

Law and Finance Committee Minutes
August 11, 2021 – 4:00 p.m.

Present: Chairman Jonathan Schopf; Committee members Phil Barrett, Joe Grasso, Kevin Tollisen, Matthew Veitch, Sandra Winney, Tom Wood; Supervisor Tara Gaston; Steve Bulger, Ridge Harris, Matt Rose, Audra Hedden, Christine Rush, County Administrator; Michael Hartnett, Michelle Granger, County Attorney; Sandi Cross, Office for the Aging; Penny Heritage, Animal Shelter; Karen Heggen, District Attorney; Ed Tremblay, Emergency Services; Eileen Bennett, Information Technology; Michael Prezioso, Mental Health & Addiction; Jason Kemper, Planning; Daniel Kuhles, Public Health; Chad Cooke, Public Works; Anna Stanko, Real Property Tax; Dan Rourke, Sewer District; Michael Zurlo, Sheriff; Andrew Jarosh, Stephanie Hodgson, Treasurer.

Chairman Schopf called the meeting to order and welcomed all in attendance.

On a motion made by Mr. Wood, seconded by Mr. Tollisen, the minutes of the July 14, 2021 meeting were approved. Mr. Grasso abstained from voting.

A motion was made by Mr. Veitch, seconded by Mr. Grasso, to amend the Technology & Resiliency item. Unanimous.

Mr. Veitch said that the original proposal was to increase the change order amount from 10% to 20%. In order to keep the project on time, he is proposing that any change order up to the budgeted amount be approved by the Technology & Resiliency Committee.

On a motion made by Mr. Veitch, seconded by Mr. Wood, the following resolution was approved unanimously.

TECHNOLOGY & RESILIENCY

- Amending Resolution 151-2021 to authorize the Technology and Resiliency Committee to approve change orders to the agreement with Presentation Concepts Corporation.

BUDGET IMPACT: None.

Mr. Bulger said that Presentation Concepts Corporation will install an additional streaming device to be placed in Committee Room #1. This device will enable the Board of Supervisors to livestream all standing committee meetings, as well as the full Board's monthly meeting.

On a motion made by Mr. Tollisen, seconded by Mr. Barrett, the following resolution was approved unanimously.

REAL PROPERTY TAX

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

Mr. Bulger said that this tax parcel contains two restaurants that qualified for the 50% sewer unit reduction in accordance with Resolution 280-2020.

On a motion made by Mr. Tollisen, seconded by Mr. Barrett, the following resolution was approved unanimously.

HUMAN RESOURCES & INSURANCE

- Authorizing an amendment to the 2021 Compensation schedule to create a position under the Public Health Services.

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

Mr. Bulger said that this position will be responsible for planning, directing, supervising and executing all environmental health programs throughout Saratoga County. Additional responsibilities include but are not limited to: furnishing advice and guidance to local officials and the general public regarding public health and environmental health problems and measures necessary for improvement and compliance with legal requirements.

On a motion made by Mr. Wood, seconded by Ms. Winney, the following resolutions were approved unanimously.

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.

BUDGET IMPACT: None. 100% State Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.

Mr. Bulger said that this position will be responsible for planning, directing, supervising and executing all environmental health programs throughout Saratoga County. Additional responsibilities include but are not limited to: furnishing advice and guidance to local officials and the general public regarding public health and environmental health problems and measures necessary for improvement and compliance with legal requirements.

- 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.

BUDGET IMPACT: None. 100% State Aid.

The additional funds for this grant will be used for enhanced detection, surveillance, and prevention of COVID-19, as well as wage related costs for temporary or contracted employees who are hired for COVID-19 response activities. The funding period for this grant will commence on February 1st, 2021 and conclude on March 31st, 2023.

- 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.

BUDGET IMPACT: None. 100% State Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.

Funds from this grant will be used to enable schools to establish COVID-19 screening testing programs for students, teachers, and staff to support and maintain safe in-person instruction.

- Authorizing a contract with Quadrant Biosciences, Inc. in the amount of \$3,520,000.
BUDGET IMPACT: None. Funds for this contract will be available from the previous resolution.

Saratoga County Public Health will contract with Quadrant Biosciences to provide Saratoga County school districts with FDA authorized saliva-based PCR pooled screening and diagnostic testing for SARS-COV-2 with results available in 24 hours or less. This includes a complete suite of electronic data management and reporting platforms; sequencing of positive specimens; training and technical assistance to schools and County Public Health. The contract will last until July 31, 2022.

- 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.

BUDGET IMPACT: None. Costs associated with these contracts will be covered by a Health Research, Inc. grant.

All four of the contact tracers have exhausted the limits of their minor contracts and Public Health is requesting these be moved to major contracts to continue their work in the Public Health Department. All four contact tracers will be paid the same hourly rate of \$25 per hour for a one-year term with a maximum of 35 hours per week.

On a motion made by Mr. Veitch, seconded by Mr. Barrett, the following resolution was approved unanimously.

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.

BUDGET IMPACT: None. 100% Federal Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.

Mr. Bulger said that these funds will be utilized to offset existing operational expenses. The FAA allocated Saratoga County \$59,000 for use in reimbursement of operational, maintenance and sanitization related expenses in response to diminished revenues as a result of the COVID-19 pandemic.

On a motion made by Mr. Grasso, seconded by Mr. Tollisen, the following resolutions were approved unanimously.

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.

BUDGET IMPACT: None. 100% State Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.

Mr. Bulger said that Funds from this grant will be used to purchase communications equipment, cyber equipment, CAD maintenance and support services, Training Equipment Maintenance, Mobile Data connections fee's, and Response Notification capabilities. The active grant period for these funds commences on September 1st, 2021 and concludes on August 31st, 2024.

- Authorizing the Chairman to enter into intermunicipal agreements with participating municipalities for 2022 Saratoga County Animal Shelter Services.

BUDGET IMPACT: None.

This is an annual housekeeping item. The period of this agreement will commence on January 1st, 2022 and conclude on December 31st, 2022. The rates and conditions of this agreement will remain the same as previous years.

- 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.

BUDGET IMPACT: None. Funds for the agreement are included in the 2021 budget.

Through this agreement the Sheriff's department will be able to use thermal imaging and night vision equipment supplied by the Navy NAVSEA Warfare Center.

On a motion made by Mr. Tollisen, seconded by Mr. Wood, the following resolutions were approved unanimously.

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.

BUDGET IMPACT: None. 100% State Aid. The 2021 budget will be amended to accept these funds and authorize the related expenses.

Mr. Bulger said that on behalf of the Saratoga County Association of Snowmobile Clubs, the Planning Department is requesting acceptance of an application for a NYS Snowmobile Trails Grant-in-Aid Program estimated not to exceed \$89,000. These are pass through funds that go directly to the clubs of the Saratoga County Association of Snowmobile Clubs with no budget impact.

- 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.

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.

Saratoga County executed a major contract with the Hudson River Valley Greenway via Resolution 95 of 2021 for the design and construction of a section of the Champlain Canalway Trail in Waterford. These are 100% state aid funds being passed through the 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.

BUDGET IMPACT: None. Funds for this contract were covered in the previous resolution.

There were 7 bids submitted with total bid prices ranging from a low of \$227,600 to a high of \$534,035. Low bidder for this project was WMJ Keller and Sons Construction. This project is estimated to be completed in the Fall.

- Awarding the 2021 Trails Grants.

BUDGET IMPACT: An allocation from Fund Balance in the amount of \$7,011.44 will be required to fully fund all requests.

The 2021 Municipal Trails Grants have been received. In 2021, there were 10 applications received from 9 different municipalities totaling \$82,011.44. The total budgeted amount for 2021 is \$75,000. Therefore, a transfer from fund balance is required to cover all project awards.

A motion was made by Mr. Veitch, seconded by Mr. Grasso, to amend original draft of the Operating Budget Procedure. Unanimous.

Mr. Veitch said that the proposed nine member Long Term Capital Program is comprised of the Chairs of various committees. The amendment is to allow for the Chair of the Board to be able to appoint an alternate member if one person sits as chair of two of the chosen committees. For example, if one Supervisor was Chair of both Public Works and Buildings & Grounds, the Chairman could appoint an alternate member to maintain the nine member committee.

On a motion made by Mr. Veitch, seconded by Mr. Barrett, the following resolution was approved unanimously.

GOVERNMENT REVIEW & EFFICIENCY

- Amending the Policies and Procedures Manual under Operating Budget Procedures.

BUDGET IMPACT: None.

Mr. Bulger said that this section of the policy was last amended in September of 1997 through Resolution 128 of 1997. Changes to the policy are within the Capital Expenditures and Outside Agencies sections. Mr. Bulger said that a local law required in order to include the Capital Program in the budget process per Chapter VII of the County Law. The Government Review and Efficiency Committee is planning to retroactively introduce the Local Law in September.

On a motion made by Mr. Veitch, seconded by Mr. Wood, the following resolutions were approved unanimously.

LAW & FINANCE

- Rescinding Resolutions 170 and 171 of 2018 and 195 of 2020 for the Joint Biosolids Facility.

BUDGET IMPACT: None.

Mr. Bulger said that these resolutions pertain to the construction and bonding for the joint regional biosolids facility. This Intermunicipal agreement is set to expire August 31, 2021.

- 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.

BUDGET IMPACT: None.

The upgrades will consist of an anaerobic digester, a thermal dryer, biogas to renewable natural gas treatment and ancillary thickening and pumping upgrades. A public hearing on this topic will be held on August 17th, 2021 at 3:30pm.

- Authorizing the issuance of \$51,900,000 bonds of the County of Saratoga for Saratoga County Sewer District's No 1 Biosolids Management Facility.

BUDGET IMPACT: None.

This project is necessary to ensure long term cost stability in the treatment and disposal of biosolids.

- 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.

BUDGET IMPACT: None.

A public hearing for this item will be held on August 17th, 2021 at 3:40pm.

- Authorizing the issuance of \$33,100,000 bonds of the County of Saratoga for Saratoga County Sewer District's No 1 Ammonia Upgrade Project.

BUDGET IMPACT: None.

This work is currently under an order of 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.

- 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.

BUDGET IMPACT: None.

Bond Schoeneck and King were retained as bond counsel and this will preserve their services.

- Authorizing Change Order #3 with CKM Electrical Services Inc. for additional work required at Saratoga County Sewer Districts Riverside Pump Station.

BUDGET IMPACT: None.

This change order is to add an additional lump sum of \$14,646.78 to the contract.

- Authorizing the Chairman of the Board of 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.

BUDGET IMPACT: None.

This Resolution will help allow a sewer lateral to be installed alongside the Zim Smith Trail.

- Adopting Local Law #5 of 2021 to Repeal Local Law #3 of 1979.

BUDGET IMPACT: None.

A public hearing for this item will be scheduled for August 17th, 2021 at 3:45pm.

- 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.

BUDGET IMPACT: None. 100% State Aid.

The county has recently submitted a letter declaring the cancelation of services with the current vendor for the Meals on Wheels program. The Office for the Aging is proposing to bring those responsibilities into their department to give the department direct oversight over the employee's and the ability to ensure food service regulations and requirements are being followed for the County elderly population.

- Authorizing the acceptance of \$22,324,096.50 in Federal Aid under the American Rescue Plan Act of 2021 (ARPA).

BUDGET IMPACT: None.

This action is necessary for the County to formally accept the first tranche of the Federal Relief Funds provided in the American Rescue Plan Act.

Mr. Grasso questioned the budget impact on the Sewer District bond payments, and why there is no budget impact. Mr. Rourke said that this is authorization to spend it, it has not affected the budget yet. Mr. Veitch said that back in 2008, the expansion of the Sewer District was bonded. At that time it was explained to him that the sewer users would be charged to repay the bond. Mr. Veitch said that he had concerns in that his communities with more users were charged more than communities with less users. Mr. Rourke said that any costs associated with these projects would be included in the annual scale of charges. The increase of rates would typically be equally levied across each district. Increases are typically equal among each of the 12 or 13 different districts. Saratoga Springs in particular is the only municipality that pays by flow as opposed to other municipalities that pay per individual users.

Mr. Bulger gave an update on the ARPA Fiscal Relief Funds working group. This group was formed in May and report directly to the Chairman and Vice Chairman of the Board. The group consists of County Treasurer Jarosh, Director of Finance Hodgson, County Attorney Hartnett, Deputy Administrator Harris, First Assistant Attorney Granger, Management Analyst Rose, various Department Heads as needed, and the County Administrator. They are also working with the EFPR Group and Venesky & Co. to assist with specialized consulting services on this project. The working group has been meeting regularly over the past 13 weeks and are charged with reviewing and analyzing all aspects of the Federal relief funds rules and regulations to provide options and recommendations to the Law and Finance Committee. The Department of the Treasury issued the initial regulations on May 17, and has since updated these rules three times with more changes expected. In addition, this group has been tasked with assisting our Towns, Cities and Villages to help with their own Fiscal Relief Fund processes, and provide guidance and support when possible. As part of this, last week the County organized a webinar for municipalities on the rules and regulations involved with this funding. Additional services

have been contracted for to provide further assistance to the towns and villages. The group expects to be providing the Law and Finance Committee with detailed information in the coming weeks on many aspects of the Federal funds, including loss revenue calculations, eligible uses of funds, and auditing requirements with this process. The group is being very deliberate and cautious in their approach to make sure all information provided is as accurate as possible as they move forward on this important initiative.

A motion was made by Mr. Grasso, seconded by Mr. Veitch, to enter into Executive Session for the purpose of discussing proposed, pending or current litigation. Unanimous.

A motion was made by Mr. Veitch, seconded by Mr. Wood, to exit the Executive Session. Unanimous.

No action was taken in Executive Session.

On a motion made by Mr. Tollisen, seconded by Mr. Barrett, the following resolution was approved unanimously.

LAW & FINANCE

- Authorizing a settlement with Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-Mcneil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (Collectively J&J) named in an action to recover damages in combatting and treating opioid abuse.

BUDGET IMPACT: None.

Mr. Bulger said that this is a National and New York State settlement Saratoga County is part of in relation to increased opioid related deaths from 2003-2014, as well as, increase opioid related hospitalizations and Emergency Room visits from 2010-2015

On a motion made by Mr. Barrett, seconded by Mr. Veitch, the following resolution was approved unanimously.

CHAIRMAN'S ITEM

- Amending Resolution 1 of 2021 – Rules of the Saratoga County Board of Supervisors. The Chair of the Board shall have the discretion to modify the sequence of items within the order of business during a regular meeting to accommodate participation or to maintain decorum and order.

On a motion made by Mr. Veitch, seconded by Mr. Tollisen, the Board Meeting Agenda for August 17, 2021 was approved unanimously.

On a motion made by Mr. Barrett, seconded by Mr. Veitch, the meeting was adjourned unanimously.

Respectfully submitted,
Therese Connolly
Clerk of the Board