

LAW & FINANCE

AGENDA August 11, 2021 4:00pm

Chair: Jonathan Schopf

Members:

Phil Barrett - VC
Joe Grasso
Kevin Tollisen
Matthew Veitch
Sandra Winney
Tom Wood

Welcome and Attendance

Approval of the minutes from July 14, 2021

TECHNOLOGY & RESILIENCY

- Amending Resolution 151-2021 to increase the authorized approval to changes orders to Presentation Concepts Corporation percentage from 10% to 20%.
(Eileen Bennett, Director of Information Technology)
BUDGET IMPACT: None.

REAL PROPERTY TAX

- Authorizing a refund of \$6,898.50 for tax parcel 271.16-1-3 in the Town of Clifton Park.
(Anna Stanko, Director of Real Property)
BUDGET IMPACT: None. Funds are available in the 2021 budget to cover this refund.

HUMAN RESOURCES & INSURANCE

- Authorizing an amendment to the 2021 Compensation schedule to create a position under the Public Health Services.
(Daniel Kuhles, Commissioner of Health)
BUDGET IMPACT: None. Funds for the position are available in the 2021 Budget.

HEALTH & HUMAN SERVICES

- Amending resolution 69-2021, authorizing amendments to Mental Health contracts to include state-funded cost of living increases of \$23,369 and amending the 2021 County budget in relation thereto.
(Michael Prezioso, Commissioner of Mental Health & Addiction Services)
BUDGET IMPACT: None. 100% State Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.

- Authorizing the acceptance of additional funding from Health Research Inc. for the ELC COVID-19 Enhanced Detection Non-Lab grant program in the amount of \$652,203.
(Daniel Kuhles, Commissioner of Health)
BUDGET IMPACT: None. 100% State Aid.
- Authorizing the acceptance of funding from Centers for Disease Control and Prevention's Epidemiology and Laboratory Capacity Grant through the New York State Dept of Health and Health Research, Inc. (HRI) in the amount of \$3,986,793.
(Daniel Kuhles, Commissioner of Health)
BUDGET IMPACT: None. 100% State Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.
- Authorizing a contract with Quadrant Biosciences, Inc. in the amount of \$3,520,000.
(Daniel Kuhles, Commissioner of Health)
BUDGET IMPACT: None. Funds for this contract will be available from the previous resolution.
- Authorizing major contracts for contact tracing services with: Jessica McCamy in an amount not to exceed \$45,500; Hannah Ives in an amount not to exceed \$45,500; Mary Ann Priest in an amount not to exceed \$45,500; and Brianna McLain in an amount not to exceed \$45,500.
(Daniel Kuhles, Commissioner of Health)
BUDGET IMPACT: None. Costs associated with these contracts will be covered by a Health Research, Inc. grant.

BUILDINGS & GROUNDS

- Authorizing the acceptance of an American Rescue Plan Act of 2021 grant from the Federal Aviation Administration in the amount of \$59,000.
(Chad Cooke, Public Works Commissioner)
BUDGET IMPACT: None. 100% Federal Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.

PUBLIC SAFETY

- Authorizing the acceptance of 2021 State Homeland Security Program grant in the amount of \$185,651 and amending the 2021 budget in relation thereto.
(Ed Tremblay, Fire Coordinator)
BUDGET IMPACT: None. 100% State Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.
- Authorizing the Chairman to enter into intermunicipal agreements with participating municipalities for 2022 Saratoga County Animal Shelter Services.
(Penny Heritage, Animal Shelter Director)
BUDGET IMPACT: None.

- Authorizing a one year agreement with the Department of the Navy NAVSEA Warfare Center in the amount of \$4,500 for the use of Night Vision and Thermal Equipment.
(Michael Zurlo, County Sheriff)
BUDGET IMPACT: None. Funds for the agreement are included in the 2021 budget.

TRAILS & OPEN SPACE

- Authorizing the Chairman to enter into the necessary agreements to apply to, accept, and administer a New York State Snowmobile Grant-in-aid program grant and issue a negative declaration under SEQRA.
(Jason Kemper, Director of Planning)
BUDGET IMPACT: None. 100% State Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.
- Authorizing an amendment to resolution 95-2021 with the Hudson River Valley Greenway to increase costs from \$210K to \$275K as a result of increased project costs.
(Jason Kemper, Director of Planning)
BUDGET IMPACT: None. 100% of the funding for this project will be provided through a grant with Hudson River Valley Greenway at no cost to Saratoga County.
- Authorizing a contract with WMJ Keller & Sons Construction Corporation in the amount of \$227,600 for the construction of a multi-use pathway in the Village and Town of Waterford.
(Jason Kemper, Director of Planning)
BUDGET IMPACT: None. Funds for this contract were covered in the previous resolution.
- Awarding the 2021 Trails Grants.
(Jason Kemper, Director of Planning)
BUDGET IMPACT: An allocation from Fund Balance in the amount of \$7,011.44 will be required to fully fund all requests.

GOVERNMENT REVIEW & EFFICIENCY

- Amending the Operating Budget Procedure.
(Supervisor Veitch)
BUDGET IMPACT: None.

LAW & FINANCE

- Rescinding Resolutions 170 and 171 of 2018 and 195 of 2020 for the Joint Biosolids Facility.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: None.
- Approving the proposed construction of a Biosolids Management Facility at Saratoga County Sewer District's No 1 Waste Water Treatment Plant at a cost not to exceed \$51,900,000.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: None.

- Authorizing the issuance of \$51,900,000 bonds of the County of Saratoga for Saratoga County Sewer District's No 1 Biosolids Management Facility.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: None.
- Approving the proposed construction of process upgrades at the Saratoga County Sewer District's No 1 Waste Water Treatment Plant to treat ammonia a cost not to exceed \$33,100,000.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: None.
- Authorizing the issuance of \$33,100,000 bonds of the County of Saratoga for Saratoga County Sewer District's No 1 Ammonia Upgrade Project.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: None.
- Authorizing the Chairman to execute an engagement letter with Bond Schoeneck and King to act as Bond Counsel for the Ammonia Upgrade and Biosolids Management Facility Projects.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: None.
- Authorizing Change Order #3 with CKM Electrical Services Inc. for additional work required at Saratoga County Sewer Districts Riverside Pump Station.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: None.
- Authorizing the Chairman of the Board to execute an easement agreement with Duane J. and Catherine Lineback in the Town of Halfmoon to allow a sewer lateral to be installed on County lands.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: None.
- Adopting Local Law #5 of 2021 to Repeal Local Law #3 of 1979.
(Michael Hartnett, County Attorney)
BUDGET IMPACT: None.
- Authorizing amendments to the 2021 Compensation Schedule to create (1) Senior Food Service Helper, part-time at \$18 per hour, and (9) Food Service Helper(s), part-time at \$16 per hour under the Office for the Aging.
(Sandi Cross, Director of Aging)
BUDGET IMPACT: None. 100% State Aid.
- Authorizing the acceptance of \$22,324,096.50 in Federal Aid under the American Rescue Plan Act of 2021 (ARPA).
(Andrew Jarosh, County Treasurer)
BUDGET IMPACT: None.

- Discussion regarding Opioid Litigation against Defendant NY Janssen (J&J) – Executive Session regarding pending litigation.
(Michael Hartnett, County Attorney)
BUDGET IMPACT: None.

CHAIRMAN’S ITEM

- Amending Resolution 1 of 2021 – Rules of the Saratoga County Board of Supervisors.

Other Business

- **Setting agenda for Board Meeting Scheduled For August 17, 2021**

Adjourn

The public will have an opportunity to hear the meeting live via an audio signal using this call-in number and access code:

Dial: 1-978-990-5145

Access Code: 1840389



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Mike Hartnett, County Attorney
Therese Connolly, Clerk of the Board

CC: Jason Kemper, Planning Director
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office

FROM: Eileen M. Bennett, Director of Information Technology

DATE: August 2, 2021

RE: Amend resolution 151-2021 to increase the authorized approval to change orders to Presentation Concepts Corporation percentage from 10% to 20%

COMMITTEE: Law and Finance August 11, 2021

1. Is a Resolution Required: YES or NO
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)
2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
No
3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
N/A
4. Specific details on what the resolution will authorize:
Amend resolution 151-2021 to increase the authorized approval to change orders to Presentation Concepts Corporation percentage from 10% to 20%.
5. Does this item require hiring a Vendors/Contractors:
 - a. Were bids/proposals solicited:
 - b. Is the vendor/contractor a sole source:
 - c. Commencement date of contract term:
 - d. Termination of contract date:
 - e. Contract renewal and term:
 - f. Contact information:
 - g. Is the vendor/contractor an LLS, PLLC or partnership:
 - h. State of vendor/contractor organization:
 - i. Is this a renewal agreement: YES or NO
 - j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution:
(If yes, attach the last approved resolution)
 - a. What were the terms of the prior resolution
 - b. Are the terms changing:
 - c. What is the reason for the change in terms:

7. Is a new position being created:
 - a. Effective date
 - b. Salary and grade

8. Is a new employee being hired:
 - a. Effective date of employment
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding:
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

Resolution 151-2021 mark up attached
Explanation of change order amounts
Change orders dated 6/23/21 and 6/7/2021 attached.

On 7/29/2021 the Technology and Resiliency committee authorized their approval to submit this agenda item directly to Law and Finance to keep on schedule with the BOS A/V installation. The Change Order from PCC wasn't received in time for the July Technology meeting.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 151 - 2021

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH PRESENTATION CONCEPTS CORPORATION FOR AUDIO/VISUAL DESIGN AND IMPLEMENTATION UPGRADES FOR THE SARATOGA COUNTY BOARD OF SUPERVISORS ROOM AND BOARD OF SUPERVISORS CONFERENCE ROOM

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, competitive proposals were solicited to provide the audio and visual upgrade design and implementation for the Board of Supervisors Room and the Board of Supervisors Conference Room; and

WHEREAS, the proposal review committee consisting of members from the Clerk of the Board of Supervisors, County Administrator's Office, Information and Technology Department, and Purchasing Department reviewed the submitted proposals and have recommended that a contract be awarded to Presentation Concepts Corporation for audio/visual upgrade design and implementation at a total cost of \$143,735; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Presentation Concepts Corporation of Syracuse, New York for audio/visual upgrade design and implementation for the Board of Supervisors Room and Board of Supervisors Conference Room at a cost not to exceed \$143,735; and it is further

RESOLVED, that the Technology and Resiliency Committee is hereby authorized to approve change orders to such agreement with Presentation Concepts Corporation in an amount not to exceed ~~10%~~ ^{20%} of amount stated above; and be it further

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

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

8/2/2021

PCC Agreement was executed on July 6, 2021

Returning equipment and authorizing change order for a streaming solution in Committee room.

Change Order dated 6/23/2021

Total of returned equipment: \$1,123.00
Restocking fee 20%: \$224.60
Shipping +/-: \$40.00
Total additional approximate costs \$275.00

Total cost per change Order: \$11,008.00
Plus returns of equipment: \$ 275.00
Total minimum to approve: \$11,283.00

Change Order dated 6/7/2021: approved by the Technology and Resiliency June 24, 2021

Total cost: \$10,537.00

[this Change Order amount was less than the 10% authorized by Resolution 151-2021]

With the Additional Change Order 6/23/2021 plus return costs of: \$11,283.00
And the Change Order 6/7/2021: \$10,537.00
Total Change Orders to date: \$21,820.00

Minimum change to resolution 151-2021 would be to increase the not to exceed from 10% to 20% which would allow some additional change order costs without an additional change to resolution.



Change Order Form

| | | | |
|------------------|--|----------------------|--------------------------|
| Project Manager: | Tom Hayes | Customer: | Saratoga County |
| Sales Person: | Tom Hayes | Customer PO #: | - |
| Phone: | (315) 437-1314 ext. 119 | Project Name: | Committee Room Streaming |
| Email: | thayes@pccav.com | Building Name: | Main |
| Contact Name: | Eileen Bennett | Room #: | Committee Room |
| Contact Phone: | (518) 281-6194 | PCC Order #: | - |
| Contact Email: | ebennett@saratogacountyny.gov | Change Info: | Customer Request |
| Today's Date: | 6/23/2021 | New Completion Date: | TBD |

Scope of Work Change/Revision:

Saratoga County would like to add streaming capabilities to their Committee Room. Instead of the all-in-one autoframing camera and microphone unit, PCC will install a wall mounted wide angle digital PTZ camera on one side of the room. We will install a ceiling tile style beamforming microphone array in the center of the room. We will provide an AV streaming device and 1 year streaming subscription. The camera and microphone will be able to be used for either PC based conferencing (via a customer laptop USB connections) or for a live stream from the Committee Room. PCC will need to install a small, laminate style AV equipment rack somewhere within the room to house the required AV equipment.

| Add Equipment | | | | | |
|--------------------|--|-----|-------------|----------------------------|--------------|
| ITEM # | DESCRIPTION | QTY | UNIT PRICE | EXT PRICE | |
| AW-UE4KG | Panasonic PTZ Camera, Black | 1 | \$ 1,011.00 | \$ 1,011.00 | |
| AW-RM50G | Panasonic Camera Remote | 1 | \$ 107.00 | \$ 107.00 | |
| GS108PP | Netgear PoE Switch | 1 | \$ 149.00 | \$ 149.00 | |
| 60-1480-01 | Extron DA2 HD 4K 1X2 HDMI Distribution Amplifier | 1 | \$ 402.00 | \$ 402.00 | |
| 930-3200-206 | Clearone Versa Pro CT Beamforming Microphone Array | 1 | \$ 4,065.00 | \$ 4,065.00 | |
| Boxcaster | Boxcaster 1 Year Streaming Service Subscription | 1 | \$ 1,320.00 | \$ 1,320.00 | |
| Boxcaster | Boxcaster Streaming Device | 1 | \$ 444.00 | \$ 444.00 | |
| 999-8240-000 | Vaddio AV Bridge Mini | 1 | \$ 1,787.00 | \$ 1,787.00 | |
| RA-120 | Exact Furniture Furniture Style Laminate AV Rack | 1 | \$ 589.00 | \$ 589.00 | |
| SX-DS-158 | Surge Rack Mount PDU | 1 | \$ 165.00 | \$ 165.00 | |
| PCC -CABL | Additional Cabling and Hardware | 1 | \$ 250.00 | \$ 250.00 | |
| PCC-INST | Additional Onsite Installation | 1 | \$ 1,582.00 | \$ 1,582.00 | |
| | *Extron NYS Contract # PC67450 | | | | |
| | *Panasonic NYS Contract # PC67447 | | | | |
| | | | | Subtotal: | \$ 11,871.00 |
| | | | | Freight for Add Equipment: | \$ 260.00 |
| | | | | Total for Add Equipment: | \$ 12,131.00 |
| Returned Equipment | | | | | |
| ITEM # | DESCRIPTION | QTY | UNIT PRICE | RESTOCK FEE | CREDIT |

| | | | | | |
|--------------------------------------|--|---|-----------|-------------------------------|---------------------|
| 7090043790580 | Huddly IQ with Mic AI Powered Camera with Built-in Mic Array | 1 | \$ 703.00 | \$ - | \$ 703.00 |
| 7090043790191 | Huddly Mounting Bracket | 1 | \$ 99.00 | \$ - | \$ 99.00 |
| 7090043790276 | Huddly USB 3 Type C to A Cable 2.0 | 1 | \$ 33.00 | \$ - | \$ 33.00 |
| 7090043790436 | Huddly USB 3.0 Extension Cable | 1 | \$ 288.00 | \$ - | \$ 288.00 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | Subtotal: | \$ 1,123.00 |
| | | | | Freight for Return Equipment: | \$ - |
| | | | | Total Customer Credit: | \$ 1,123.00 |
| Total NET Change to Customer: | | | | | \$ 11,008.00 |

NOTE: Custom Items are NOT RETURNABLE. S&H will be charged on ALL additional Equipment. Returned items are subject to a 20% restocking fee.

Customer Signature: _____ Date: _____

PCC Project Lead Signature: _____ Date: _____



Change Order Form

| | | | |
|------------------|-------------------------------|----------------------|--|
| Project Manager: | Tom Hayes | Customer: | Saratoga County |
| Sales Person: | Tom Hayes | Customer PO #: | - |
| Phone: | (315) 437-1314 ext. 119 | Project Name: | Board of Supervisors Discussion System |
| Email: | thayes@pccav.com | Building Name: | Main |
| Contact Name: | Eileen Bennett | Room #: | Board of Supervisors |
| Contact Phone: | (518) 281-6194 | PCC Order #: | - |
| Contact Email: | ebennett@saratogacountyny.gov | Change Info: | Customer Request |
| Today's Date: | 6/7/2021 | New Completion Date: | TBD |

Scope of Work Change/Revision:

This change order is to add an additional two cameras to the Board of Supervisor's Discussion System, bringing the total to four cameras.

PCC will install two additional wall mounted 10x zoom PTZ cameras. One will be wall/ceiling/soffit mounted at the front of the room and be aimed towards the public speaking area. The other will be wall/ceiling/soffit mounted towards the rear of the room and be aimed towards the head dais area. We will provide four-input scaling multi-window processor and connect the outputs of all four room cameras to it. This will allow the cameras to be used in multiple window configurations (quad-box, side-by-side, etc.) when a conference or stream is being run.

All cameras can be programmed so that when a someone is using a terminal microphone to speak the camera/cameras will identify who is speaking and trigger a preset to fit the speaker into frame accordingly.

Customer to provide AC power for all cameras.

| Add Equipment | | | | | |
|--------------------|---|-----|-------------|--------------------------------------|---------------------|
| ITEM # | DESCRIPTION | QTY | UNIT PRICE | EXT PRICE | |
| AT-HDVS-CAM-HDMI | Atlona AT-HDVS-CAM-HDMI; 10x Zoom PTZ Camera with HDMI Output | 2 | \$ 770.00 | \$ 1,540.00 | |
| 60-1271-13 | Extron DTP HDMI 4K 230 Rx; Receiver for HDMI | 2 | \$ 267.00 | \$ 534.00 | |
| 60-1271-12 | Extron DTP HDMI 4K 230 Tx; Transmitter for HDMI | 2 | \$ 267.00 | \$ 534.00 | |
| AT-HDVS-CAM-CMNT | Atlona AT-HDVS-CAM-CMNT; Ceiling Mount Kit | 2 | \$ 42.00 | \$ 84.00 | |
| 60-1574-01 | Extron MGP 641; Four-Input Multiview Window Processor | 1 | \$ 5,593.00 | \$ 5,593.00 | |
| PCC-CABL | Additional Cabling and Hardware | 1 | \$ 600.00 | \$ 600.00 | |
| PCC-PRGM | Additional Programming | 1 | \$ 594.00 | \$ 594.00 | |
| PCC-INST | Additional Onsite Installation | 1 | \$ 1,380.00 | \$ 1,380.00 | |
| | | | | Subtotal: | \$ 10,859.00 |
| | | | | Freight for Add Equipment: | \$ - |
| | | | | Total for Add Equipment: | \$ 10,859.00 |
| Returned Equipment | | | | | |
| ITEM # | DESCRIPTION | QTY | UNIT PRICE | RESTOCK FEE | CREDIT |
| SB-3691 | Shinybow SB-3691; 2x1 HDMI PiP Processor | 1 | \$ 322.00 | \$ - | \$ 322.00 |
| | | | | Subtotal: | \$ 322.00 |
| | | | | Freight for Return Equipment: | \$ - |
| | | | | Total Customer Credit: | \$ 322.00 |
| | | | | Total NET Change to Customer: | \$ 10,537.00 |

NOTE: Custom Items are NOT RETURNABLE. S&H will be charged on ALL additional Equipment. Returned items are subject to a 20% restocking fee.

Customer Signature: *Eileen M. Bennett* Date: 7/7/2021

PCC Project Lead Signature: *R. F. [Signature]* Date: 7/13/2021



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Mike Hartnett, County Attorney
Pam Wright, Clerk of the Board

CC: Jason Kemper, Planning Director
Therese Connolly, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, Confidential Secretary/County Attorney's Office

FROM: Dan Rourke, Sewer District

DATE: 8/5/21

RE: Rescinding Resolutions For the Joint Biosolids Facility

COMMITTEE: Sewer Commission

1. Is a Resolution Required: **YES** or **NO**
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
NO

3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
NO

4. Specific details on what the resolution will authorize:

This resolution will rescind Resolution 170 and 171 of 2018 and 195 of 2020. These resolutions pertain to the construction and bonding for the joint regional biosolids facility. The Intermunicipal agreement is set to expire August 31, 2021, and we are looking to pass a bond resolution for a facility wholly owned by SCSD.

5. Does this item require hiring a Vendors/Contractors:

- a. Were bids/proposals solicited: N/a
- b. Is the vendor/contractor a sole source: No
- c. Commencement date of contract term: TBD
- d. Termination of contract date: TBD
- e. Contract renewal and term: N/A
- f. Contact information:
- g. Is the vendor/contractor an LLS, PLLC or partnership:
- h. State of vendor/contractor organization:
- i. Is this a renewal agreement: YES or NO
- j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution:
(If yes, attach the last approved resolution)
 - a. What were the terms of the prior resolution NO
 - b. Are the terms changing:
 - c. What is the reason for the change in terms:

7. Is a new position being created:
 - a. Effective date NO
 - b. Salary and grade

8. Is a new employee being hired:
 - a. Effective date of employment NO
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding: NO
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

SEP 15 2020

9/15/20



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 195 - 2020

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

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 BIOSOLIDS DIGESTER FACILITY BY SARATOGA COUNTY SEWER DISTRICT NO. 1 IN COOPERATION WITH THE ALBANY COUNTY WATER PURIFICATION DISTRICT

WHEREAS, the County Board of Supervisors of the County of Saratoga, New York on July 17, 2018 adopted a Bond Resolution (the "Prior Bond Resolution") entitled "RESOLUTION 171 – 2018. Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Szczepaniak, and Wright 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, the County Board of Supervisors wishes to (i) authorize the expenditure and appropriation of additional funds in connection with the construction of a Regional Biosolids Digester Facility by Saratoga County Sewer District No. 1 in cooperation with the Albany County Water Purification District (the "Project"); and (ii) authorize the issuance of additional serial bonds of the County to finance such additional appropriation;

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Board of Supervisors of the County of Saratoga, New York as follows:

Section 1. The County of Saratoga, New York (herein called "County"), is hereby authorized to undertake the Project at an estimated maximum cost to the County not to exceed \$28,000,000, representing the County's 50% share of the total estimated maximum cost, constituting an increase of \$3,750,000 over the amount previously authorized in the Prior Bond Resolution.

Section 2. The plan for financing such new maximum authorized cost of \$28,000,000 shall be as follows:

(a) By the issuance of \$24,250,000 of Serial Bonds of the County heretofore authorized to be issued pursuant to the Prior Bond Resolution; and

(b) By the issuance of an additional \$3,750,000 of Serial Bonds (the "Bonds") of the County authorized to be issued pursuant to this Resolution

Section 3. It is hereby determined that the period of probable usefulness for the specific object or purpose is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law; provided, however, that the maximum maturity of the Bonds authorized shall be computed from the date of issuance of the bonds or the first bond anticipation note issued in anticipation of the bonds or the serial bonds or the bond anticipation notes authorized pursuant to the Prior Bond Ordinance, whichever date is earlier.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. 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. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of

the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the County Treasurer, the Chief Fiscal Officer of the County.

Section 8. This resolution is intended to constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2. Other than as specified in this resolution, no moneys are reasonably expected to be, received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the County Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or heretofore adopted by the Board of Supervisors of the County for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the use of electronic bidding, the consolidation of the serial bonds and the bond anticipation notes with other issues of the County and the serial maturities of the bonds are hereby delegated to the County Treasurer, the Chief Fiscal Officer of the County.

Section 10. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the 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 or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The County Treasurer, as Chief Fiscal Officer of the County, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the County to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12, as amended.

Section 12. This resolution, or a summary of this resolution, shall be published in the official newspapers of the County for such purpose, together with a notice of the Clerk of the County in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This resolution is not subject to a mandatory or permissive referendum.

Section 14. The Board of Supervisors of the County hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 15. This resolution shall take effect immediately upon its adoption.

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

7/17/18



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 171 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Szczepaniak, and Wright

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

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly Resolution 170 - 2018 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 regional Biosolids Digester Facility by Saratoga County Sewer District No. 1 in cooperation with the Albany County Water Purification District (the "Project") has been approved at a total estimated maximum cost of \$24,250,000 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 Project, all as more fully described in the feasibility study completed by Arcadis of New York, Inc. and filed with the Board of Supervisors pursuant to Section 268 of the County Law. The County's 50% share of the total estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$24,250,000. The plan of financing includes the application of any grants received from the State of New York, issuance of not to exceed \$24,250,000 aggregate principal amount of bonds of the County, the principal of and interest on such bonds to be reimbursed to the County by the assessment and levy on 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.

Section 2. Bonds of the County in the principal amount of \$24,250,000, 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 50% share of said total estimated cost.

Section 3. The period of probable usefulness for the specific object or purpose for which said \$24,250,000 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, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year. Should the assessments upon benefited real property through user charges be insufficient to pay the principal of and interest on such bonds, there shall be annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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*” 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. This Resolution shall take effect immediately.

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



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 170 - 2018

Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Szczepaniak, and Wright

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

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, which services are currently being provided pursuant to Resolution 137-2017 at a cost of \$90.76 per wet ton, plus a surcharge of \$10 per wet ton for each ton collected and transported above 430 wet tons per week; and

WHEREAS, as a result of discussions between officials from the New York State Energy Research and Development Authority ("NYSERDA"), the Albany County Water Purification District ("ACWPD"), and the District, NYSERDA, ACWPD and the District agreed in principle to commission a study to determine the feasibility of constructing and operating a regional biosolids digester facility, and to share the costs of performing said feasibility study in the following percentages: NYSERDA-50%, ACWPD-25%, and the District-25%; and

WHEREAS, pursuant to Resolution 135-2017, this Board authorized the execution of a cooperative agreement between the County of Albany, on behalf of ACWPD, and the County of Saratoga, on behalf of the District, to commission the feasibility study relative to the possible construction and operation of a regional biosolids digester facility, and to share the costs of the study in the foregoing percentages; and

WHEREAS, pursuant to Resolution 136-2017, the County entered into an agreement with Arcadis of New York, Inc. for the preparation of the feasibility study, at a cost to the County of \$25,000; and

WHEREAS, the feasibility study has been completed by Arcadis of New York, Inc., reviewed by the members of the District Commission and the ACWPD's Board of Commissioners, 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 Sewer District Commission and the ACWPD's Board of Commissioners have recommended that the County of Saratoga and the County of Albany enter into an intermunicipal agreement to construct and operate said regional biosolids handling facility and thereby increase and improve the facilities of the District, at a total maximum estimated cost of \$48,500,000 as more fully described in the Feasibility Study and estimate of cost prepared in relation thereto. The plan of finance provides for the County and the County of Albany to each pay fifty percent (50%) of said estimated maximum cost of \$48,500,000, or \$24,250,000 each. The County's \$24,250,000 portion of said estimated maximum cost is proposed to be financed through application of any grants received from the State of New York ("NYS grants") and the issuance of bonds by the County of Saratoga on behalf of the District with the expense for principal of and interest on said bonds to 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; and

WHEREAS, pursuant to Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the \$3.93 net cost thereof to the Typical Property (as defined in the County Law) does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$11.00 for calendar year 2018; and

WHEREAS, the Executive Director of the Sewer District has reviewed with our Law and Finance Committee the Short Environmental Assessment Forms Parts 1, 2 and 3 prepared by the ACWPD and the related determinations made by the Albany County Legislature in Resolution No. 268 of 2018 regarding the impact that construction of the proposed regional biosolids handling facility, to be located at the existing site of the ACWPD North Wastewater Treatment Plant in the Village of Menands, may have on the environment, and the Law and Finance Committee and the Executive Director of the Sewer District have recommended to the Board of Supervisors that the Board adopt such determinations thereby bringing the Sewer District and the County into compliance with the New York State Environmental Quality Review Act ("SEQRA"), and the applicable documentation thereof has been filed in the office of the Clerk of the Board of Supervisors; and

WHEREAS, said Board of Supervisors duly adopted Resolution 162 - 2018 on June 19, 2018, calling a meeting of the Board of Supervisors for the purpose of holding a public hearing on said increase and improvement of facilities in accordance with said report and estimate of cost; and

WHEREAS, such Resolution authorized and directed the Clerk of said 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 said County, on July 11, 2018, at 4:17 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; now, therefore be it

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 50% share of the 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 \$24,250,000; 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 \$24,500,000 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 based on the determinations set forth in Resolution No. 268 of 2018, duly adopted on June 11, 2018 by the Albany County Legislature, that the construction of said sewer facility improvements constitutes an "Unlisted Action" which will result in no major impacts, the project will not have a significant impact on the environment, and that Albany County has decided to prepare a negative declaration with respect to the project, it is hereby determined that this Board adopts such determinations and no further proceedings under SEQRA by this Board are required; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact on the 2018 Saratoga County Budget.



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Mike Hartnett, County Attorney
Pam Wright, Clerk of the Board

CC: Jason Kemper, Planning Director
Therese Connolly, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, Confidential Secretary/County Attorney's Office

FROM: Dan Rourke, Sewer District

DATE: 8/5/21

RE: Resolution to approve the construction of a biosolids management facility at SCSD No1's WWTP

COMMITTEE: Sewer Commission

1. Is a Resolution Required: YES or NO
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
NO

3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
NO

4. Specific details on what the resolution will authorize:

This Resolution will approve the proposed construction of a Biosolids management facility at SCSD's No. 1's WWTP for a cost not to exceed \$51,900,000. The upgrades will consist of anaerobic digestions, a thermal dryer, biogas to renewable natural gas treatment and ancillary thickening and pumping upgrades. This is a type 1 SEQR action currently under coordinated review, with Saratoga County needing to declare lead agency and likely making a negative declaration at the August board meeting.

5. Does this item require hiring a Vendors/Contractors:

- a. Were bids/proposals solicited: N/a
- b. Is the vendor/contractor a sole source: No
- c. Commencement date of contract term: TBD
- d. Termination of contract date: TBD
- e. Contract renewal and term: N/A
- f. Contact information:
- g. Is the vendor/contractor an LLS, PLLC or partnership:
- h. State of vendor/contractor organization:
- i. Is this a renewal agreement: YES or NO
- j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution:
(If yes, attach the last approved resolution)
 - a. What were the terms of the prior resolution NO
 - b. Are the terms changing:
 - c. What is the reason for the change in terms:

7. Is a new position being created:
 - a. Effective date NO
 - b. Salary and grade

8. Is a new employee being hired:
 - a. Effective date of employment NO
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding: NO
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

This project is necessary to ensure long term stability in the management and treatment of biosolids. Volume reduction with the thermal dryer will reduce risks associated with disposal costs, and the RNG component adds the potential for a significant revenue stream to help offset project costs.

4 Recommended Alternative

Based on collaborative discussions with SCSD of the modeling results, Arcadis recommends that SCSD implements Alternative 9 with a total capital cost of \$51.9M and annualized cost of \$2.7M. This alternative is projected to provide SCSD with annual savings of \$1.6M compared with continuing to haul dewatered unstabilized biosolids offsite for stabilization at the Grasslands Facility (Alternative 1) and reduces the mass for disposal by approximately 75 wtpd at the 2052 design flows and loads.

Refer to **Figure 16** for a conceptual process flow diagram of the biosolids handling and treatment unit operations and **Figure 25** and **Figure 26** for a preliminary site layout. Improvements to the existing solids disposal building include the addition of a third GBT, WAS lysis reactor and ancillary equipment, demolition of the existing incinerator and the construction of a thermal dryer. The two existing GBTs will remain in service, with one serving as a dedicated WAS GBT and one serving as a swing unit to provide redundancy for both the dedicated WAS and primary sludge units. The new 1.5-meter GBT for primary sludge will be installed to the west of the two existing GBTs, occupying the space that was reserved for a third thickener in the original design. The new GBT will thicken primary sludge to as high as 7% TS and discharge into an existing well below the thickening room. The WAS GBT will thicken WAS to approximately 6% TS and discharge into a hopper feeding a new positive displacement pump.

TWAS will be pumped to a new WAS lysis reactor located solids disposal building. The WAS lysis system includes a caustic storage tank and metering pump skid, a reactor, hot water and cold-water heat exchangers, and associated pumps and controls. Heat and caustic will be added to the WAS stream to break down cell walls within the reactor. The hot lysed WAS stream will then be pumped from the reactor to the existing well downstream of the GBTs and mixed with the primary sludge, creating a combined stream of pumpable sludge at approximately 6.5% TS and 110°F. During the summer months, the feed sludge maybe required to be cooled with plant effluent water to maintain the temperature in the anaerobic digesters at 95°F. Digester feed pumps will then convey the combined biosolids to the anaerobic digesters.

The anaerobic digestion process will consist of two 65-ft diameter glass lined steel bolted conventionally shaped digesters (1:1 geometry) with a volume of 1.4 MG and equipped with dual-membrane gasholder covers and pump/nozzle type mixing systems. The digesters will be sized to provide a 15-day SRT at MM loadings and 20-day SRT at AA loadings with one digester out of service. A building will house the digester recirculation pumps, dewatering feed pumps, boilers, heat exchangers, mixing equipment, blowers for the membrane covers, and other ancillary equipment. After digestion, sludge will flow by gravity to a bolted steel sludge holding tank to allow the digester feeding and sludge dewatering process to operate on independent schedules. An enclosed flare will be located in the vicinity of the anaerobic digesters to flare biogas in the event the RNG system is out of service and excess biogas cannot be utilized to fuel boilers at the WWTP.

Cake will be conveyed past the current discharge to the truck loadout bays and into the incinerator area of the solids disposal building with gates in the system to allow for diversion of the cake to the existing loadout facility when the thermal dryer is out of service for maintenance. The existing incinerator will be demolished, and a thermal sludge dryer constructed in the space. The thermal dryer will discharge to a cooling conveyor, which will load cooled granules into a pneumatic discharge conveyor to fill a storage silo with a drive-through truck loading area. The storage silo will have a capacity of 400 cubic yards resulting in an available storage of approximately 16 days. Final product management would be through a third-party contract and additional storage maybe required depending on the third party. This will be explored further in the design of the facilities.

The RNG system would be pad-mounted and containerized, and likely located on the eastern edge of the site near the WWTP entrance where a future natural gas station will be located. The RNG equipment would clean and condition the biogas to pipeline quality, allowing SCSD to sell RINs and generate revenue. Provisions would also be included to allow the biogas to fire boilers to satisfy process heating demands or to fire the thermal dryer as an alternative to generating RNG, if RIN market conditions lesson and utilization of the biogas onsite is more advantageous.

SCSD can further reduce the capital cost of the project by applying for grant funding through the New York State Environmental Facilities Corporation (NYS EFC) and the Consolidated Funding Application (CFA) through the Green Innovation Grant Program (GIGP). With a projected capital cost of \$51.9M, the project may be eligible for up to \$12.5M in grant funding from Water Infrastructure Investment Act (WIIA) administered through NYS EFC. Including these grants in the project economics would reduce the annualized cost of the recommended alternative from \$2.7M per year to \$2.0M per year.

4.1 Cost Estimate

4.1.1 Estimate Classification and Definition

The information compiled herein is consistent with an Association for the Advancement of Cost Engineering (AACE) Class 4 estimate where project definition and engineering are approximately 10% complete. The typical purpose of this level of estimate is for budget authorization, appropriation, and/or funding. These estimates are prepared using a mix of stochastic (i.e., they are based on inferred or statistical relationships between similar projects and/or equipment quotes with additional factors applied) and deterministic (i.e., detailed quantity take-offs, vendor quotes, and unit costs) methods. There are typically unit cost items for major process and equipment portions of the work (although these are typically at the assembly level of detail rather than individual components). Stochastic and lump sum estimates will be used for less significant portions of the work or major areas that are still largely undefined.

4.1.2 Estimate Development

Construction costs were estimated in 2021 construction dollars (US) and include 25% for Construction Contingency, 11% for General Conditions, and 15% for Contractor Overhead and Profit. The Construction Contingency line-item accounts for unknown site conditions. The General Conditions line item covers the Contractor costs that are not detailed in the current estimate including mobilization, shop drawing submittals, bonding, and insurance costs, etc. Contractor Overhead and Profit covers the Contractor's overhead and profit for the project including any markups on subcontractor fees.

Project costs include 10% for Engineering, 10% for Construction Administration and 4% for Legal, Administrative and Insurance tasks.

The opinion of probable project costs represents a point estimate based on the current project definition and the estimate development methodology stated above. A brief breakdown of the estimated project costs is provided in **Table 6** and a detailed breakdown of the opinion of probable project costs is provided in **Appendix I**.

Table 6: Engineer's Opinion of Probable Project Costs

| Item | Cost |
|--|---------------------|
| Thickening Improvements | \$602,000 |
| WAS Lysis System | \$3,155,000 |
| Aerobic Digestion | \$8,528,000 |
| Thermal Drying | \$8,862,000 |
| Membrane RNG and Gas Utility Interconnect | \$3,439,000 |
| Liquid Sidestream Treatment | \$2,661,000 |
| General Conditions (11%) | \$2,997,000 |
| Contractor Overhead and Profit (15%) | \$4,087,000 |
| Total Opinion of Probable Construction Costs | \$34,331,000 |
| Construction Contingency (25%) | \$8,583,000 |
| Engineering (10%) | \$3,433,000 |
| Construction Administration (10%) | \$3,433,000 |
| Legal, Bonds, Administration, Financial Advisor (4%) | \$1,373,000 |
| Utility-Constructed Interconnection Station for RNG | \$750,000 |
| Total Opinion of Probable Project Costs | \$51,900,000 |

4.2 Schedule

The project will consist of the following phases and milestones presented in **Table 7**.

Table 7: Proposed Project Schedule

| Phase/Milestone | Date |
|-------------------------------------|---------------|
| Basis of Design Report / 30% Design | January 2022 |
| Completed Plans and Specifications | November 2022 |
| NYS DEC / NYS EFC Review | January 2023 |
| Construction Notice to Proceed | March 2023 |
| Construction Completion | March 2025 |



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Mike Hartnett, County Attorney
Pam Wright, Clerk of the Board

CC: Jason Kemper, Planning Director
Therese Connolly, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, Confidential Secretary/County Attorney's Office

FROM: Dan Rourke, Sewer District

DATE: 8/5/21

RE: Resolution to Authorize the issuance of bonds in the amount of \$51,900,000 for construction of a biosolids management facility

COMMITTEE: Sewer Commission

1. Is a Resolution Required: **YES** or **NO**
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
NO

3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
NO

4. Specific details on what the resolution will authorize:

This Resolution will authorize the issuance of \$51,900,000 bonds of the county of Saratoga for SCSD No.1's Biosolids Management Facility, 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.

5. Does this item require hiring a Vendors/Contractors:

- a. Were bids/proposals solicited: N/a
- b. Is the vendor/contractor a sole source: No
- c. Commencement date of contract term: TBD
- d. Termination of contract date: TBD
- e. Contract renewal and term: N/A
- f. Contact information:
- g. Is the vendor/contractor an LLS, PLLC or partnership:
- h. State of vendor/contractor organization:
- i. Is this a renewal agreement: YES or NO
- j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution:
(If yes, attach the last approved resolution)
 - a. What were the terms of the prior resolution NO
 - b. Are the terms changing:
 - c. What is the reason for the change in terms:

7. Is a new position being created:
 - a. Effective date NO
 - b. Salary and grade

8. Is a new employee being hired:
 - a. Effective date of employment NO
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding: NO
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

This project is necessary to ensure long term cost stability in the treatment and disposal of biosolids. The hope is this project will be cost neutral compared to the existing transportation and disposal contract with a 3rd party vendor. This is a type 1 action under SEQRA with coordinated review currently underway and Saratoga County likely declaring lead agency status and a negative declaration at the august board meeting.

4 Recommended Alternative

Based on collaborative discussions with SCSD of the modeling results, Arcadis recommends that SCSD implements Alternative 9 with a total capital cost of \$51.9M and annualized cost of \$2.7M. This alternative is projected to provide SCSD with annual savings of \$1.6M compared with continuing to haul dewatered unstabilized biosolids offsite for stabilization at the Grasslands Facility (Alternative 1) and reduces the mass for disposal by approximately 75 wtpd at the 2052 design flows and loads.

Refer to **Figure 16** for a conceptual process flow diagram of the biosolids handling and treatment unit operations and **Figure 25** and **Figure 26** for a preliminary site layout. Improvements to the existing solids disposal building include the addition of a third GBT, WAS lysis reactor and ancillary equipment, demolition of the existing incinerator and the construction of a thermal dryer. The two existing GBTs will remain in service, with one serving as a dedicated WAS GBT and one serving as a swing unit to provide redundancy for both the dedicated WAS and primary sludge units. The new 1.5-meter GBT for primary sludge will be installed to the west of the two existing GBTs, occupying the space that was reserved for a third thickener in the original design. The new GBT will thicken primary sludge to as high as 7% TS and discharge into an existing well below the thickening room. The WAS GBT will thicken WAS to approximately 6% TS and discharge into a hopper feeding a new positive displacement pump.

TWAS will be pumped to a new WAS lysis reactor located solids disposal building. The WAS lysis system includes a caustic storage tank and metering pump skid, a reactor, hot water and cold-water heat exchangers, and associated pumps and controls. Heat and caustic will be added to the WAS stream to break down cell walls within the reactor. The hot lysed WAS stream will then be pumped from the reactor to the existing well downstream of the GBTs and mixed with the primary sludge, creating a combined stream of pumpable sludge at approximately 6.5% TS and 110°F. During the summer months, the feed sludge maybe required to be cooled with plant effluent water to maintain the temperature in the anaerobic digesters at 95°F. Digester feed pumps will then convey the combined biosolids to the anaerobic digesters.

The anaerobic digestion process will consist of two 65-ft diameter glass lined steel bolted conventionally shaped digesters (1:1 geometry) with a volume of 1.4 MG and equipped with dual-membrane gasholder covers and pump/nozzle type mixing systems. The digesters will be sized to provide a 15-day SRT at MM loadings and 20-day SRT at AA loadings with one digester out of service. A building will house the digester recirculation pumps, dewatering feed pumps, boilers, heat exchangers, mixing equipment, blowers for the membrane covers, and other ancillary equipment. After digestion, sludge will flow by gravity to a bolted steel sludge holding tank to allow the digester feeding and sludge dewatering process to operate on independent schedules. An enclosed flare will be located in the vicinity of the anaerobic digesters to flare biogas in the event the RNG system is out of service and excess biogas cannot be utilized to fuel boilers at the WWTP.

Cake will be conveyed past the current discharge to the truck loadout bays and into the incinerator area of the solids disposal building with gates in the system to allow for diversion of the cake to the existing loadout facility when the thermal dryer is out of service for maintenance. The existing incinerator will be demolished, and a thermal sludge dryer constructed in the space. The thermal dryer will discharge to a cooling conveyor, which will load cooled granules into a pneumatic discharge conveyor to fill a storage silo with a drive-through truck loading area. The storage silo will have a capacity of 400 cubic yards resulting in an available storage of approximately 16 days. Final product management would be through a third-party contract and additional storage maybe required depending on the third party. This will be explored further in the design of the facilities.

The RNG system would be pad-mounted and containerized, and likely located on the eastern edge of the site near the WWTP entrance where a future natural gas station will be located. The RNG equipment would clean and condition the biogas to pipeline quality, allowing SCSD to sell RINs and generate revenue. Provisions would also be included to allow the biogas to fire boilers to satisfy process heating demands or to fire the thermal dryer as an alternative to generating RNG, if RIN market conditions lesson and utilization of the biogas onsite is more advantageous.

SCSD can further reduce the capital cost of the project by applying for grant funding through the New York State Environmental Facilities Corporation (NYS EFC) and the Consolidated Funding Application (CFA) through the Green Innovation Grant Program (GIGP). With a projected capital cost of \$51.9M, the project may be eligible for up to \$12.5M in grant funding from Water Infrastructure Investment Act (WIIA) administered through NYS EFC. Including these grants in the project economics would reduce the annualized cost of the recommended alternative from \$2.7M per year to \$2.0M per year.

4.1 Cost Estimate

4.1.1 Estimate Classification and Definition

The information compiled herein is consistent with an Association for the Advancement of Cost Engineering (AACE) Class 4 estimate where project definition and engineering are approximately 10% complete. The typical purpose of this level of estimate is for budget authorization, appropriation, and/or funding. These estimates are prepared using a mix of stochastic (i.e., they are based on inferred or statistical relationships between similar projects and/or equipment quotes with additional factors applied) and deterministic (i.e., detailed quantity take-offs, vendor quotes, and unit costs) methods. There are typically unit cost items for major process and equipment portions of the work (although these are typically at the assembly level of detail rather than individual components). Stochastic and lump sum estimates will be used for less significant portions of the work or major areas that are still largely undefined.

4.1.2 Estimate Development

Construction costs were estimated in 2021 construction dollars (US) and include 25% for Construction Contingency, 11% for General Conditions, and 15% for Contractor Overhead and Profit. The Construction Contingency line-item accounts for unknown site conditions. The General Conditions line item covers the Contractor costs that are not detailed in the current estimate including mobilization, shop drawing submittals, bonding, and insurance costs, etc. Contractor Overhead and Profit covers the Contractor's overhead and profit for the project including any markups on subcontractor fees.

Project costs include 10% for Engineering, 10% for Construction Administration and 4% for Legal, Administrative and Insurance tasks.

The opinion of probable project costs represents a point estimate based on the current project definition and the estimate development methodology stated above. A brief breakdown of the estimated project costs is provided in **Table 6** and a detailed breakdown of the opinion of probable project costs is provided in **Appendix I**.

Table 6: Engineer's Opinion of Probable Project Costs

| Item | Cost |
|--|---------------------|
| Thickening Improvements | \$602,000 |
| WAS Lysis System | \$3,155,000 |
| Aerobic Digestion | \$8,528,000 |
| Thermal Drying | \$8,862,000 |
| Membrane RNG and Gas Utility Interconnect | \$3,439,000 |
| Liquid Sidestream Treatment | \$2,661,000 |
| General Conditions (11%) | \$2,997,000 |
| Contractor Overhead and Profit (15%) | \$4,087,000 |
| Total Opinion of Probable Construction Costs | \$34,331,000 |
| Construction Contingency (25%) | \$8,583,000 |
| Engineering (10%) | \$3,433,000 |
| Construction Administration (10%) | \$3,433,000 |
| Legal, Bonds, Administration, Financial Advisor (4%) | \$1,373,000 |
| Utility-Constructed Interconnection Station for RNG | \$750,000 |
| Total Opinion of Probable Project Costs | \$51,900,000 |

4.2 Schedule

The project will consist of the following phases and milestones presented in **Table 7**.

Table 7: Proposed Project Schedule

| Phase/Milestone | Date |
|-------------------------------------|---------------|
| Basis of Design Report / 30% Design | January 2022 |
| Completed Plans and Specifications | November 2022 |
| NYS DEC / NYS EFC Review | January 2023 |
| Construction Notice to Proceed | March 2023 |
| Construction Completion | March 2025 |



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Mike Hartnett, County Attorney
Pam Wright, Clerk of the Board

CC: Jason Kemper, Planning Director
Therese Connolly, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, Confidential Secretary/County Attorney's Office

FROM: Dan Rourke, Sewer District

DATE: 8/5/21

RE: Resolution to approve the construction of process upgrades related to ammonia treatment at the SCSD WWTP

COMMITTEE: Sewer Commission

1. Is a Resolution Required: **YES** or **NO**
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
NO

3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
NO

4. Specific details on what the resolution will authorize:

This Resolution will approve the proposed construction of process upgrades at the WWTP to treat ammonia. This work is currently under an order on consent from DEC and construction must be complete by December 31st 2021. The total cost of the project is 33,100,000 and consists of upgrades to the aeration blowers, aeration diffusers, construction of two more aeration basins, electrical upgrades and a new chemical storage and feed facility.

5. Does this item require hiring a Vendors/Contractors:

- a. Were bids/proposals solicited: N/a
- b. Is the vendor/contractor a sole source: No
- c. Commencement date of contract term: TBD
- d. Termination of contract date: TBD
- e. Contract renewal and term: N/A
- f. Contact information:
- g. Is the vendor/contractor an LLS, PLLC or partnership:
- h. State of vendor/contractor organization:
- i. Is this a renewal agreement: YES or NO
- j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution:
(If yes, attach the last approved resolution)
 - a. What were the terms of the prior resolution NO
 - b. Are the terms changing:
 - c. What is the reason for the change in terms:

7. Is a new position being created:
 - a. Effective date NO
 - b. Salary and grade

8. Is a new employee being hired:
 - a. Effective date of employment NO
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding: NO
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

This project is necessary to ensure SCSD can treat the increased ammonia load from industrial users in the county while adhering to more stringent limits imposed by NYSDEC. The existing cost estimate is attached.

| Item | Description | Unit | Qty | Unit Cost | Total Cost |
|--|--|------|-----------|-------------|---------------------|
| Process Tanks | Pressure wash and clean existing basins | EA | 8 | \$8,000 | \$64,000 |
| | Demo existing diffusers & air piping | LS | 1 | \$100,000 | \$100,000 |
| | New Process Tanks: Excavation | CY | 7,180 | \$50 | \$359,000 |
| | Site Dewatering System | LS | 1 | \$750,000 | \$750,000 |
| | New Tanks: Subbase | CY | 600 | \$50 | \$30,000 |
| | New Tanks: Backfill | CY | 900 | \$25 | \$22,500 |
| | New Tanks: Concrete, cast-in-place | CY | 2,875 | \$1,200 | \$3,450,000 |
| | Miscellaneous Metals - New Tanks | LS | 1 | \$150,000 | \$150,000 |
| | Install Baffle Walls (Two Per Tank) | EA | 20 | \$20,000 | \$400,000 |
| | Deox Boxes | EA | 10 | \$10,000 | \$100,000 |
| | Furnish Diffusers - North Side | LS | 1 | \$998,000 | \$998,000 |
| | Install Diffusers and Piping, anchor to floor | LS | 1 | \$282,000 | \$282,000 |
| | Furnish Diffusers - South Side | LS | 1 | \$360,000 | \$360,000 |
| | Install Diffusers and Piping, anchor to floor | LS | 1 | \$507,000 | \$507,000 |
| | Furnish Anoxic and Swing Mixers | EA | 28 | \$28,300 | \$792,400 |
| | Install Anoxic and Swing Mixers | EA | 28 | \$11,000 | \$308,000 |
| | Furnish Internal Recycle Pumps | EA | 10 | \$47,000 | \$470,000 |
| | Install Internal Recycle Pumps | EA | 10 | \$14,100 | \$141,000 |
| Process Piping, Supports and Valving | LS | 1 | \$500,000 | \$500,000 | |
| Blower Improvements | Demo existing blowers & air piping | LS | 1 | \$150,000 | \$150,000 |
| | Furnish New Blower - North side | EA | 3 | \$349,000 | \$1,047,000 |
| | Install North Blower | EA | 3 | \$161,000 | \$483,000 |
| | Furnish & Install New Blowers - South side | EA | 3 | \$392,000 | \$1,176,000 |
| | Install South Blowers | EA | 3 | \$157,000 | \$471,000 |
| | Buildings Modifications -North | EA | 1 | \$500,000 | \$500,000 |
| | Buildings Modifications -South | EA | 1 | \$500,000 | \$500,000 |
| Process Piping and Valving | LS | 1 | \$990,000 | \$990,000 | |
| Chemical Addition | Excavation and Subbase | CY | 500 | \$50 | \$25,000 |
| | New Building for Chemical Storage and Metering (75 x 65) | LS | 1 | \$1,218,750 | \$1,218,750 |
| | Furnish and Install MagOx Storage Tanks | EA | 3 | \$101,500 | \$304,500 |
| | Furnish and Install Supplemental Carbon Storage Tanks | EA | 1 | \$60,000 | \$60,000 |
| | Furnish and Install MagOx Feed Pumping skid | LS | 2 | \$48,700 | \$97,400 |
| | Furnish and Install Supplemental Carbon Pumping skid | LS | 1 | \$48,700 | \$48,700 |
| | Secondary Containment Curb | LS | 1 | \$100,000 | \$100,000 |
| Chemical Feed Piping, Valving, & Containment | LS | 1 | \$100,000 | \$100,000 | |
| Miscellaneous | Electrical Connections & Improvements | LS | 1 | \$3,360,000 | \$3,360,000 |
| | General Improvements | LS | 1 | \$500,000 | \$500,000 |
| | Instrumentation & Controls | LS | 1 | \$600,000 | \$600,000 |
| | Start-up and Testing | LS | 1 | \$300,000 | \$300,000 |
| | Site Restoration | LS | 1 | \$250,000 | \$250,000 |
| Construction Subtotal | | | | | \$22,065,000 |
| Contractor Profit/Mobilization/General Conditions @ 15% + 5% | | | | | \$4,413,000 |
| Inflation @ 3% | | | | | \$662,000 |
| Construction Contingency @ 20% | | | | | \$4,413,000 |
| Preliminary Estimate of Probable Construction Cost | | | | | \$31,550,000 |
| Engineering during Construction, Legal, Administrative | | | | | \$1,500,000 |
| Preliminary Opinion of Probable Cost | | | | | \$33,100,000 |



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Mike Hartnett, County Attorney
Pam Wright, Clerk of the Board

CC: Jason Kemper, Planning Director
Therese Connolly, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, Confidential Secretary/County Attorney's Office

FROM: Dan Rourke, Sewer District

DATE: 8/5/21

RE: Resolution to Authorize the issuance of bonds in the amount of 33,100,000 for the WWTP Ammonia Upgrade Project

COMMITTEE: Sewer Commission

1. Is a Resolution Required: YES or NO
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
NO

3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
NO

4. Specific details on what the resolution will authorize:

This Resolution will authorize the issuance of \$33,100,000 bonds of the county of Saratoga for SCSD No.1's Ammonia Upgrade Project, 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

5. Does this item require hiring a Vendors/Contractors:

- a. Were bids/proposals solicited: N/a
- b. Is the vendor/contractor a sole source: No
- c. Commencement date of contract term: TBD
- d. Termination of contract date: TBD
- e. Contract renewal and term: N/A
- f. Contact information:
- g. Is the vendor/contractor an LLS, PLLC or partnership:
- h. State of vendor/contractor organization:
- i. Is this a renewal agreement: YES or NO
- j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution:
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 - c. What is the reason for the change in terms:

7. Is a new position being created:
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 - b. Salary and grade

8. Is a new employee being hired:
 - a. Effective date of employment NO
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding: NO
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

This project is necessary to ensure SCSD can treat the increased ammonia load from industrial users in the county while adhering to more stringent limits imposed by NYSDEC. The existing cost estimate is attached. Because this is a consent order project, it is a Type 2 action under SEQRA with no further action being needed. Please see the project resolution item request for any further information.

| Item | Description | Unit | Qty | Unit Cost | Total Cost |
|--|--|------|-------|-------------|---------------------|
| | Pressure wash and clean existing basins | EA | 8 | \$8,000 | \$64,000 |
| | Demo existing diffusers & air piping | LS | 1 | \$100,000 | \$100,000 |
| | New Process Tanks: Excavation | CY | 7,180 | \$50 | \$359,000 |
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| | Furnish Internal Recycle Pumps | EA | 10 | \$47,000 | \$470,000 |
| | Install Internal Recycle Pumps | EA | 10 | \$14,100 | \$141,000 |
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| Blower | Furnish & Install New Blowers - South side | EA | 3 | \$392,000 | \$1,176,000 |
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| | Process Piping and Valving | LS | 1 | \$990,000 | \$990,000 |
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| | New Building for Chemical Storage and Metering (75 x 65) | LS | 1 | \$1,218,750 | \$1,218,750 |
| | Furnish and Install MagOx Storage Tanks | EA | 3 | \$101,500 | \$304,500 |
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| Addition | Furnish and Install MagOx Feed Pumping skid | LS | 2 | \$48,700 | \$97,400 |
| | Furnish and Install Supplemental Carbon Pumping skid | LS | 1 | \$48,700 | \$48,700 |
| | Secondary Containment Curb | LS | 1 | \$100,000 | \$100,000 |
| | Chemical Feed Piping, Valving, & Containment | LS | 1 | \$100,000 | \$100,000 |
| | Electrical Connections & Improvements | LS | 1 | \$3,360,000 | \$3,360,000 |
| | General Improvements | LS | 1 | \$500,000 | \$500,000 |
| Miscellaneous | Instrumentation & Controls | LS | 1 | \$600,000 | \$600,000 |
| | Start-up and Testing | LS | 1 | \$300,000 | \$300,000 |
| | Site Restoration | LS | 1 | \$250,000 | \$250,000 |
| Construction Subtotal | | | | | \$22,065,000 |
| Contractor Profit/Mobilization/General Conditions @ 15% + 5% | | | | | \$4,413,000 |
| Inflation @ 3% | | | | | \$662,000 |
| Construction Contingency @ 20% | | | | | \$4,413,000 |
| Preliminary Estimate of Probable Construction Cost | | | | | \$31,550,000 |
| Engineering during Construction, Legal, Administrative | | | | | \$1,500,000 |
| Preliminary Opinion of Probable Cost | | | | | \$33,100,000 |



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Mike Hartnett, County Attorney
Pam Wright, Clerk of the Board

CC: Jason Kemper, Planning Director
Therese Connolly, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, Confidential Secretary/County Attorney's Office

FROM: Dan Rourke, Sewer District

DATE: 8/5/21

RE: Resolution to authorize an agreement with Bond counsel for projects SCSD is currently undertaking

COMMITTEE: Sewer Commission

1. Is a Resolution Required: **YES** or **NO**
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
NO

3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
NO

4. Specific details on what the resolution will authorize:

This Resolution will authorize the chairman to execute the proposed engagement letter with Bond Schoeneck and King to act as bond counsel for both the Ammonia Upgrade Project and Biosolids Management Facility project. Based on rates listed in the attached engagement letter the total costs for this work will be approximately \$55,000

5. Does this item require hiring a Vendors/Contractors:

- a. Were bids/proposals solicited: N/a
- b. Is the vendor/contractor a sole source: No
- c. Commencement date of contract term: TBD
- d. Termination of contract date: TBD
- e. Contract renewal and term: N/A
- f. Contact information: Paul Reichel, Esq. 315 218 8135
- g. Is the vendor/contractor an LLS, PLLC or partnership: PLLC
- h. State of vendor/contractor organization: NY
- i. Is this a renewal agreement: YES or NO
- j. Vendor/Contractor comment/remarks:

One Lincoln Center Syracuse NY 13202



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

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 - a. Effective date NO
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8. Is a new employee being hired:
 - a. Effective date of employment NO
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 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding: NO
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

This letter of engagement will allow Bond Schoeneck and King to assist with bonding of both the ammonia upgrade project and biosolids management facility. See engagement letter attached.

July 20, 2021

Mr. Theodore T. Kusnierz, Jr., Chairman
Saratoga County Board of Supervisors
40 McMaster Street
Building #1
Ballston Spa, New York 12020

Re: Bond Counsel Services – Sewer District No. 1 Projects

Dear Chairman Kusnierz:

This letter sets forth the terms of our engagement as bond counsel to the County of Saratoga (the "County") in connection with the Saratoga County Sewer District No. 1 (the "District") Biosolids Digester Facility and Wastewater Treatment Plant Ammonia Upgrade projects. We appreciate the opportunity to serve as the County's bond counsel.

Bond counsel is engaged as a recognized expert whose primary responsibility is to render an objective legal opinion with respect to the authorization and issuance of the County's bond and notes. As bond counsel, we will examine applicable law, prepare authorizing and operative documents, consult with the parties to the transaction prior to the issuance of the bond or notes, review certified proceeding and undertake such additional duties as we deem necessary to render our legal opinion. I will be primarily responsible for our bond counsel services to the County.

Subject to the completion of the proceedings to our satisfaction, we will render our opinion that:

1. the bond or notes are valid and binding general obligations of the County;
2. all taxable property in the territory of the County is subject to ad valorem taxation without limitation as to rate or amount to pay the bond or notes; and
3. the interest paid on the bond or notes will be (i) excluded from gross income for federal income tax purposes, and (ii) exempt from New York State income taxes (subject to certain limitations which may be expressed in the opinion).

Our opinion will be executed and delivered in written form on the date the bond or notes are exchanged for their purchase price and will be based on facts and law existing as of its date. In rendering our opinion, we will rely on the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation.

As bond counsel, we will not assume or undertake responsibility for the preparation of an official statement or any other disclosure document with respect to the bond or notes, nor are we responsible for performing an independent investigation to determine the accuracy, completeness or sufficiency of any such document. However, if a disclosure document will be adopted or approved by the County, our responsibility will include the preparation or review of any description therein of: (i) New York State and federal law pertinent to the validity of the bond or notes; (ii) the terms of the bond or notes; and (iii) our opinion.

We will bill the County on a fixed fee basis for each financing transaction and our fee for a particular financing is payable upon closing of the transaction. Our fee schedule for County bond counsel services is as follows:

| <u>Issue</u> | <u>Costs</u> |
|---|--|
| Bonds | \$.60 per \$1,000 principal amount of the issue, subject to a minimum fee of \$10,000 and a maximum fee of \$15,000 per issue. |
| Notes | \$.45 per \$1,000 principal amount of the issue, subject to a minimum fee of \$5,000 and a maximum fee of \$10,000 per issue. |
| Preparation of bond resolutions, legal notices and related authorizing proceedings. | \$950 per bond resolution. |
| New York State Comptroller's Approval Process (if required) | \$5,000.00 |

The fee schedule set forth above does not include any refunding bonds that the County may issue to refinance outstanding bonds. Based on the unique nature and complexity of these financings, our bond counsel fee for refunding bonds will be determined on an issue-by-issue basis.

The fee schedule set forth above does not include services relating to the preparation or review of materials associated with State Environmental Quality Review Act "SEQRA") compliance. We will bill for these services, and any other services requested by the County that are not related to a specific bond or note closing, at the following hourly rates:

| | |
|----------------------------|-----------|
| Members and Senior Counsel | \$340/hr. |
| Associates | \$215/hr. |
| Legal Assistants | \$115/hr. |

Mr. Theodore T. Kusnierz, Jr., Chairman
July 20, 2021
Page 3

The hourly rates set forth above are subject to adjustment based on changes in the firm's standard hourly rates.

We will not charge for time spent traveling to County meetings or closings. Further, our firm does not bill for the time of our clerical support staff, such as word processing operators, supervisors, or secretaries. We would, however, expect to be reimbursed for our direct, out-of-pocket disbursements. These include long-distance telephone charges, travel expenses, courier messenger services, fees charged by computer research services (Lexis and Westlaw) and other direct, out-of-pocket expenses. Our bills will detail our disbursements and supporting documentation would be available upon request.

If, for any reason, a financing is not consummated or is completed without the rendition of our opinion as bond counsel, we will expect to be compensated at the hourly rates set forth above for time actually spent, plus out-of-pocket expenses.

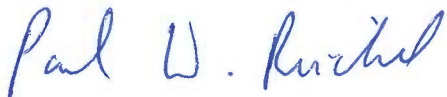
Our engagement as bond counsel to the County is also subject to the terms and conditions set forth in the attached Terms of Representation.

If the foregoing terms of this engagement letter are acceptable to the County, please so indicate by signing and returning to me a copy of this letter.

Thank you again for this opportunity to serve as the County's bond counsel. We look forward to working with you.

Very truly yours,

BOND, SCHOENECK & KING, PLLC



Paul W. Reichel

**ACCEPTED AND APPROVED:
COUNTY OF SARATOGA, NEW YORK**

By: _____
Theodore T. Kusnierz, Jr., Chairman
Saratoga County Board of Supervisors

Approved as to Form and Content:

Saratoga County Attorney

Date: _____

BOND, SCHOENECK & KING, PLLC
TERMS OF REPRESENTATION

These Terms of Representation, together with the accompanying engagement letter, constitute the agreement between Bond, Schoeneck & King, PLLC ("Bond" or "we") and the client or clients identified in that engagement letter (the "Client" or "you"), under which Bond will represent Client in the matter or matters described in the engagement letter.

1. Our Client. Our representation extends solely to Client, as identified in the accompanying engagement letter, and not to its constituents (including its officers, managers, members, directors, shareholders or employees) or to any affiliated or related entities, or their constituents. There are no third party beneficiaries of this agreement. Client understands that, unless appropriate written consents are obtained, it should not provide us with confidential information regarding any constituent or affiliated/related entity during the course of this representation (and doing so will not make the constituent or affiliate/related entity a client of Bond).

2. Our Services. The scope of our services is described in and strictly limited by the accompanying engagement letter. Any changes in scope must be confirmed in writing. Unless otherwise provided in the engagement letter, Bond is not serving as Client's general counsel nor is it responsible for determining whether Client has insurance coverage in connection with our representation, the amounts and limits of any such coverage, or notifying any insurance carrier of the existence of coverage, or our involvement in a matter.

When we provide you with our opinion regarding a matter, it will be based on our best professional judgment. However, that judgment is limited by the facts provided by you and known to us at that time, as well as the law as it then exists. It is expressly acknowledged by you that any such opinions shall not be considered by you as representations, promises or guarantees of results which might be obtainable, nor shall you consider any such opinions to be warranties or representations of a particular outcome or resolution of your matter.

3. Client Responsibilities. In order to ensure our ability to provide services to you, you agree to keep us informed of any relevant information or developments relating to your matter and to provide Bond with all pertinent information regarding the subject of our representation, or as otherwise reasonably requested by us. You also agree to cooperate fully, truthfully and timely with us, including making you, your employees or others available to us when necessary. You will keep us advised of how to contact you.

If, during the course of our representation of you, you affiliate with, acquire, are acquired by, or merge with another entity, you agree to provide us with sufficient notice to permit us to determine if that action gives rise to a conflict of interest with any of our other clients and, if so, agree that Bond may take any action that it believes is appropriate or necessary under the applicable Rules of Professional Conduct.

4. Fees and Expenses. Unless otherwise provided in the accompanying engagement letter, our billings with respect to this matter will be based on the time (in quarter hour increments) that our attorneys, paralegals, and other service professionals devote to it. The hourly rates for those attorneys, paralegals and other service professionals who will work on Client matters vary, with specific rates reflecting the knowledge, experience and

expertise of each individual assigned, time constraints imposed by the circumstances, the complexities of the matter and other relevant factors. The currently applicable rates may be specified in the accompanying engagement letter. It is our practice to increase our hourly rates from time to time, generally effective each October 1.

Our bills to Client, which will be on a monthly basis (unless otherwise agreed to in the accompanying engagement letter) and payable within 30 days, will also include any expenses (copying charges, fax charges, postage, messenger services, mileage, long distance telephone charges, computerized-research, e-discovery and other electronic data charges, etc.) incurred or advanced by us on Client's account or which are due to be paid on Client's account. These expenses may be incurred in the normal course without advance approval from Client. In-house charges (such as copying charges, fax charges, charges for processing, producing and/or storing e-discovery materials, etc.) will be billed at our standard charge rate. You agree that expenses incurred to third parties will either be forwarded to Client for direct payment or, if paid by our firm, billed to you at the rate charged by those third parties. If Client fails to make payment of our fees and disbursements as provided in this letter, consistent with our obligations to Client under the Rules of Professional Conduct, we may discontinue our representation of Client and/or take other appropriate action. Discontinuation of representation does not eliminate Client's responsibility for fees and expenses already incurred. In addition, we reserve the right to assess a monthly service charge of 2% per month on any accounts more than 30 days in arrears. In no event will the service charge be greater than that permitted by any applicable law. We also reserve the right to charge a service fee of no more than 2% for payment of fees and/or disbursements by credit card.

A Client may have insurance coverage that will apply to some or all of our fees and expenses. Regardless of the limits of that coverage (or its discontinuation), Client remains responsible to us for all billed fees and expenses.

We will bill Client for our time and expense in responding to subpoenas (or other judicial orders), auditor's letters or other proceedings, requests and requirements arising out of or related to our representation of Client in any matter.

If requested, we will, if possible, provide you with an estimate and/or budget for a matter. Such estimates/budgets, however, cannot be predicted with certainty and therefore are not binding unless we have expressly agreed to limit our fees accordingly.

If you disagree with any invoice, you must notify us of the nature of your dispute within 30 days of your receipt of that invoice. You agree that your failure to do so will result in that invoice becoming your final binding obligation.

While we make every effort to bill fairly and clearly, occasionally fee disagreements arise between attorneys and their clients. If there is any dispute regarding our fees, Client may have the right to arbitrate that dispute pursuant to 22 NYCRR part 137.

5. Disputes and Claims. Except to the extent required by 22 NYCRR part 137, any dispute or claim arising out of or in any way relating to the Firm's representation of you, including, but not limited to, any claim of tort, breach of fiduciary duty, legal malpractice, negligence or breach of contract shall be finally settled by confidential arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules, and judgment on the award may be entered in any court having jurisdiction thereof. The place of arbitration shall be in the city and state of the Bond office where the legal work was substantially performed. This agreement to confidential arbitration shall constitute an irrevocable waiver of each party's right to a trial by jury, but the arbitrators shall have the power to grant any remedy for money damages or equitable relief that would be available to such party in a dispute before a court of law in the jurisdiction where the arbitration is being held. The Statute of Limitations for any such disputes or claims shall be two years from when the dispute or claim first arose. You acknowledge that, before agreeing to these terms, you have had a full and fair opportunity to consult with independent counsel concerning these specific provisions.

6. Communications. We agree that during the course of this engagement each of us will communicate and/or otherwise make documents available electronically, including through e-mail and/or the use of cloud computing. Although the use of technology involves some risk that third parties may access confidential communications, we both understand and agree that the benefits of using this technology outweigh the risks of unintended disclosure. If there are specific communications that you wish sent only through encrypted and/or password protected (or other) means, you agree to advise us. You will make sure that any computer or device you use in communicating with us is private and secure, password protected and not accessible by a third party, as that could impact the attorney-client privilege.

7. In-Firm Privilege. Our firm has a General Counsel who provides legal advice to our lawyers and staff. If any of Bond's lawyers representing you communicate with Bond's General Counsel (or his or her designee, including outside counsel) regarding our firm's rights and obligations with respect to its representation of you, you agree that those are privileged and confidential communications of Bond and protected by the attorney-client privilege. You will not be billed for those communications.

8. Files. Either during or at the conclusion of our representation of Client in connection with this matter, at its request and provided outstanding fees and costs have been paid, we will return to Client its papers and property in our possession, reserving the right at any time to convert and return file materials in electronic format, at our discretion. Client may be charged reasonable costs associated with researching, retrieving, compiling, copying and/or delivering file contents in response to Client's request. Our internal records and documents related to this representation will be retained solely by us. These internal materials include firm administrative records, time and expense reports, accounting records and internal work product (including notes, drafts, internal memoranda, research, etc., prepared for the internal use of our lawyers). We retain the right to destroy or dispose of these internal materials after a reasonable period of time following the end of our representation of Client, without

further notice to you. Unless we notify you differently, we generally will maintain Client materials of significance for a period of seven years following the end of the matter. Thereafter, you agree that we may destroy them without further notice to you.

9. Termination of Representation. You have the right to terminate our representation at any time for any reason. However, termination does not affect your responsibility for our fees and expenses. We may terminate our representation of Client in accordance with the applicable Rules of Professional Conduct. Reasons for which we may terminate our representation of you include (but are not limited to): (1) nonpayment of our fees or expenses; (2) your failure or refusal to cooperate as needed; (3) your misrepresentation of or failure to disclose material facts; (4) your refusal to accept our advice; (5) discovery of a conflict with another client of Bond; (6) your material breach of our engagement letter and/or these Terms; or (7) any other reason permitted or required under the applicable Rules of Professional Conduct. In the event that we terminate this engagement before completion, we will take such steps as are reasonably practicable to protect your interests in the matter, and you agree to cooperate in any action necessary for our withdrawal. We will be entitled to be paid for all services rendered and other costs or expenses incurred on your behalf through the date of withdrawal. If withdrawal is subject to approval by a court or arbitration panel, we will promptly request such permission, and your consent to withdrawal shall not be unreasonably withheld. Unless terminated earlier, our representation of Client will terminate upon completion of the services which we were retained to provide. Files will be returned pursuant to Section "8" above and consistent with the Rules of Professional Conduct.

10. Governing Law and Venue. The rights and obligations of you and Bond arising under or in connection with our representation of you on this matter will be governed by the laws of the state of the Bond office where the legal work was substantially performed without regard to conflicts of laws principles. In the event that any part or parts of these Terms and Conditions of Representation are deemed to be unlawful, all other provisions remain in full force and effect.

11. Waiver of Conflicts. During the term of this engagement, we agree that we will not accept representation of another client to pursue interests that are directly adverse to your interests unless and until we have made full disclosure to you of all the relevant facts, circumstances and implications of our undertaking the two representations, and you have consented to our representation of the other client and agreed to waive any existing conflict. You agree, however, that you will not unreasonably withhold your consent and waiver of any conflict if we can confirm to you in good faith that the following criteria are met: (i) there is no substantial relationship between any matter in which we are representing or have represented you and the matter for the other client; (ii) our representation of the other client will not implicate any confidential information we have received from you; (iii) our effective representation of you and the discharge of our professional responsibilities to you will not be prejudiced by our representation of the other client; and (iv) the other client has also consented in writing based on our full disclosure of the relevant facts, circumstances and implications of our undertaking the two representations.

12. Acceptance of Terms of Representation. Your agreement to this engagement constitutes your knowing acceptance of the foregoing Terms of Representation, and an acknowledgement that you have had the right to consult with

independent counsel regarding all of them. If any of them are unacceptable to you, please advise us now so that we can resolve any differences and proceed with a clear, complete and consistent understanding of our relationship.



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Mike Hartnett, County Attorney
Pam Wright, Clerk of the Board

CC: Jason Kemper, Planning Director
Therese Connolly, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, Confidential Secretary/County Attorney's Office

FROM: Dan Rourke, Sewer District

DATE: 8/5/21

RE: Resolution to authorize Change Order No.3 with CKM Electrical Serviced Inc.

COMMITTEE: Sewer Commission

1. Is a Resolution Required: **YES** or **NO**
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
NO

3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
NO

4. Specific details on what the resolution will authorize:

This Resolution will authorize change order #3 with CKM Electrical Services Inc for additional work required at SCSD's Riverside Pump station. The pumps were specified with the incorrect voltage by the engineer causing a transformer and appurtenances to be installed to ensure the pumps would operate properly. This change order is to add an additional lump sum of \$14,646.78 to the contract. Change orders 1 and 2 were zero dollar time extensions.

5. Does this item require hiring a Vendors/Contractors:

- a. Were bids/proposals solicited: N/a
- b. Is the vendor/contractor a sole source: No
- c. Commencement date of contract term: TBD
- d. Termination of contract date: TBD
- e. Contract renewal and term: N/A
- f. Contact information: Clyde Lounsbury 5185887600
- g. Is the vendor/contractor an LLS, PLLC or partnership: Inc.
- h. State of vendor/contractor organization: NY
- i. Is this a renewal agreement: YES or NO
- j. Vendor/Contractor comment/remarks:

216 Elk St Albany NY 12210



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution:
(If yes, attach the last approved resolution)
 - a. What were the terms of the prior resolution NO
 - b. Are the terms changing:
 - c. What is the reason for the change in terms:

7. Is a new position being created:
 - a. Effective date NO
 - b. Salary and grade

8. Is a new employee being hired:
 - a. Effective date of employment NO
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding: NO
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

The change order request from CKM is attached.

Job ID: SARATOGA COUNTY WTP
 Project: Saratoga County WTP
 50 West High St.



Ballston Spa NY 12020

CO: COR 002 STAINLESS STEEL ENCLOSURE: COR 002 STAINLESS STEEL ENCLOSURE

Change Order Summary

21 Jun 2021 9:54:29

Tax Rate status: Default

Bid Name: BASE BID

Bid Template: BASIC (EXPANDED O&P)

| Drawing | Phase | Quote \$ | Material \$ | Equip \$ | SubCon \$ | Labor Hrs |
|----------------------|---------------------------------------|----------|-------------|----------|-----------|-----------|
| | DISTRIBUTION EQUIPMENT > RIVERSIDE #1 | 0.00 | 10,830.00 | 0.00 | 0.00 | 17.25 |
| | DEMOLITION > RIVERSIDE #1 | 0.00 | 0.00 | 0.00 | 0.00 | 4.80 |
| | GROUNDING & BONDING > RIVERSIDE #1 | 0.00 | 2.06 | 0.00 | 0.00 | 0.12 |
| Sheet Totals: | | 0.00 | 10,832.06 | 0.00 | 0.00 | 22.17 |

Bid Notes:

Tax: 0.00

Sub Total (Quo/Mat/Equip/Sub): 10,832.06

Sales Tax: 0.00

Sub Total: 10,832.06

Direct Labor \$: 1,866.94

Indirect Labor \$: 0.00

Labor Escalation: 0.00

Labor Tax: 0.00

Direct Job Costs (0.25%): 37.34

Prime Cost: 12,736.33

Overhead (Avg. 15.00%): 1,910.45

Net Cost: 14,646.78

Profit (Avg. 0.00%): 0.00

Job Tax: 0.00

Bond (0.0000%): 0.00

Lump Sum: 0.00

Selling Price: 14,646.78

TAX RATES

| | |
|--------------|---------|
| Material: | 0.0000% |
| Quote: | 0.0000% |
| Labor: | 0.0000% |
| Equipment: | 0.0000% |
| Subcontract: | 0.0000% |
| Job: | 0.0000% |

MISCELLANEOUS

| | |
|------------------------|-----------|
| Avg. Lbr. Rate (Cost): | 96.84 |
| Avg. Lbr. Rate (Bid): | 96.84 |
| Total Square Feet: | 1.00 |
| Cost Per Sq. Ft.: | 14,646.78 |
| Labor \$ Per Sq. Ft.: | 1,866.94 |
| Labor Hrs Per Sq. Ft.: | 22.17 |
| Quantity of Units: | 1.00 |
| Cost Per Unit: | 14,646.78 |
| Calc. Adjustment: | 0.00% |



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Mike Hartnett, County Attorney
Therese Connolly, Clerk of the Board

CC: Jason Kemper, Planning Director
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, Confidential Secretary/County Attorney's Office

FROM: Dan Rourke, Sewer District

DATE: 8/5/21

RE: Easement Over County Lands for Sewer Lateral

COMMITTEE: Sewer Commission

1. Is a Resolution Required: YES or NO
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed:
(If yes, budget lines and impact must be provided)
NO

3. Are there Amendments to the Compensation Schedule:
(If yes, provide details)
NO

4. Specific details on what the resolution will authorize:

This Resolution will authorize the Chairman of the board to execute an easement agreement with Duane J and Catherine Lineback who reside at 121 Ushers Road in the Town of Halfmoon to allow a sewer lateral to be installed on county lands. The lateral will be installed under the Zim Smith Trail and connect to an existing interceptor sewer manhole.

5. Does this item require hiring a Vendors/Contractors:

- Were bids/proposals solicited: NO
- Is the vendor/contractor a sole source: No
- Commencement date of contract term:
- Termination of contract date:
- Contract renewal and term: N/A
- Contact information:
- Is the vendor/contractor an LLS, PLLC or partnership:
- State of vendor/contractor organization:
- Is this a renewal agreement: YES or NO
- Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution:
(If yes, attach the last approved resolution)
 - a. What were the terms of the prior resolution NO
 - b. Are the terms changing:
 - c. What is the reason for the change in terms:

7. Is a new position being created:
 - a. Effective date NO
 - b. Salary and grade

8. Is a new employee being hired:
 - a. Effective date of employment NO
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:

9. Is a grant being accepted:
 - a. Source of grant funding: NO
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:

10. Remarks/Reasoning (Supporting documentation must be attached to this form):

The County Attorney's office is aware of this matter and has been working with the homeowners regarding the easement.. The Contractor will be responsible for all trail restoration and SCSD will work with the planning department to ensure a proper restoration is done.



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michael Hartnett, County Attorney
Therese Connolly, Clerk of the Board

CC: Jason Kemper, Planning Director
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office

FROM: Michael Hartnett, County Attorney

DATE: 8/5/2021

RE: Local Law #5

COMMITTEE: Law & Finance

1. Is a Resolution Required: YES or NO
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)
2. Is a Budget Amendment needed: YES or NO
(If yes, budget lines and impact must be provided)
3. Are there Amendments to the Compensation Schedule: YES or NO
(If yes, provide details)
4. Specific details on what the resolution will authorize:
Adopting Local Law #5 of 2021 to Repeal Local Law #3 of 1979
5. Does this item require hiring a Vendors/Contractors: YES or NO
 - a. Were bids/proposals solicited:
 - b. Is the vendor/contractor a sole source:
 - c. Commencement date of contract term:
 - d. Termination of contract date:
 - e. Contract renewal and term:
 - f. Contact information:
 - g. Is the vendor/contractor an LLS, PLLC or partnership:
 - h. State of vendor/contractor organization:
 - i. Is this a renewal agreement: YES or NO
 - j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution: YES or NO
(If yes, attach the last approved resolution)
- What were the terms of the prior resolution
 - Are the terms changing:
 - What is the reason for the change in terms:
7. Is a new position being created: YES or NO
- Effective date
 - Salary and grade
8. Is a new employee being hired: YES or NO
- Effective date of employment
 - Salary and grade
 - Appointed position:
 - Term:
9. Is a grant being accepted: YES or NO
- Source of grant funding:
 - Amount of grant:
 - Purpose grant will be used for:
 - Equipment and/or services being purchased with the grant:
 - Time period grant covers:
10. Remarks/Reasoning (Supporting documentation must be attached to this form):
See Resolution 213-2021



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 213 - 2021

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

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 5, PRINT NO. 1 OF 2021, REPEALING LOCAL LAW 3 OF 1979, AND SETTING A DATE FOR A PUBLIC HEARING THEREON

WHEREAS, it is the recommendation of the Government Review and Efficiency, and Law and Finance Committees of this Board to repeal Local Law 3 of 1979, which created a Government Review and Efficiency Committee; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 5 of 2021, Print No. 1 of 2021, entitled "A LOCAL LAW OF THE COUNTY OF SARATOGA TO REPEAL LOCAL LAW 3 OF 1979", is hereby introduced before the Saratoga County Board of Supervisors, and the Board of Supervisors shall hold a Public Hearing on August 17, 2021 at 3:45 p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law, and the Clerk of this Board of Supervisors be and she hereby is directed to give notice of such Public Hearing in the manner prescribed by law.

BUDGET IMPACT STATEMENT: No budget impact.

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. [_] 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.



SARATOGA COUNTY
AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michael Hartnett, County Attorney
Therese Connolly, Clerk of the Board

CC: Jason Kemper, Planning Director
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office

FROM: Sandra Cross, Director Office for the Aging

DATE: 8/5/2021

RE: Amending the 2021 compensation schedule

COMMITTEE: Law & Finance Committee

1. Is a Resolution Required: [X] YES or [] NO
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)

2. Is a Budget Amendment needed: [X] YES or [] NO
(If yes, budget lines and impact must be provided)

Yes-Under Office for the Aging
Part-time \$168,480 * 12% Fringe (\$20,218) = \$188,698 9 pay periods 9/3/21-12/31/21 - \$65,318- Budget transfer from A.76.761-7761

3. Are there Amendments to the Compensation Schedule: [X] YES or [] NO
(If yes, provide details)

Create (1) Senior Food Service Helper and Create (9) Food Service Helper(s)

4. Specific details on what the resolution will authorize:

Authorizing an amendment to the 2021 compensation schedule to create (1) Senior Food Service Helper, part-time, \$18.00 p/hr and (9) Food Service Helper(s), part-time, \$16.00 p/hr under Office for the Aging. **See remarks for additional information.

5. Does this item require hiring a Vendors/Contractors: [] YES or [X] NO

- a. Were bids/proposals solicited:
b. Is the vendor/contractor a sole source:
c. Commencement date of contract term:
d. Termination of contract date:
e. Contract renewal and term:
f. Contact information:
g. Is the vendor/contractor an LLS, PLLC or partnership:
h. State of vendor/contractor organization:
i. Is this a renewal agreement: [] YES or [] NO
j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution: YES or NO
(If yes, attach the last approved resolution)
- What were the terms of the prior resolution
 - Are the terms changing:
 - What is the reason for the change in terms:
7. Is a new position being created: YES or NO
- Effective date 9/03/21
 - Salary and grade Part-time \$18 p/hr & \$16 p/hr
8. Is a new employee being hired: YES or NO
- Effective date of employment 9/03/21
 - Salary and grade Part-time \$18 p/hr & \$16 p/hr
 - Appointed position:
 - Term:
9. Is a grant being accepted: YES or NO
- Source of grant funding:
 - Amount of grant:
 - Purpose grant will be used for:
 - Equipment and/or services being purchased with the grant:
 - Time period grant covers:
10. Remarks/Reasoning (Supporting documentation must be attached to this form):

(1) Senior Food Service Helper:

Part-time-\$18.00 p/hr 1,040 hrs p/yr= \$18,720 * 12% Fringe = \$20,966

(9) Food Service Helper(s):

Part-time-\$16.00 p/hr 1,040 hrs p/yr = \$16,640 * 12% Fringe = \$18,637 * 9 = \$167,733

Total cost of positions with fringe = \$188,699

Total cost of Salary and Fringe for 9/3/21 - 12/31/21 = \$65,318

NEW POSITION COSTS

Senior Food Service Helper/Food Service Helper Payroll Costs

- **Senior Food Service Helper**

- 4hrs. per day X 5 days = 20 hrs. per week/40 hrs. per pay period 40 X 26 = 1,040
- 1,040 hrs. X 18 p/hr. = \$18,720 – Salary per year + 12% Fringe (\$2,246) = \$20,966

- **Food Service Helper**

- 4 hrs. per day X 5 days = 20 hrs. per week/40 hrs. per pay period 40 X 26 = 1,040
- 1,040 hrs. X 9 (Food Service Helpers) = 9,360 hours
- 9,360 hrs. X 16 p/hr. = \$149,760– Total salary per year for 9 Food Service Helpers + 12% Fringe (\$17,971) = \$167,731

Total Salary - \$168,480 - 9/3/21-12/31/21 (9 pay periods) = \$58,320

Total Fringe - \$20,218 - 9/3/21-12/31/21 (9 pay periods) = \$6,998

Total approximate 2022 Salary & Fringe = \$188,698 Total Salary & Fringe for the remainder of 2021 = \$65,318

MEAL COST

- **2019 Meals (Pre-pandemic)**

151,171 meals X 7.88 price per meal = \$1,191,227.48

- **2022 Anticipated Meal Costs**

Increase in meal cost is contingent on the current nutrition contract and is determined by the Consumer Price Index (CPI)

CPI as of 7/13/21 is 5.4% - meal rate for 2022 = \$8.31

151,171 meals X 8.31=\$1,256,231.01

Anticipated 2022 increase - \$233,483.53

Stimulus funding in the amount of \$830,523 will be available to Office for the Aging through 9/30/24.

Nutrition agreements will also increase in 2022 as the amounts are based on the 2020 census. Current numbers are not available at this time.

Civil Service Law: Section 22: Certification for new positions. Before any new positions in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the positions, shall be referred to the Personnel Officer and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such existing position reclassified only with the title approved and certified by the Personnel Officer.

Saratoga County Human Resources Department
BALLSTON SPA, NEW YORK

NEW POSITIONS DUTIES STATEMENT

Department head or other authority requesting the creation of a new position shall prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit.

| | | |
|----------------------|-----------------------------------|----------------------|
| 1. DEPARTMENT | BUREAU, DIVISION, UNIT OR SECTION | LOCATION OF POSITION |
| Office for the Aging | Saratoga County | |

2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job.

| PERCENT OF WORK TIME | Job Title: |
|----------------------|--|
| 100% | <p>Receives, temps and distributes food for the HDM program and Congregate meals Interacts with Volunteers for meal delivery Supervise an participates in the setting of tables and service of food at meal sites Keeps records and prepares necessary reports for the Senior Nutrition Coordinator and other OFA staff Maintains inventory and related records Provides general information to the participants regarding OFA services Completes cleaning of meal site with regards to sanitary codes or OFA policy and procedures.</p> |

| 3. Names and Titles of Persons Supervising this position (General, Direct, Administrative, etc.) | | |
|--|--------------------------------|---------------------|
| NAME | TITLE | TYPE OF SUPERVISION |
| Sandra Cross | Director, Office for the Aging | Direct |
| Judy Dahoda-Taylor | Deputy Director | Direct |
| Billie Jo McConkey | Senior Nutrition Coordinator | Direct |

| 4. Names and Titles of Persons Supervised by Employee in this position | | |
|--|-------|---------------------|
| NAME | TITLE | TYPE OF SUPERVISION |
| none | | |
| | | |
| | | |

| 5. Names and Titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position. | | |
|---|-------|---------------------|
| NAME | TITLE | TYPE OF SUPERVISION |
| none | | |
| | | |
| | | |

6. What minimum qualifications do you think should be required for this position?

Education: High School _____ years
 College _____ years,
 Other _____ years, with specialization in _____

Experience: (List amount and type) One year of experience in serving food or one year of paid or volunteer program involving direct service to the aging; or any equivalent combination of training and experience.

Essential knowledges, skills and abilities: Good knowledge of the proper methods of food service; good knowledge of sanitary requirements and proper care for glassware, tableware, silverware and dining areas; ability to plan and supervises the work of others; ability to get along well with elderly people; ability to understand and follow oral and written instructions; ability to keep records and prepare reports; tact; resourcefulness; physical condition to commensurate with the demands of the position.

Type of license or certificate required: Valid NYS Driver's License

7. The above statements are accurate and complete.

Date: 7-21-21 Title: Director Signature: [Signature]

CERTIFICATE OF PERSONNEL OFFICER

8. In accordance with the provisions of Civil Service Law, Section 14, subdivision 8-a Margaret McNamara the Personnel Officer certifies that the appropriate civil service title for the position described is _____.

Date: _____ Signature: _____

ACTION BY LEGISLATIVE BODY OR OTHER APPROVING AUTHORITY

9. Creation of described position
 Approved
 Disapproved

Civil Service Law: Section 22: Certification for new positions. Before any new positions in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the positions, shall be referred to the Personnel Officer and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such existing position reclassified only with the title approved and certified by the Personnel Officer.

Saratoga County Human Resources Department
 BALLSTON SPA, NEW YORK

NEW POSITIONS DUTIES STATEMENT

Department head or other authority requesting the creation of a new position shall prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit.

| | | |
|----------------------|-----------------------------------|----------------------|
| 1. DEPARTMENT | BUREAU, DIVISION, UNIT OR SECTION | LOCATION OF POSITION |
| Office for the Aging | Saratoga County | |

2. DESCRIPTION OF DUTIES: Describe the work in sufficient detail to give a clear word picture of the job.

| PERCENT OF WORK TIME | Job Title: |
|----------------------|--|
| 100% | <p>Oversees the Congregate dining site managers; Will act as a floater for site managers at dining sites; Receives, temps and distributes food for the HDM program and Congregate meals Interacts with Volunteers for meal delivery Supervise an participates in the setting of tables and service of food at meal sites Complies records and prepares necessary reports for the Senior Nutrition Coordinator and other OFA staff Maintains inventory and related records Provides general information to the participants regarding OFA services Completes cleaning of meal site with regards to sanitary codes or OFA policy and procedures.</p> |

| 3. Names and Titles of Persons Supervising this position (General, Direct, Administrative, etc.) | | |
|--|--------------------------------|---------------------|
| NAME | TITLE | TYPE OF SUPERVISION |
| Sandra Cross | Director, Office for the Aging | Direct |
| Judy Dahoda-Taylor | Deputy Director | Direct |
| Billie Jo McConkey | Senior Nutrition Coordinator | Direct |

| 4. Names and Titles of Persons Supervised by Employee in this position | | |
|--|---------------|---------------------|
| NAME | TITLE | TYPE OF SUPERVISION |
| none | | |
| | Site Managers | Direct |

| 5. Names and Titles of persons doing substantially the same kind and level of work as will be done by the incumbent of this new position. | | |
|---|-------|---------------------|
| NAME | TITLE | TYPE OF SUPERVISION |
| none | | |

6. What minimum qualifications do you think should be required for this position?

Education: High School _____ years
College _____ years,
Other _____ years, with specialization in _____

Experience: (List amount and type) One year of experience in serving food or one year of paid or volunteer program involving direct service to the aging; or any equivalent combination of training and experience.

Essential knowledges, skills and abilities: Good knowledge of the proper methods of food service; good knowledge of sanitary requirements and proper care for glassware, tableware, silverware and dining areas; ability to plan and supervises the work of others; ability to get along well with elderly people; ability to understand and follow oral and written instructions; ability to keep records and prepare reports; tact; resourcefulness; physical condition to commensurate with the demands of the position.

Type of license or certificate required: Valid NYS Driver's License

7. The above statements are accurate and complete.

Date: 7-21-21 Title: Director Signature: Samm C

CERTIFICATE OF PERSONNEL OFFICER

8. In accordance with the provisions of Civil Service Law, Section 14, subdivision 8-a Margaret McNamara the Personnel Officer certifies that the appropriate civil service title for the position described is _____.

Date: _____ Signature: _____

ACTION BY LEGISLATIVE BODY OR OTHER APPROVING AUTHORITY

9. Creation of described position

Approved
 Disapproved



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michael Hartnett, County Attorney
Therese Connolly, Clerk of the Board

CC: Jason Kemper, Planning Director
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office

FROM:

DATE:

RE:

COMMITTEE:

1. Is a Resolution Required: **YES** or **NO**
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)
2. Is a Budget Amendment needed: **YES** or **NO**
(If yes, budget lines and impact must be provided)
3. Are there Amendments to the Compensation Schedule: **YES** or **NO**
(If yes, provide details)
4. Specific details on what the resolution will authorize:
5. Does this item require hiring a Vendors/Contractors: **YES** or **NO**
 - a. Were bids/proposals solicited:
 - b. Is the vendor/contractor a sole source:
 - c. Commencement date of contract term:
 - d. Termination of contract date:
 - e. Contract renewal and term:
 - f. Contact information:
 - g. Is the vendor/contractor an LLS, PLLC or partnership:
 - h. State of vendor/contractor organization:
 - i. Is this a renewal agreement: **YES** or **NO**
 - j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution: **YES** or **NO**
(If yes, attach the last approved resolution)
- What were the terms of the prior resolution
 - Are the terms changing:
 - What is the reason for the change in terms:
7. Is a new position being created: **YES** or **NO**
- Effective date
 - Salary and grade
8. Is a new employee being hired: **YES** or **NO**
- Effective date of employment
 - Salary and grade
 - Appointed position:
 - Term:
9. Is a grant being accepted: **YES** or **NO**
- Source of grant funding:
 - Amount of grant:
 - Purpose grant will be used for:
 - Equipment and/or services being purchased with the grant:
 - Time period grant covers:
10. Remarks/Reasoning (Supporting documentation must be attached to this form):



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michael Hartnett, County Attorney
Therese Connolly, Clerk of the Board

CC: Jason Kemper, Planning Director
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office

FROM: County Attorney

DATE: August 4, 2021

RE: Opioid Litigation

COMMITTEE: Law and Finance

1. Is a Resolution Required: YES or NO
(If YES, please complete #2- #10) (If NO, skip to #10 and provide reason for bringing the item)
2. Is a Budget Amendment needed: YES or NO
(If yes, budget lines and impact must be provided)
3. Are there Amendments to the Compensation Schedule: YES or NO
(If yes, provide details)
4. Specific details on what the resolution will authorize:
Authorize Resolution/Settlement of Opioid Litigation Lawsuit against Defendant NY Janssen (J&J).
5. Does this item require hiring a Vendors/Contractors: YES or NO
 - a. Were bids/proposals solicited:
 - b. Is the vendor/contractor a sole source:
 - c. Commencement date of contract term:
 - d. Termination of contract date:
 - e. Contract renewal and term:
 - f. Contact information:
 - g. Is the vendor/contractor an LLS, PLLC or partnership:
 - h. State of vendor/contractor organization:
 - i. Is this a renewal agreement: YES or NO
 - j. Vendor/Contractor comment/remarks:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

6. Is this an annual housekeeping resolution: YES or NO
(If yes, attach the last approved resolution)
- a. What were the terms of the prior resolution
 - b. Are the terms changing:
 - c. What is the reason for the change in terms:
7. Is a new position being created: YES or NO
- a. Effective date
 - b. Salary and grade
8. Is a new employee being hired: YES or NO
- a. Effective date of employment
 - b. Salary and grade
 - c. Appointed position:
 - d. Term:
9. Is a grant being accepted: YES or NO
- a. Source of grant funding:
 - b. Amount of grant:
 - c. Purpose grant will be used for:
 - d. Equipment and/or services being purchased with the grant:
 - e. Time period grant covers:
10. Remarks/Reasoning (Supporting documentation must be attached to this form):
- Suggested Executive Session Discussion on Opioid Litigation Update and potential settlement agreement authorization.
- No Precedent Resolution due to confidential nature of discussion; Mark-Up Resolution Not Included.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 203 - 2017

Introduced by the Legislative and Research Committee and the Law and Finance Committee

**AUTHORIZING THE RETENTION OF NAPOLI SHKOLNIK, PLLC
AS SPECIAL COUNSEL TO COMMENCE LITIGATION AGAINST THE
MANUFACTURERS, DISTRIBUTORS AND POSSIBLY CERTAIN PRESCRIBING
PHYSICIANS OF OPIOID PHARMACEUTICALS TO RECOVER THE COUNTY'S
DAMAGES IN COMBATTING AND TREATING OPIOID ABUSE**

WHEREAS, according to statistics provided by the Center for Disease Control and Prevention, in 2014 there were 28,647 opioid overdose deaths nationwide, or 78 people per day, and a 14% increase in one year, driven by prescription opioid abuse and misuse as well as heroin abuse, the latter often brought on by prescription opioid abuse; and

WHEREAS, in New York State, Centers for Disease Control and Prevention statistics show that drug overdose deaths statewide nearly tripled from 1999-2015; and

WHEREAS, according to New York State Department of Health statistics, opioid related hospitalizations and Emergency Room visits in New York State nearly doubled from 2010-2015; and

WHEREAS, in Saratoga County, New York State Department of Health statistics show a rise in opioid related deaths from 2003-2014, and a significant increase in opioid related hospitalizations and Emergency Room visits from 2010-2015; and

WHEREAS, evidence strongly suggests that opioid manufacturers, distributors and certain prescribing physicians have worked together to use their money and power to create a complex web of false representations regarding the addictive nature of opioids, and misled consumers and other physicians into believing that opioids were not addictive and were a viable option for treatment of chronic pain; and

WHEREAS, the resulting rate of addiction to prescription and illegal opiates has been greatly increasing in recent years, and has been commonly referred to as the "opioid epidemic"; and

WHEREAS, Saratoga County has seen its law enforcement and healthcare costs rise significantly in recent years in combatting the opioid epidemic and treating its victims; and

WHEREAS, it is the view of this Board of Supervisors that the County of Saratoga should seek to recover its damages from those opioid manufacturers, distributors and certain prescribing physicians directly contributing to the high costs to County taxpayers in the form of increased social services, healthcare, policing and other expenditures so as to mitigate the impact of same; and

WHEREAS, a joint subcommittee of our Legislative and Research Committee and Law and Finance Committee has interviewed representatives of the two leading law firms in the State of New York who have commenced litigation on behalf of various counties throughout the State seeking to recover their respective damages against opioid manufacturers and/or distributors and certain prescribing physicians; and

WHEREAS, it is the recommendation of the Law and Finance Committee, the Legislative and Research Committee and their joint subcommittee that the County initiate litigation against opioid manufacturers, distributors and certain prescribing physicians to recover the County's damages in combatting the opioid epidemic and treating its victims, and that the law firm of Napoli Shkolnik PLLC, a firm with extensive experience in pharmaceutical litigation, be retained as special counsel to prosecute such litigation on behalf of the County; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby authorizes and approves the commencement of civil litigation on behalf of the County of Saratoga against the manufacturers, distributors and certain prescribing physicians of opioid products, who have culpability in the manufacture and promotion of such products in an unsafe manner, to recover the County's damages in combatting the opioid epidemic and treating its victims; and, be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute a retainer agreement with Napoli Shkolnik PLLC of the City of New York to serve as special counsel to the County with respect to the initiation and prosecution of such opioid litigation on a contingency fee basis under which special counsel would receive: i) 7.5% of pre-complaint recovery; ii) 15% of recovery after ruling on a motion to dismiss; iii) 20% of recovery after close of pre-trial discovery; and iv) 25% of recovery after ruling on summary judgment, with such amounts to be computed on the net sum recovered after deducting allowable expenses that have been advanced by special counsel; with no monies to be paid to special counsel for any work performed, costs incurred or disbursements made by special counsel in the event no recovery to the County is obtained by special counsel; and, be it further

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

BUDGET IMPACT STATEMENT: No budget impact.