at the additional cost not to exceed \$14,646.78; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with CKM Electrical Services, Inc. of Albany, New York for the provision of additional electrical construction services at Saratoga County Sewer District No. 1's Riverside #1 pump station, with such additional services to be provided at a cost not to exceed \$14,646.78; and, it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 243 - 2021

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

AUTHORIZING THE CONVEYANCE OF A SEWER LINE EASEMENT OVER COUNTY LANDS IN THE TOWN OF HALFMOON

WHEREAS, property owned by the County of Saratoga shown on the Saratoga County tax maps as Tax Parcel #260.-2-55, commonly known as the "Zim Smith Trail," adjoins property owned by Duane J. Lineback and Catherine L. Lineback in the Town of Halfmoon and identified on the Saratoga County tax maps as Tax Parcel #260.-1-4.11 with an address of 121 Ushers Road, Halfmoon, New York; and

WHEREAS, said property owned by the County contains an interceptor sewer line owned and operated by Saratoga County Sewer District No. 1; and

WHEREAS, Duane J. Lineback and Catherine L. Lineback wish to install a sewer lateral line across said County lands that will connect to a manhole in the Sewer District's interceptor line for purposes of providing sewer service to their property; and

WHEREAS, the requested easement will not endanger the sewer interceptor line or in any way inhibit the use of the County's property by the Sewer District, the County or recreational users of the Zim Smith Trail; and

WHEREAS, establishing this easement over County lands for lateral connections to the County Sewer District provides a public benefit to the County by assisting in the management and maintenance of its public infrastructure, and providing protection to natural resources; and

WHEREAS, the Saratoga County Sewer District Commission and the Executive Director of Saratoga County Sewer District No. 1 have recommended that the requested sewer line easement be granted by this Board; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents needed to convey a sewer line easement to Duane J. Lineback and Catherine L. Lineback for their installation of a sewer lateral line across County lands in the Town of Halfmoon identified as Tax Parcel #260.-2-55, which line will connect their property, identified as Tax Parcel #260.-1-4.11, to an interceptor manhole owned by Saratoga County Sewer District No. 1, with the form and content of such easement to be subject to the approval of the County Attorney; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 244 - 2021

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

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 5 OF 2021, PRINT NO. 1, ENTITLED "A LOCAL LAW OF THE COUNTY OF SARATOGA TO REPEAL LOCAL LAW 3 OF 1979."

WHEREAS, Resolution 213-2021 introduced and presented a proposed Local Law identified as Introductory No. 5, Print No. 1 of 2021, entitled "A Local Law of the County of Saratoga to Repeal Local Law 3 of 1979" to this Board of Supervisors and scheduled a public hearing thereon for August 17, 2021 at 3:45 p.m. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of the 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 to this Board; or appeared at the public hearing to be heard; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 17th day of August, 2021, hereby adopts a Local Law identified as Introductory No. 5, Print No. 1 of 2021, entitled "A Local Law of the County of Saratoga Repealing Local Law 3 of 1979", as set forth in the annexed Schedule A; and it is further

RESOLVED, that the Clerk of the Board is directed to file the Local Law with the office of the New York State Secretary of State as required by the Municipal Home Rule Law §27; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

SCHEDULE A

INTRODUCTORY NO. 5 OF 2021

PRINT NO. 1

INTRODUCED BY: Supervisors Veitch, Connolly, Gaston, Grasso, Raymond,
Schopf and Tollisen

COUNTY OF SARATOGA LOCAL LAW NO. 5 OF 2021

A LOCAL LAW OF THE COUNTY OF SARATOGA REPEALING LOCAL LAW 3 OF 1979

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

SECTION 1.

Local Law 3 of 1979, entitled "A Local Law Relating to Legislative Review of Agencies, Programs, Functions and Positions of and in County Government; Providing for Periodic Legislative Review, Modification and Termination of such Agencies, Programs, Functions and Positions; Providing for Abolishment of Units and Subunits of Government; Providing for the Appointment of a Committee, and Providing Effective Date," is hereby repealed.

SECTION 2.

This Local Law shall be effective upon its filing with the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

RESOLUTION 245 - 2021

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

AMENDING THE 2021 COMPENSATION SCHEDULE TO CREATE POSITIONS UNDER OFFICE FOR THE AGING

WHEREAS, the County Senior Nutrition Program provides a critical service to our county residents including providing healthy and nutritious meals to thousands of eligible residents, including those that are home-bound; and

WHEREAS, the County Office for the Aging is responsible for the administration and management of the County's Senior Nutrition Program; and

WHEREAS, in an effort to increase efficiency and effectiveness in administering the County's Senior Nutrition Program, the Director of the Office for the Aging has proposed the creation of ten (10) positions within the County to provide services that were previously obtained through contracts with private vendors; and

WHEREAS, the Law and Finance Committee, the Director of the Office for the Aging, and the Director of Human Resources have recommended that the 2021 Saratoga County Compensation Schedule be amended under Office for the Aging to Create (1) Senior Food Service Helper, part time, \$18.00/Hour; and (9) Food Service Helper(s), part time, \$16.00/Hour; now, therefore, be it

RESOLVED, that the 2021 Saratoga County Compensation Schedule is amended effective as of August 17, 2021, as follows:

UNDER OFFICE FOR THE AGING

Create (1) Senior Food Service Helper, P/T, \$18.00/hr; and
Create (9) Food Service Helper, P/T, \$16.00/hr;

and, be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Funds are allocated within the 2021 budget and stimulus funding is anticipated to be available to the Office for the Aging through September 2024.

RESOLUTION 246 - 2021

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

AUTHORIZING THE ACCEPTANCE OF \$22,324,096.50 IN FEDERAL AID UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (ARPA)

WHEREAS, on March 11, 2021, the Federal Government passed the American Rescue Plan Act of 2021 (ARPA), which is a \$11.9 Trillion economic stimulus package intended to assist the United States recovery from the economic and health effects of the COVID-19 Pandemic and the ongoing recession; and

WHEREAS, the grant funds under ARPA are administered through the United States Department of Treasurer; and

WHEREAS, the U.S. Department of Treasury has issued guidance and rules relative to ARPA funding, including the Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions and the most recent Interim Final Rule, dated July 19, 2021; and

WHEREAS, Saratoga County was directly awarded \$22,324,096.50; and

WHEREAS, acceptance of ARPA funding requires our approval and recognition respective to the County's General Ledger with the creation of a liability account "A-0688.ARPA" where such funds will be held until this Board determines appropriate funding expenditures in accordance with the rules and guidance as promulgated by the U.S. Department of Treasury; now, therefore, be it

RESOLVED, that the County Treasurer and Director of Finance are authorized to recognize acceptance of the American Rescue Plan Act of 2021 funding in the amount of \$22,324,096.50; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% Federal Aid.

RESOLUTION 247 - 2021

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

AUTHORIZING A SETTLEMENT WITH JOHNSON & JOHNSON, JANSSEN PHARMACEUTICALS, INC., ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC., AND JANSSEN PHARMACEUTICA, INC. (COLLECTIVELY J&J) NAMED IN AN ACTION TO RECOVER DAMAGES IN COMBATting AND TREATING OPIOID ABUSE

WHEREAS, pursuant to Resolution 203-2017, this Board authorized the commencement of litigation against the manufacturers, distributors, and certain prescribing physicians of opioid pharmaceuticals to recover damages resulting from the County combatting and treating opioid abuse, and further authorized the retention of Napoli Shkolnik, PLLC to serve as special counsel with respect to the initiation and prosecution of such litigation; and

WHEREAS, the County of Saratoga and many other municipalities are a member of a lawsuit commenced in Suffolk County against manufacturers, distributors, and certain prescribing physicians of opioid pharmaceuticals; and

WHEREAS, an action was commenced against defendants Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (collectively "J&J"), based on claims that J&J contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and through various 'front groups' and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its product, all of which contributed to a public health crisis; and

WHEREAS, J&J has offered to settle the claims of the County of Saratoga by paying a sum of between approximately \$418,468.60 and \$976,611.56 over ten (10) years to be used for restitution and abatement and agreeing to not manufacture, sell, or promote opioids; and

WHEREAS, the cornerstone of the proposed settlement is a full resolution of governmental claims filed in the State against J&J which will maximize the recovery and incentive scenarios are built into the agreement to secure and achieve a full \$229 million value of the settlement; and

WHEREAS, to join the proposed settlement, this Board needs to authorize the County becoming a party to the J&J Settlement Term Sheet and the New York Opioid Settlement Sharing Agreement and become a "direct share subdivision;" and

WHEREAS, pursuant to the terms of the proposed settlement, all counsel fees, costs and expenses will be paid directly by J&J from a separate fund; and

WHEREAS, if all incentives are met, Saratoga County will recover a total of \$976,611.56 from J&J, over ten annual payments and the County will further be able to apply for funds from State-held funds to be used for projects and programs focused on approved uses; and

WHEREAS, Napoli Shkolnik, PLLC, our Law and Finance Committee, and the County Attorney have recommended settlement of the lawsuit against J&J as recommended to avoid protracted litigation and to maximize the recovery of damages for the County; now, therefore, be it

RESOLVED, that it is in the best interests of the County to resolve and settle the litigation against J&J in the manner proposed by Napoli Shkolnik, PLLC, and this Board authorizes settlement of all claims and demands made by the County of Saratoga against Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (collectively "J&J") in the manner proposed by Napoli Shkolnik, PLLC; and it is further

RESOLVED, that the Chair of the Board and/or special counsel Napoli Shkolnik, PLLC, and/or the County Attorney are hereby authorized to execute Janssen New York State-Wide Opioid Settlement Agreement, the New York Subdivision Release Form, the New York Opioid Settlement Sharing Agreement and any other releases or documents necessary to settle and conclude the litigation commenced by the County of Saratoga against Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (collectively "J&J"); and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 248 - 2021

Introduced by Chairman Kusnierz

AMENDING RESOLUTION 1-2021 AS AMENDED BY RESOLUTION 53-2021 AND RESOLUTION 186-2021, TO AMEND THE RULES OF THE SARATOGA COUNTY BOARD OF SUPERVISORS

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

WHEREAS, pursuant to Resolution 53-2021, this Board adopted an amendment to the Rules of the County Board of Supervisors, effective February 23, 2021, and pursuant to Resolution 186-2021, this Board adopted an amendment to the Rules of the County Board of Supervisors, effective June 15, 2021; and

WHEREAS, the Law and Finance Committee has recommended an amendment to the Rules of the Board and any amendment requires board approval by a two-thirds majority vote; now, therefore, be it

RESOLVED, that subheading "b" under section "V. Order of Business" be added to read as follows, with changes notated in bold and strikethrough text:

- V. Order of Business
 - a. The order of business at Regular meetings shall be as follows:
 - i. Regular Meetings:
 1. Calling of the roll of members
 2. Attention to the Flag
 3. Chaplain
 4. Presentations
 5. Public Input
 6. Approval of Minutes of prior meetings
 7. Correspondence
 8. Reports of Committees
 9. Reports
 10. Resolutions
 11. Requests for Separate Votes
 12. Motion and Adoption of all Resolutions
 13. Unfinished Business and New Proposals
 14. Other Business
 15. Adjournment

b. The Chair of the Board shall have the discretion to modify the sequence of items within the order of business during a regular meeting to accommodate participation or to maintain decorum and order.

and, be it further

RESOLVED, that all other parts of the “Rules of the Saratoga County Board of Supervisors” effective January 6, 2021, as amended by Resolution 53-2021 and 186-2021, remain unchanged; and it is further

RESOLVED, that this Resolution shall take effect immediately, and pursuant to the Rules of the Board Section XIII(b), such amendments shall be laid over to the next meeting of the Board of Supervisors.

BUDGET IMPACT STATEMENT: No Budget Impact.

Mr. Veitch requested a separate vote on Resolutions 238 and 240.

Mr. Veitch said that he will be voting in favor of these Resolutions but wanted to make the point that when the bonds issued by the Sewer District are authorized, the financing and payment of these bonds falls back on sewer district users. As one of the largest communities that uses sewer in the County, Mr. Veitch said that it would be nice if another way of doing this could be found. He believes that when the Sewer District was originally built, it was an overall tax on the entire county. When expansions are done, it falls on the users. Ms. Gaston agreed with Mr. Veitch’s comments.

On a motion by Ms. Gaston, seconded by Mr. Kinowski, Resolution #238 was adopted by a unanimous vote. Mr. Grasso recused from voting.

RESOLUTION 238 - 2021

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

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$51,900,000 BONDS OF THE COUNTY OF SARATOGA, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF CONSTRUCTION OF A BIOSOLIDS DIGESTER FACILITY BY SARATOGA COUNTY SEWER DISTRICT NO. 1; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$51,900,000, STATING THE PLAN OF FINANCING; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT BY SARATOGA COUNTY SEWER DISTRICT NO. 1 TO SAID COUNTY

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly Resolution 237-2021 of this Board of Supervisors, an increase and improvement of facilities of Saratoga County Sewer District No. 1 (the District”), consisting of construction of a Biosolids Digester Facility by Saratoga County Sewer District No. 1 (the “Project”) has been approved at a total estimated maximum cost of \$51,900,000 to the County of Saratoga and the District; now therefore be it

RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SARATOGA, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. The County of Saratoga, New York (herein called “County”), is hereby authorized to undertake the reconstruction of the Saratoga County Sewer District No. 1 sewer system, including construction of a Biosolids Digester Facility, acquisition of land or rights in land and acquisition of original furnishings, equipment, machinery or apparatus required in connection therewith, at a maximum estimated cost of \$51,900,000. The plan of financing shall consist of the issuance of not to exceed \$51,900,000 aggregate principal amount of bonds of the County authorized to be issued pursuant to this resolution. Any federal or state grant funds received by the County for the specific objects or purposes described in this resolution shall be applied to pay the principal of and interest

on the bonds or any bond anticipation notes issued in anticipation of the bonds or, to the extent obligations shall not have been issued under this resolution, to reduce the maximum principal amount to be borrowed for such specific objects or purposes.

Section 2. Bonds of the County in the principal amount of \$51,900,000, or so much thereof as may be necessary, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance the County's total estimated cost.

Section 3. The period of probable usefulness for the specific object or purpose for which said \$51,900,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 4 of the Law, is forty (40) years.

Section 4. Current funds are not required to be provided as a down payment prior to the issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d. 3. of said Law.

Section 5. The County intends to finance, and the County Treasurer is hereby authorized to advance such amounts as are necessary to pay the costs of said improvements, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the Board of Supervisors relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the County Treasurer, as the chief fiscal officer of the County.

Section 7. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Saratoga. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be assessed and levied upon the real property of users connected to the District's sewer system, in accordance with the District's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and as it will be amended and adopted on an annual basis, an amount sufficient to pay the principal of and interest on such obligations as the same become due and payable, but if not paid from such source, all the taxable real property in the County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal and interest on such obligations when due.

Section 8. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

- (b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 9. The Clerk of the Board of Supervisors is hereby directed to publish the foregoing bond resolution, in summary, in "*The Saratogian*," "*Saratoga Today*," "*The Post Star*," and in "*The Daily Gazette*", newspapers having a general circulation in said County and hereby designated the official newspapers of said County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 10. The County Board of Supervisors hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the Project authorized by this resolution.

Section 11. This Resolution shall take effect immediately.

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

On a motion by Ms. Gaston, seconded by Mr. Kinowski, Resolution #240 was adopted by a unanimous vote. Mr. Grasso recused from voting.

RESOLUTION 240 - 2021

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

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$33,100,000 BONDS OF THE COUNTY OF SARATOGA, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF CONSTRUCTION OF UPGRADES TO AMMONIA TREATMENT FACILITIES BY SARATOGA COUNTY SEWER DISTRICT NO. 1; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$33,100,000, STATING THE PLAN OF FINANCING; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT BY SARATOGA COUNTY SEWER DISTRICT NO. 1 TO SAID COUNTY

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly Resolution 239-2021 of this Board of Supervisors, an increase and improvement of facilities of Saratoga County Sewer District No. 1 (the District"), upgrades to aeration blowers, upgrades to aeration diffusers, construction of two aeration basins, electrical upgrades and a new chemical storage and feed facility (collectively referred to hereinafter as the "Ammonia Treatment Project") has been approved at a total estimated maximum cost of \$33,100,000 to the County of Saratoga and the District; now therefore be it

RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SARATOGA, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. The County of Saratoga, New York (herein called "County"), is hereby authorized to undertake the reconstruction of the Saratoga County Sewer District No. 1 sewer system to upgrade ammonia treatment facilities, including upgrades to aeration blowers, upgrades to aeration diffusers, construction of two aeration basins, electrical upgrades and a new chemical storage and feed facility, acquisition of land or rights in land and acquisition of original furnishings, equipment, machinery or apparatus required in connection therewith, at a maximum estimated cost of \$33,100,000. The plan of financing shall consist of the issuance of not to exceed \$33,100,000 aggregate principal amount of bonds of the County authorized to be issued pursuant to this resolution. Any federal or state grant funds received by the County for the specific objects or purposes described in this resolution shall be applied to pay the principal of and interest on the bonds or any bond anticipation notes issued

in anticipation of the bonds or, to the extent obligations shall not have been issued under this resolution, to reduce the maximum principal amount to be borrowed for such specific objects or purposes.

Section 2. Bonds of the County in the principal amount of \$33,100,000, or so much thereof as may be necessary, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance the County's total estimated cost.

Section 3. The period of probable usefulness for the specific object or purpose for which said \$33,100,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 4 of the Law, is forty (40) years.

Section 4. Current funds are not required to be provided as a down payment prior to the issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d. 3. of said Law.

Section 5. The County intends to finance, and the County Treasurer is hereby authorized to advance such amounts as are necessary to pay the costs of said improvements, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the Board of Supervisors relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the County Treasurer, as the chief fiscal officer of the County.

Section 7. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Saratoga. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be assessed and levied upon the real property of users connected to the District's sewer system, in accordance with the District's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and as it will be amended and adopted on an annual basis, an amount sufficient to pay the principal of and interest on such obligations as the same become due and payable, but if not paid from such source, all the taxable real property in the County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal and interest on such obligations when due.

Section 8. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (c) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

- (d) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 9. The Clerk of the Board of Supervisors is hereby directed to publish the foregoing bond resolution, in summary, in "*The Saratogian*;" "*Saratoga Today*;" "*The Post Star*;" and in "*The Daily Gazette*", newspapers having a general circulation in said County and hereby designated the official newspapers of said County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 10. The County Board of Supervisors hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the Project authorized by this resolution.

Section 11. This Resolution shall take effect immediately.

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

Chairman Kusnierz announced the following appointment:

Workforce Advisory Board

Scot Chamberlain – Director of Human Resources
Term Expiring: December 31, 2022

Mr. Veitch said that the Department of Public Works are currently repaving County Rout 43 which is Geysers Road in Saratoga Springs. They did a great job of milling for two days and paving for one day during track season. Mr. Veitch complimented the Department on getting the job done quickly with as minimal disruption as possible. Mr. Kusnierz said that on behalf of the Board he echoes the same sentiments.

On a motion by Mr. Richardson, seconded by Mr. Wood the meeting was adjourned by a unanimous vote.

Respectfully submitted,

Therese Connolly
Clerk of the Board