

REGULAR MEETING  
TUESDAY, October 19, 2021  
AT 4:00 p.m., E.S.T.

Board called to order by Chairman Kusnierz.

Roll call was taken. PRESENT – Eric Connolly, Joseph Grasso, Philip C. Barrett, Jonathon Schopf, Preston Allen, Jean Raymond, Daniel Pemrick, Arthur M. Wright, Kevin Tollisen, Darren O’Connor, Benny Zlotnick, Thomas Richardson, Theodore Kusnierz, Willard H. Peck, Sandra Winney, Thomas N. Wood, III, Tara Gaston, Matthew E. Veitch, Edward D. Kinowski, John Lawler, John Lant - 21. ABSENT – Richard Lucia, Michael Smith - 2.

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

PUBLIC INPUT

Darlene McGraw informed the Board that October is Domestic Violence Awareness month. Ms. McGraw said that she would like the County to have a text to 911 program. Ms. McGraw also said that she would like the County to appoint someone that ensures compliance with the American with Disabilities Act. Ms. McGraw thanked all of the Highway Department workers and others that have been working to maintain highways, roadways, bike paths and making sure sidewalks are accessible to all

On a motion by Mr. Wood seconded by Mr. Kinowski the minutes of the September 21, 2021 Board meeting was unanimously approved.

The Deputy Clerk presented the following:

CORRESPONDENCE

Letter from the Saratoga County Alliance to End Homelessness encouraging the Board to begin the urban county qualification process, establishing Saratoga County as an Entitlement Community under the CDBG Program.

Received and Filed.

Letter from East Light Partners, Inc. notifying Saratoga County of their intent to develop a Solar facility in Halfmoon, NY.

Forward to Saratoga County IDA.

Correspondence from Tracy Stadel notifying of her resignation from the Workforce Development Board.

Received and Filed.

Thank you note from the family of former Town of Charlton Supervisor Fred Acunto.

Received and Filed.

REPORTS OF COMMITTEES

There were no reports of Committees.

On a motion by Mr. Schopf, seconded by Mr. Barrett, Resolutions 267 through 293 with the exception of Resolution #'s 287 and 289 were adopted by a unanimous vote.

#### RESOLUTION 267 - 2021

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

#### AUTHORIZING A HEALTH INSURANCE CONTRACT WITH CAPITAL DISTRICT PHYSICIANS' HEALTH PLAN, INC. FOR 2022

WHEREAS, pursuant to Resolution 209-2020, this Board authorized an agreement with Capital District Physicians' Health Plan, Inc. for the provision of medical and prescription health care insurance and administrative services for County employees for the term from January 1, 2021 through December 31, 2021; and

WHEREAS, Capital District Physicians' Health Plan, Inc. ("CDPHP") has submitted a proposal for the renewal of its contract for the provision of medical and prescription health insurance and administrative services for 2022 at a projected cost of \$23,205,098.44, inclusive of optional additional benefits for County management employees which consist of, but are not limited to, increased reimbursement for specified medical procedures and access to CDPHP's Wellness and Rewards Programs; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended that the County accept the proposal of Capital District Physicians' Health Plan, Inc. for the provision of medical and prescription health care insurance and administrative services for County employees for the term January 1, 2022 through December 31, 2022; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all agreements including Stop/Loss insurance agreements needed with Capital District Physicians' Health Plan, Inc. for the provision of medical and prescription health care insurance and administrative services for County employees for the term from January 1, 2022 through December 31, 2022 at a projected cost of \$23,205,098.44, subject to such agreements excluding the imposition of any late payment interest penalties; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Funds for this agreement will be placed in the 2022 Tentative budget.

#### RESOLUTION 268 - 2021

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

#### AUTHORIZING A DENTAL HEALTH INSURANCE CONTRACT WITH METROPOLITAN LIFE INSURANCE COMPANY, INC. FOR 2022

WHEREAS, pursuant to Resolution 208-2020, this Board authorized an agreement with Metropolitan Life Insurance Company, Inc. ("MetLife") for the provision of dental health care insurance for County employees and the offering of voluntary dental health care insurance plans to County retirees for the term January 1, 2021 through December 31, 2021; and

WHEREAS, MetLife has submitted a proposal for the provision of dental health care insurance for County employees and the offering of voluntary dental health care insurance plans to County retirees for 2022 at a projected cost of \$849,627.12; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended that the County accept the proposal of MetLife for the provision of dental health care insurance for County employees and the offering of voluntary dental health care insurance plans to County retirees for the term January 1, 2022 through December 31, 2022; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all agreements needed with Metropolitan Life Insurance Company, Inc. for the provision of dental health care insurance for County employees and the offering of voluntary dental health care insurance plans to County retirees, for the term from January 1, 2022 through December 31, 2022, at a projected cost of \$849,627.12, subject to such agreements excluding the imposition of any late payment interest penalties; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Funds for this agreement will be placed in the 2022 Tentative budget.

#### RESOLUTION 269 - 2021

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

#### AUTHORIZING AN AGREEMENT WITH MVP HEALTH PLAN, INC. FOR ALL MEDICARE ELIGIBLE RETIREES FOR 2022

WHEREAS, pursuant to Resolution 207-2020, this Board authorized an agreement with MVP Health Plan, Inc. for the provision of medical and prescription drug health care insurance for Medicare eligible retirees from County employment under MVP's Medicare Advantage Plan for the term January 1, 2021 through December 31, 2021; and

WHEREAS, MVP Health Plan, Inc. has submitted a proposal for the provision of medical and prescription drug health care insurance for Medicare eligible retirees from County employment for 2022 at a projected cost of \$3,624,756.48; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended that the County accept the proposal of MVP Health Plan, Inc. for the provision of medical and prescription drug health care insurance for Medicare eligible retirees from County employment under MVP's Medicare Advantage Plan for the term January 1, 2022 through December 31, 2022; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all agreements needed with MVP Health Plan, Inc. of Schenectady, New York, for the provision of medical and prescription drug health care insurance for Medicare eligible retirees from County employment under MVP's Medicare Advantage Plan for the term January 1, 2022 through December 31, 2022, at a projected cost of \$3,624,756.48, subject to such agreement excluding the imposition of any late payment interest penalties; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Funds for this agreement will be placed in the 2022 Tentative budget.

## RESOLUTION 270 - 2021

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

AUTHORIZING AN AGREEMENT WITH JAEGER & FLYNN ASSOCIATES, A MARSHALL & STERLING COMPANY AND/OR ITS ASSIGNORS FOR FLEX PLAN ADMINISTRATION

WHEREAS, the County entered into an existing minor contract with Jaeger & Flynn Associates, Inc. for JFA Flex Plan Administration and Plan document preparation for the Human Resources Department at a cost \$3.50 per participant per month; and

WHEREAS, due to an increase in enrollment in the Flex Plan in 2021, expenses have exceeded the annual minor contract limit of \$15,000; and

WHEREAS, Jaeger and Flynn Associates, Inc. recently merged with Marshall & Sterling Company; and

WHEREAS, our Human Resources Committee and the Director of Human Resources have recommended that the County enter into an agreement with Jaeger and Flynn Associates, a Marshall & Sterling Company and/or its assignors, for the provision of Flex Plan Administration and Plan document preparation for a term of one (1) year effective November 1, 2021, at the rate of \$3.50 per participant per month, at a cost not to exceed \$20,000, such agreement will be automatically renewed annually unless written notice is provided by either party or there is a change in the participant rate; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Jaeger and Flynn Associates, a Marshall & Sterling Company and/or its assignors of Glens Falls, New York, for the provision of Flex Plan Administration and Plan document preparation for a term of one (1) year effective November 1, 2021, at the rate of \$3.50 per participant per month, at a cost not to exceed \$20,000, such agreement will be automatically renewed annually unless written notice is provided by either party or there is a change in the participant rate; now, therefore, be it

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 271 - 2021

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

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

WHEREAS, the Human Resources and Insurance Committee, the Director of Human Resources, and the Commissioner of Health have recommended that the 2021 Saratoga County Compensation Schedule be amended under Public Health Services to reclassify (1) Supervising Public Health Nurse to (1) Community Health Program Manager with no change in salary or grade; and

WHEREAS, the change in title will facilitate the continued transition of Public Health Services towards the broader health of communities in areas such as family health, chronic disease prevention, nutrition and physical activity, cancer, diabetes, tobacco control and injury prevention as part of the department's transition to a full service health department; now, therefore be it

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

UNDER PUBLIC HEALTH SERVICES:

Reclassify (1) Supervising Public Health Nurse to (1) Community Health Program Manager

and, be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 272 - 2021

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

AUTHORIZING THE ACCEPTANCE OF A \$1,200 DONATION FROM METABOLIC FITNESS OF CLIFTON PARK FOR SARATOGA COUNTY DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES' SUICIDE PREVENTION COALITION OF SARATOGA COUNTY, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Saratoga County Mental Health and Addiction Services has received a donation in the amount of \$1,200 from Metabolic Fitness of Clifton Park, New York for its Suicide Prevention Coalition of Saratoga County; and

WHEREAS, Mental Health and Addiction Services plans to utilize said donation to provide supplemental funds to the Saratoga County Suicide Prevention Coalition to purchase supplies and educational materials and to pay costs associated with guest speakers; and

WHEREAS, an amendment to the 2021 Saratoga County Budget is necessary to implement the acceptance of this generous donation; now, therefore, be it

RESOLVED, that this Board of Supervisors accepts and acknowledges the generous gift of \$1,200 from Metabolic Fitness of Clifton Park that will be used to continue the operation of the Suicide Prevention Coalition of Saratoga County; and, be it further

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

UNDER MENTAL HEALTH AND ADDICTION SERVICES

Appropriations:

Increase Acct. #A.43.431-8200 Departmental Supplies \$1,200

Revenues:

Increase Acct. #A.43-3468 Suicide Prevention Center \$1,200

and, be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Donation. The 2021 budget will be amended to accept these funds and authorize the related expenses.

RESOLUTION 273 - 2021

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

## AUTHORIZING MULTI-YEAR EARLY INTERVENTION GRANT AGREEMENTS AND CONTRACTS

WHEREAS, the Federally-funded Early Intervention (EI) Program will be conducted by our Public Health Services; and

WHEREAS, New York State Department of Health (DOH) is offering a funding grant for this program covering the five year cycle of October 1, 2021 through September 30, 2026, in the amount of \$126,526 per year, subject to funding being appropriated annually; and

WHEREAS, DOH's Early Intervention Administration Grant may be used to support salaries, fringe benefits and non-personal services of the County's Early Intervention staff; and

WHEREAS, the State now requests County approval and acceptance for this grant for the next five years; and

WHEREAS, this program is a useful and desirable service for our residents; now, therefore, be it

RESOLVED, that the Chair of the Board or the Commissioner of Health is authorized to execute all necessary contracts and documents with the NYS Department of Health to accept the Department's Early Intervention Administration Grant, and for the provision of Early Intervention services and all necessary subcontracts for the continuation of the EI Program from October 1, 2021 through September 30, 2026, subject to annual State appropriations therefore; and it is further

RESOLVED, that the form and content of said contracts and documents are subject to the approval of the County Attorney; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

## RESOLUTION 274 - 2021

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

## AUTHORIZING THE ACCEPTANCE OF A NEW YORK STATE DEPARTMENT OF HEALTH CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT

WHEREAS, the State and Federally funded Childhood Lead Poisoning Prevention Program is conducted by Public Health Services; and

WHEREAS, Resolution 83-2016 authorized acceptance of State funds and the program's continuation from October 1, 2015 through September 30, 2020; and

WHEREAS, Public Health Services is eligible for a one year grant in the amount of \$37,661 for the continuation of the Childhood Lead Poisoning Prevention Program; and

WHEREAS, this program is a useful and desirable service for our residents; and

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

RESOLVED, that the Chairman of the Board or the Commissioner of Health is authorized to execute all necessary documents with the New York State Department of Health for the acceptance of a Childhood Lead Poisoning Prevention grant in the amount of \$37,661 and to execute all necessary subcontracts with health care providers for the continuation of the Childhood Lead Poisoning Prevention Program from October 1, 2020

through September 30, 2021, subject to annual State appropriations therefore; and it is further

RESOLVED, that the form and content of said documents are subject to the approval of the County Attorney; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

#### RESOLUTION 275 - 2021

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

#### AUTHORIZING THE ACCEPTANCE OF A NEW YORK STATE DEPARTMENT OF HEALTH MULTI-YEAR CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT

WHEREAS, the State and federally funded Childhood Lead Poisoning Prevention Program is conducted by Public Health Service; and

WHEREAS, Public Health Services is eligible for a five year grant in the amount of \$188,305 for the continuation of the Childhood Lead Poisoning Prevention Program; and

WHEREAS, this program is a useful and desirable service for our residents; and

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

RESOLVED, that the Chairman of the Board or the Commissioner of Health is authorized to execute all necessary documents with the New York State Department of Health for the acceptance of a Childhood Lead Poisoning Prevention grant in the amount of \$188,305 and to execute all necessary subcontracts with health care providers for the continuation of the Childhood Lead Poisoning Prevention Program from October 1, 2021 through September 30, 2026, subject to annual State appropriations therefore; and it is further

RESOLVED, that the form and content of said documents are subject to the approval of the County Attorney; and, be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

#### RESOLUTION 276 - 2021

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

#### AUTHORIZING ACCEPTANCE OF YEAR 8 LOCAL HEALTH DEPARTMENT PERFORMANCE INCENTIVE AWARD FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, AND AMENDING THE 2021 BUDGET IN RELATION THERETO

WHEREAS, the New York State Department of Health (DOH) has awarded a Year 8 Local Health Department (LHD) Performance Incentive Award in the amount of \$21,893 to Saratoga County Public Health Services for its participation in expedited partner therapy for the treatment of chlamydia trachomatis infection; and

WHEREAS, the acceptance of this LHD Performance Incentive Award requires this Board's approval and an amendment to the 2021 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to accept a Year 8 Local Health Department Performance Incentive Award in the amount of \$21,893 from the New York State Department of Health; and it is further

RESOLVED, that the form and substance of such documents are subject to the approval of the County Attorney; and, be it further

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

PUBLIC HEALTH SERVICES

Appropriations

|  |               |
|--|---------------|
| Increase Acct.: #A.40.409-7053 Medical Equipment   | \$ 1,500      |
| Increase Acct.: #A.40.409-8200 Department Supplies | \$19,218      |
| Increase Acct.: #A.40.409-8520 Software            | \$ 1,000      |
| Increase Acct.: #A.40.409-8514 Publications        | <u>\$ 175</u> |
|  | \$21,893      |

Revenue

|   |          |
|---|----------|
| Increase Acct.: # A.40-3401 Nursing Service/State Aid | \$21,893 |
|---|----------|

and, be it further

RESOLVED, that this Resolution shall take effect immediately

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 277 - 2021

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

AUTHORIZING THE ACCEPTANCE OF STATE AID FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR COVID-19 VACCINE RESPONSE GRANT AND AMENDING THE 2021 BUDGET IN RELATION THERETO

WHEREAS, funding is available from New York State Department of Health (NYSDOH) for a COVID-19 Vaccine Response grant in the amount of \$645,923.44 for the funding period of January 1, 2021 through June 30, 2024 to increase COVID-19 vaccine administration equity and to implement vaccine confidence strategies for COVID-19 and routine vaccinations; and

WHEREAS, our Health and Human Services Committee and Commissioner of Health have recommended acceptance of these program funds in the amount of \$645,923.44 and appropriation to the 2021 budget for the aforementioned purpose; and

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

RESOLVED, that the Chair of the Board or the Commissioner of Health is hereby authorized to execute any and all documents necessary to accept funding from the New York State Department of Health for the COVID-19 Vaccine Response grant in the amount of \$645,923.44 for the grant period of January 1, 2021 through June 30, 2024; and, be it further

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

PUBLIC HEALTH SERVICES



Appropriations

|  |                    |
|--|--------------------|
| Increase Acct.: #A.40.409-7053 – Medical Equipment           | \$ 7,000.00        |
| Increase Acct.: #A.40.409-8190 – Other Professional Services | \$ 631,423.44      |
| Increase Acct.: #A.40.409-8242 – Consumable Medical Supplies | <u>\$ 7,500.00</u> |
|  | \$ 645,923.44      |

Revenues

|   |               |
|---|---------------|
| Increase Acct.: #A.40-4411 – Immunization Program | \$ 645,923.44 |
|---|---------------|

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 278 - 2021

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

AUTHORIZING A LEASE AMENDMENT AND EXTENSION AGREEMENT WITH WILTON MALL, LLC FOR A SATELLITE OFFICE FOR THE DEPARTMENT OF MOTOR VEHICLES

WHEREAS, pursuant to Resolution 164-2019, this Board authorized a lease amendment and extension agreement with Wilton Mall, LLC for the lease of space in Wilton Mall for a satellite office for the County Department of Motor Vehicles for a term of two years commencing on January 1, 2020, with an option for one two-year extension; and

WHEREAS, Wilton Mall, LLC has proposed to extend its lease for the space in Wilton Mall for a term of two years commencing January 1, 2022, and expiring on December 31, 2023, totaling \$3,750 per month, plus: i) an annual fixed cost for electricity of \$4.32 per square foot; and ii) an annual fixed charge for water in the amount of \$35.00 per month subject to annual increases of 2% to fixed electricity charge commencing on January 1, 2023 and an annual increase of 3% to said rental rate and fixed charge for water commencing on January 1, 2023; and

WHEREAS, our Buildings and Grounds Committee and the County Clerk have recommended the acceptance of Wilton Mall, LLC’s proposed lease amendment and extension; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a lease amendment and extension agreement with Wilton Mall, LLC for the continued lease of space in the Wilton Mall for a satellite office for the County Department of Motor Vehicles for a term of two years commencing on January 1, 2022, at a rental rate commencing January 1, 2022, totaling \$3,750 per month, plus: i) an annual fixed cost for electricity of \$4.32 per square foot; and ii) an annual fixed charge for water in the amount of \$35.00 per month; subject to annual increases of 2% to fixed electricity charge commencing on January 1, 2023 and an annual increase of 3% to said rental rate and fixed charge for water commencing on January 1, 2023; and, be it further

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

BUDGET IMPACT STATEMENT: None. Funds are included in the 2022 Tentative Budget.

RESOLUTION 279 - 2021

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

AUTHORIZING AN AGREEMENT WITH PITTSFIELD COMMUNICATIONS SYSTEMS, INC., FOR THE REMOVAL, INSTALLATION, PROGRAMMING AND MAINTENANCE OF THE COUNTY’S PUBLIC SAFETY RADIO EQUIPMENT

WHEREAS, pursuant to Resolutions 247-2017 the County entered into a three-year agreement with Pittsfield Communications Systems, Inc. for the provision of non-warranty maintenance services of radio equipment utilized by the various County departments who use the County radio system, and the agreement with Pittsfield Communications Systems, Inc. has expired; and

WHEREAS, the Office of Emergency Services solicited bids for the removal, installation, programming, and maintenance of the County's radio system equipment; and

WHEREAS, our Public Safety Committee and the Commissioner of our Office of Emergency Services have recommended that the County enter into an agreement with Pittsfield Communications Systems, Inc., the lowest bidder, for a term of three years, subject to renewal for an additional term of one year, at the rates submitted in their bid proposal, with the total cost not to exceed \$35,000 per year for the provision of removal, installation, programming, and maintenance services for the County's public safety radio system equipment maintained by the Office of Emergency Services, the Department of Public Works, the District Attorney's Office, and the Sheriff's Department; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Pittsfield Communications Systems, Inc. of Pittsfield, Massachusetts, for the maintenance of the County's public safety radio system equipment maintained by the Office of Emergency Services, the Department of Public Works, the District Attorney's Office, and the Sheriff's Department, for a term of three years commencing September 1, 2021 and terminating August 31, 2024, subject to renewal for a term of one year, at an annual cost not to exceed \$35,000; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 280 - 2021

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

#### AMENDING RESOLUTION 95-2020, AND AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH CUMMINS, INC. FOR PREVENTIVE MAINTENANCE SERVICES FOR THE EMERGENCY STAND-BY GENERATORS AT THE COUNTY'S PUBLIC SAFETY RADIO TOWERS

WHEREAS, pursuant to Resolution 95-2020, this Board authorized an agreement with Cummins, Inc. for the provision of preventive maintenance services for the emergency stand-by generators at the county's public safety radio towers at a cost not to exceed \$19,924.82 per year; and

WHEREAS, new generators were installed at the Spruce Mountain, Providence and Mt. McGregor towers; and

WHEREAS, due to the installation of the new generators, Cummins, Inc. adjusted its yearly pricing for maintenance of the new generators at the Spruce Mountain, Providence and Mt. McGregor towers, resulting in an increase of \$51.96 to the yearly rate, for a total adjusted yearly cost of \$19,976.78; and

WHEREAS, our Public Safety Committee and the Commissioner of Emergency Services have recommended that an amendment to the agreement with Cummins, Inc. be authorized to increase the not to exceed amount for yearly maintenance services from \$19,924.82 per year to \$19,976.78 per year; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amendment to the agreement with Cummins, Inc. of Albany, New York for the provision of preventive maintenance services for the emergency stand-by generators at the county's public safety radio towers at a cost not to exceed \$19,976.78; and, be it further

RESOLVED, that Resolution 95-2020 is hereby amended accordingly; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact

#### RESOLUTION 281 - 2021

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

AUTHORIZING THE CHAIRMAN TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A 2021-2022 DISTRICT ATTORNEY SALARY AID PROGRAM GRANT

WHEREAS, a grant in the amount of \$72,189 is available from the New York State Division of Criminal Justice Services for the purpose of offsetting salary costs for the District Attorney; and

WHEREAS, the acceptance of this 2021-2022 District Attorney Salary Aid Program Grant requires our approval; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the County Administrator and/or the District Attorney is hereby authorized to execute all documents with the New York State Division of Criminal Justice Services necessary to apply for and accept a 2021-2022 District Attorney Salary Aid Program grant in the amount of \$72,189 for the grant period April 1, 2021 through March 31, 2022; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

#### RESOLUTION 282 - 2021

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

AWARDING 2021 FARMLAND AND OPEN SPACE PRESERVATION PROGRAM GRANTS

WHEREAS, the Saratoga County Farmland and Open Space Preservation Program was established in 2003 to give matching grants to purchase development rights or outright ownership of productive agricultural and open space land; and

WHEREAS, the 2021 County Budget includes \$100,000 for the Farmland and Open Space Preservation Program; and

WHEREAS, the County Trails & Open Space Committee solicited applications for various land preservation projects in the County; and

WHEREAS, the County Trails & Open Space Committee has reviewed the three applications submitted for funding, and has recommended that funding for one farmland preservation project as well as two open space acquisition projects be approved at a cost of \$222,900; and

WHEREAS, the recommended award of \$222,900 will necessitate the transfer of up to \$122,900 from the Open Space Reserve Fund at a later date to cover the total requested project funding in the amount of \$222,900; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors authorizes the payment, under the Farmland and Open Space Preservation Program, of the following amounts to the following entities, for the purposes and upon the conditions stated:

1. To the Town of Corinth, the sum of \$32,900; upon the condition of Saratoga PLAN completing a fee title acquisition and land donation of an estimated price of \$2,500 per acre for the purchase of a portion of the LeClair property that comprises approximately 132 acres of mature northern hardwood open space referred to as the LeClair Preserve (A portion of Tax Parcel # 86.-1-25.12). The total project cost is estimated at \$387,900. The balance of the project cost is to be paid by a combination of a Nature Conservancy Grant and significant donation from the landowner.
2. To the Town of Greenfield and the Town of Wilton the sum of \$95,000 upon the condition of Saratoga PLAN completing a bargain sale, plus in-kind donation, towards an estimated price of \$965 per acre for the purchase of development rights of a 435 acres of mature hardwoods in order to place a perpetual conservation easement over the Klepetar Family Woodlands (Tax Parcel #s 127.-1-3.2; 127.-1-1.112; 114.-1-52; 114.-1-32.11; 114.-1-45; 114.-1-44 & 113.-1-42). The total project cost is estimated at \$544,861. The balance of the project costs is to be paid by a combination of a NYS DEC/Land Trust Alliance Forest Conservation Easement Program and in-kind donations from the landowner and private contributions.
3. To the Town of Malta, the sum of \$95,000; upon Saratoga PLAN completing a bargain sale, plus in-kind donations, of an estimated price of \$6,750 per acre for the purchase of the development rights of a 25.92 acre farm in order to place a perpetual conservation easement over the Boulder Brook Farm (Tax Parcel # 205.-1-54). The total project cost is estimated at \$227,585. The balance of the project costs is to be paid by a combination of contributions and in-kind donations from the landowner, Saratoga PLAN and/or the Town.

and, be it further

RESOLVED, that the foregoing grant amounts may be increased or decreased by the Land Preservation Committee by up to 10% of each grant amount provided the requirements of each grant are satisfied and sufficient grant monies are available; and, be it further

RESOLVED, that the acreage amounts listed herein may be revised to conform with the acreage as determined by any subsequent survey conducted of one of the foregoing parcels; and, be it further

RESOLVED, that the Trails & Open Space Committee may place such further conditions and requirements on said grants as it may deem necessary and advisable to fulfill the intent and purpose of the Farmland Protection and Open Space Preservation Program; and, be it further

RESOLVED, that the Chair of the Board or the Director of Planning is authorized to execute any and all agreements and other documents necessary to ensure the fulfillment of said conditions and transfer said funds; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Funds are available in the 2021 operating budget and the Open Space Reserve account to cover the awards.

#### RESOLUTION 283 - 2021

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

#### AUTHORIZING THE ISSUANCE OF A SECOND QUARTER 2021 PAYMENT TO SARATOGA ECONOMIC DEVELOPMENT CORPORATION FOR MARKETING AND PROMOTION SERVICES

WHEREAS, pursuant to Resolution 252-2020, as amended by Resolution 276-2020, this board authorized the Chairman to enter into an agreement with Saratoga Economic Development Corporation (“SEDC”) to provide marketing services for the promotion of the benefits of conducting business operations in the County of Saratoga for the term January 1, 2021 through December 31, 2021 at a cost not to exceed \$150,000, to be made in quarterly payments of \$37,500 upon submission of a proper voucher and documentation consisting of copies of SEDC’s current budget, financial statement and compensation schedule as well as any additional documentation which may be required by the Economic Development Committee for each fiscal quarter for review by the Economic Development Committee and upon a resolution duly advanced; and

WHEREAS, our Economic Development Committee has received and reviewed said documentation for the second quarter of 2021 and has recommended that the payment of \$37,500 be made to Saratoga Economic Development Corporation for the provision of marketing services for the promotion of the benefits of conducting business operations in the County of Saratoga.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 284 - 2021

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

#### AUTHORIZING THE ISSUANCE OF A SECOND QUARTER 2021 PAYMENT TO SARATOGA COUNTY PROSPERITY PARTNERSHIP, INC. FOR ECONOMIC DEVELOPMENT SERVICES

WHEREAS, pursuant to Resolution 252-2020, as amended by Resolution 276-2020, this board authorized the Chairman to enter into an agreement with Saratoga County Prosperity Partnership, Inc. (“Prosperity Partnership”) to promote, provide and oversee all economic development activities of the County of Saratoga for the term January 1, 2021 through December 31, 2021 at a cost not to exceed \$450,000, to be made in quarterly payments of \$112,500 upon submission of a proper voucher and documentation consisting of copies of Prosperity Partnership’s current budget, financial statement and compensation schedule as well as any additional documentation which may be required by the Economic Development Committee for each fiscal quarter for review by the Economic Development Committee and upon a resolution duly advanced; and

WHEREAS, our Economic Development Committee has received and reviewed said documentation for the second quarter of 2021 and has recommended that the payment of \$112,500 be made to Saratoga County Prosperity Partnership, Inc. to promote, provide and oversee all economic development activities in the County of Saratoga.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 285 - 2021

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

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 6 OF 2021 PRINT NO. 1 ENTITLED "A LOCAL LAW ADOPTING APPLICABILITY OF COUNTY LAW 373 TO THE COUNTY OF SARATOGA"

WHEREAS, Resolution 249-2021 introduced and presented a proposed Local Law identified as Introductory No. 6, Print No. 1 of 2021, entitled "A Local Law Adopting Applicability of County Law 373 To The County of Saratoga" to this Board of Supervisors and scheduled a public hearing thereon for October 19, 2021 at 3:45 p.m. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

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

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

WHEREAS, that this Board of Supervisors, on this 19<sup>th</sup> day of October, 2021, hereby adopts a Local Law identified as Introductory No. 6, Print No. 1 of 2021, entitled "A Local Law Adopting Applicability of County Law 373 To The County of Saratoga", as set forth in the annexed Schedule A; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

## SCHEDULE A

INTRODUCTORY NO. 6 OF 2021

PRINT NO. 1

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

COUNTY OF SARATOGA

LOCAL LAW 7 - 2021

A LOCAL LAW ADOPTING THE APPLICABILITY  
OF COUNTY LAW 373 TO THE COUNTY OF SARATOGA

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

SECTION 1.

In accordance with Article 7, Section 357, Subsection 1 of the County Law, the provisions of Article 7, Section 373 of the County Law shall apply to the County of Saratoga and shall be implemented through a Capital Budget Procedure duly adopted by the Saratoga County Board of Supervisors.

SECTION 2.

That the Capital Budget Procedure, as adopted by Resolution 235-2021 and implemented through the adopted Operating Budget Procedure is hereby ratified.

### SECTION 3.

This Local Law shall take effect upon its filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

#### RESOLUTION 286 - 2021

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

#### RESCHEDULING THE DATE OF THE DECEMBER 2021 REGULAR BOARD MEETING

WHEREAS, our Government Review and Efficiency Committee has recommended rescheduling the December 2021 Regular meeting of the Board from December 21, 2021 at 4:00 P.M., to Wednesday, December 15, 2021 at 4:00 P.M.; now, therefore, be it

RESOLVED, that the December 2021 Regular Board Meeting of this Board of Supervisors is rescheduled to Wednesday, December 15, 2021 at 4:00 P.M., to be held in the Meeting Room of the Saratoga County Board of Supervisors, located at 40 McMaster Street, Ballston Spa, New York 12020; and, be it further

RESOLVED, that the Clerk of the Board of Supervisors be and is hereby directed to publish notice of the rescheduled regular meeting in the manner prescribed by law; and, it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 288 - 2021

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

#### AUTHORIZING A RENEWAL AGREEMENT WITH INFOQUICK SOLUTIONS, INC. FOR NEW COMPUTER HARDWARE AND SOFTWARE SYSTEM UPGRADES, INSTALLATION, TRAINING, TECHNICAL SUPPORT, MAINTENANCE AND VERIFICATION SERVICES FOR THE COUNTY CLERK'S OFFICE

WHEREAS, Resolution 229-2016 authorized a five (5) year renewal agreement with InfoQuick Solutions, Inc. ("IQS") to provide new computer hardware and software system upgrades, installation, training, technical support, maintenance and verification services for all Land & Court Records inclusive of Criminal Court Records, and to provide and maintain computer hardware and upgrade existing software systems in addition to County Clerk's on-line Website application; and

WHEREAS, the County's current agreement with IQS expires on November 6, 2021; and

WHEREAS, the Agreement dated November 7, 2016 is hereby renewed effective November 7, 2021 for a term of five (5) years to expire on November 6, 2026. IQS will provide the Saratoga County Clerk's office with new computer hardware and software system upgrades, installation, training, technical support, maintenance and verification services for all Land & Court Records inclusive of Criminal Court Records as well as the County Clerk's on-line Website application in support of the automation of services and record keeping in the County Clerk's office; and

WHEREAS, the digitized records system installed by IQS in the Saratoga County Clerk's Office was built from scratch by IQS starting in 2006, and has been customized by IQS to specifically fit the needs of the County Clerk's Office; and

WHEREAS, over the past 15 years, IQS has continually developed and implemented updates to their software system, allowing for the acceptance of e-recorded land documents which has grown to approximately 55% of all recorded land transactions; and

WHEREAS, the professional services component (installation, programming, training, maintenance, tech support) of the renewal agreement proposed by IQS is the primary and predominant part of the services to be provided by IQS, which professional services are inextricably integrated with the physical software and hardware components of the agreement, and therefore such services need not be put out to bid; and

WHEREAS, our Law and Finance Committee and the County Clerk have recommended the renewal of the County's agreement with IQS for an additional term of sixty (60) months commencing November 7, 2021 and terminating November 6, 2026 for installation and maintenance of hardware, software, software support, training, and administrative services, the sum of \$12,475 per month for a period of sixty (60) months and for document verification services at the rate of \$0.80 per document verified until December 31, 2021, and \$1.15 per document verified, effective January 1, 2022; and

WHEREAS, IQS shall provide the necessary equipment, software, maintenance, training and support for the VETERANS' F.A.V.O.R Program application; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to enter into a renewal agreement with Info Quick Solutions, Inc. of Liverpool, New York, for the provision of new computer hardware and software system upgrades, installation, training, technical support, maintenance, and verification services for all Land & Court Records inclusive of Criminal Court Records for an additional period of five (5) years, and to provide and maintain computer hardware and upgrade existing software systems in addition to County Clerk's on-line Website application with said renewal agreement to be for a term of sixty (60) months commencing November 7, 2021 and terminating November 6, 2026, at a cost of \$12,475 per month plus the cost of document verification services at the rate of \$0.80 until December 31, 2021, and \$1.15 per document verified effective January 1, 2022; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 290 - 2021

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

#### AUTHORIZING AN AGREEMENT WITH GENERAL CONTROL SYSTEMS, INC. FOR MAINTENANCE SERVICES FOR THE INSTRUMENTATION SYSTEMS AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM

WHEREAS, the County has previously entered into annual minor contracts with General Control Systems, Inc. ("GCSI") for professional services, equipment and hardware to repair and update instrumentation systems, including the Supervisory Control and Data Acquisition ("SCADA") system throughout the Saratoga County Sewer District No. 1's Wastewater Treatment Plant and collection system; and



WHEREAS, as a result of increasing maintenance needs for the SCADA system this year, including unplanned repair and maintenance, services rendered by GCSI have exceeded the threshold for a minor contract; and

WHEREAS, the Saratoga County Sewer District Commission and the Executive Director of the Saratoga County Sewer District No. 1 have recommended that the County enter into an agreement with General Control Systems, Inc. for professional services, equipment and hardware to repair and update Saratoga County Sewer District No. 1's instrumentation systems, including its SCADA system, and ancillary equipment, for the term January 1, 2021 through December 31, 2021 at a cost not to exceed \$30,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with General Control Systems, Inc., of Green Island, New York for professional services, equipment and hardware to repair and update Saratoga County Sewer District No. 1's instrumentation systems, including its SCADA system, and ancillary equipment, throughout the Sewer District's Wastewater Treatment Plant and collection system, for the term January 1, 2021 through December 31, 2021 at a cost not to exceed \$30,000; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 291 - 2021

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

#### AUTHORIZING AN AGREEMENT WITH VAD CONTRACTORS, INC. FOR THE REPLACEMENT OF THE ROOF OF BUILDING #2 AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT

WHEREAS, the roof on Building #2 at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant is failing and is in need of replacement; and

WHEREAS, the Sewer District's Executive Director solicited bids for the provision of services to demolish the existing roof and install a new replacement roof on Building #2; and

WHEREAS, our Law and Finance Committee, the Sewer District Commission and the Executive Director of the Sewer District have recommended that the bid of VAD Contractors, Inc. in the amount of \$342,500, the lowest bid received, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with VAD Contractors, Inc. of Brooklyn, New York, for the demolition and replacement of the roof on Building #2 at Saratoga County Sewer District No.1's Wastewater Treatment Plant at a cost not to exceed \$342,500; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 292 - 2021

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

**AUTHORIZING AN AGREEMENT WITH JOHN W. DANFORTH COMPANY FOR THE REPLACEMENT OF HOT WATER SUPPLY AND RETURN PIPING AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT**

WHEREAS, the hot water supply and return piping at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant between the Administration Building and the Pump & Chlorine Building and the Screen/Grit Building, unexpectedly failed and is need of replacement; and

WHEREAS, replacement of the hot water supply and return piping will include the excavation of the current piping, installation of new piping, interior work, backfilling, and related tasks; and

WHEREAS, the Sewer District's Executive Director has requested to utilize the provisions of General Municipal Law §103(16), also known as "piggybacking" to award a contract to John W. Danforth Company through a job order contracting bid previously submitted to the Town of Greece, New York, and such procurement mechanism having been approved by the Director of Purchasing and the County Attorney; and

WHEREAS, our Law and Finance Committee, the Sewer District Commission and the Executive Director of the Sewer District have recommended the award of a contract to John W. Danforth Company in the amount of \$498,082.06, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with John W. Danforth Company of Tonawanda, New York, for the replacement of hot water supply and return piping at Saratoga County Sewer District No.1's Wastewater Treatment Plant at a cost not to exceed \$498,082.06; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 293 - 2021

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

**AUTHORIZING A SETTLEMENT WITH MCKESSON CORPORATION, CARDINAL HEALTH, INC., AND AMERISOURCEBERGEN CORPORATION (COLLECTIVELY KNOWN AS THE "BIG 3 DISTRIBUTORS") NAMED IN AN ACTION TO RECOVER DAMAGES IN COMBATTING AND TREATING OPIOID ABUSE**

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

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

WHEREAS, an action was commenced against defendants McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively known as the “Big 3 Distributors”), based on claims that the Big 3 Distributors contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and through various ‘front groups’ and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its product, all of which contributed to a public health crisis; and

WHEREAS, the Big 3 Distributors have offered to settle the claims of the County of Saratoga by paying a sum of between approximately \$2,494,704.18 and \$4,406,859.21 over ten (10) years to be used for restitution and abatement efforts, and the Big 3 Distributors as part of the proposed agreement have agreed to drastically change their business model as it relates to opioids to include the creation and maintenance of a national clearinghouse and internal appointment of a Chief Diversion Control Officer; and

WHEREAS, the cornerstone of the proposed settlement is a full resolution of governmental claims filed in the State against the Big 3 Distributors which will maximize the recovery and incentive scenarios are built into the agreement to secure and achieve a full \$1 billion value of the settlement; and

WHEREAS, to join the proposed settlement, this Board needs to authorize the County becoming a party to the Big 3 Distributor Settlement Term Sheet and the New York Opioid Settlement Sharing Agreement and become a “direct share subdivision;” and

WHEREAS, pursuant to the terms of the proposed settlement, all counsel fees, costs and expenses will be paid directly by the Big 3 Distributors from a separate fund; and

WHEREAS, if all incentives are met, Saratoga County will recover a total of \$4,406,859.21 from the Big 3 Distributors, over ten annual payments and the County will further be able to apply for funds from State-held funds to be used for projects and programs focused on approved uses; and

WHEREAS, Napoli Shkolnik, PLLC, our Law and Finance Committee, and the County Attorney have recommended settlement of the lawsuit against the Big 3 Distributors as recommended to avoid protracted litigation and to maximize the recovery of damages for the County; now, therefore, be it

RESOLVED, that it is in the best interests of the County to resolve and settle the litigation against the Big 3 Distributors in the manner proposed by Napoli Shkolnik, PLLC, and this Board authorizes settlement of all claims and demands made by the County of Saratoga against McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively known as the “Big 3 Distributors”) in the manner proposed by Napoli Shkolnik, PLLC; and it is further

RESOLVED, that the Chair of the Board and/or special counsel Napoli Shkolnik, PLLC, and/or the County Attorney are hereby authorized to execute the Big 3 New York State-Wide Opioid Settlement Sharing Agreement and any other releases or documents necessary to settle and conclude the litigation commenced by the County of Saratoga against McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively “Big 3 Distributors”); and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

REQUEST FOR SEPARATE VOTES

Ms. Gaston requested a separate vote on Resolution 287. Ms. Gaston said that it is her understanding from the discussion that took place, that there was supposed to be a time limit of the first quarter for the report of interagency

transfers. Mr. Veitch agreed and said that he recalled having that discussion at Law & Finance. Mr. Bulger said that after further research, there are some transfers that go in April.

A motion was by Ms. Gaston, seconded by Mr. Veitch to amend Resolution #287 to state that the County Administrator shall submit a written report to the Law & Finance Committee by the end of the first quarter of 2022. Ms. Gaston withdrew her motion.

A motion was by Ms. Gaston, seconded by Mr. Veitch to amend Resolution #287 to state that the County Administrator shall submit a written report to the Law & Finance Committee by May 1, 2022. The amendment failed by the following vote:

AYES (27,800): Jean Raymond (1214), Tara N. Gaston (13293), Matthew E. Veitch (13293)

NOES (181,731): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Preston Allen (856), Daniel Pemrick (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Darren O'Connor (14765), Thomas Richardson (5196), Benny Zlotnick (18575), Theodore Kusnierz (14728), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Edward D. Kinowski (8287), John Lawler (8423), John Lant (16173).

ABSENT (10,076): Richard Lucia (6531), Michael Smith (3545).

ABSTAIN (0):

Mr. Richardson suggested that the report date to Law & Finance be left open ended as there may be issues that fall through the cracks past April. Mr. Lawler suggested rather than committing the County Administrator to file a report, have the County Administrator deliver a status report at the April Board meeting. Mr. Veitch suggested tabling the resolution and refer the item to the Government Review Committee for further review. Mr. Kusnierz said that he is comfortable with the County Administrator verbally committing to getting the information to the Board in a timely fashion, and does not believe it needs to be carved in stone.

On a motion by Mr. Barrett, seconded by Mr. Kinowski, Resolution #287 was adopted by the following vote.

AYES (196,238): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Preston Allen (856), Jean Raymond (1214), Daniel Pemrick (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Darren O'Connor (14765), Thomas Richardson (5196), Benny Zlotnick (18575), Theodore Kusnierz (14728), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Matthew E. Veitch (13293), Edward D. Kinowski (8287), John Lawler (8423), John Lant (16173).

NOES (13,293): Tara N. Gaston (13293),

ABSENT (10,076): Richard Lucia (6531), Michael Smith (3545).

ABSTAIN (0):

## RESOLUTION 287 - 2021

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

### AUTHORIZING INTER-AGENCY TRANSFERS NECESSARY TO CLOSE OUT 2021 COUNTY BUDGET

WHEREAS, inter-agency transfers are necessary to accommodate various adjustments to balance and close out the 2021 County Budget; and

WHEREAS, a delegation of the authority to approve these transfers is necessary to implement them in a timely and lawful manner; now, therefore, be it

RESOLVED, that, effective October 19, 2021, the County Administrator is authorized to make any inter-agency transfers necessary to close out the 2021 County Budget and he shall submit a written report thereof to the Law and Finance Committee in 2022.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Grasso requested a separate vote on Resolution 289. Mr. Grasso said that he would like to recuse himself from any discussion of voting on this item.

On a motion by Mr. Veitch, seconded by Mr. Kinowski, Resolution #289 was adopted by the following vote. AYES (196238): Eric Connolly (9776), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Preston Allen (856), Jean Raymond (1214), Daniel Pemrick (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Darren O'Connor (14765), Thomas Richardson (5196), Benny Zlotnick (18575), Theodore Kusnierz (14728), Willard H. Peck (5087), Sandra Winney (1995), Thomas N. Wood, III (5674), Tara N. Gaston (13293), Matthew E. Veitch (13293), Edward D. Kinowski (8287), John Lawler (8423), John Lant (16173).

NOES (0):

ABSENT (10,076): Richard Lucia (6531), Michael Smith (3545).

ABSTAIN (4,133): Joseph Grasso (4133)

## RESOLUTION 289 - 2021

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

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH ARCADIS OF NEW YORK, INC., TO AMEND AND RESTATE THE AGREEMENT FOR THE PLANNING AND DESIGN OF A BIOSOLIDS DIGESTER FACILITY AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 135-2017, this Board authorized the Chairman of the Board of Supervisors to execute a cooperative agreement with the County of Albany, on behalf of the Albany County Water Purification District, to retain the services of a qualified professional engineering firm to perform a feasibility study for the construction of a regional biosolids digester facility that would dispose of biosolids from both the Albany County Water Purification District ("ACWPD") and Saratoga County Sewer District No. 1 ("SCSD1"); and

WHEREAS, pursuant to Resolution 79-2019, the County of Saratoga entered into an agreement with Arcadis of New York, Inc. ("Arcadis") to provide design, construction administration and construction inspection services relative to the construction of a regional biosolids digester facility; and

WHEREAS, in August 2021, the County of Albany withdrew from the intermunicipal agreement with the County of Saratoga for the construction of the regional biosolids digester facility; and

WHEREAS, pursuant to Resolution 165-2021, the County of Saratoga entered into an agreement with Arcadis for conceptual engineering and economic analysis of several viable alternatives to handle and reduce sludge volumes at the Saratoga County Wastewater Treatment Plant which proposal involves reassigning tasks within the agreement with no additional cost; and

WHEREAS, pursuant to Resolution 237-2021, this Board approved a proposed project for the construction of a biosolid digester facility at SCSD1's Wastewater Treatment Plant; and

WHEREAS, Arcadis has submitted a proposal to modify the agreement authorized by Resolution 79-2019, in order to "amend and restate" the agreement to include design and planning of a new biosolids digester facility at SCSD1's Wastewater Treatment Plant; and

WHEREAS, the proposal submitted by Arcadis also includes a modification to the agreement to include a study and evaluation of the viability of third-party options and alternatives to handle and reduce sludge volumes at the Saratoga County Wastewater Treatment Plant; and

WHEREAS, the Law & Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of Saratoga County Sewer District No. 1 have recommended that the proposal of Arcadis to modify their agreement with the County to "amend and restate" the agreement for

planning and design of a biosolids digester facility at the Saratoga County Wastewater Treatment Plant and evaluation of third-party options and alternatives to handle and reduce sludge volumes at the Saratoga County Wastewater Treatment Plant, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a modification to the agreement with Arcadis of New York, Inc. of Clifton Park, New York, to “amend and restate” the agreement for the provision of planning and design of a biosolids digester facility at the Saratoga County Wastewater Treatment Plant and evaluation of third-party options and alternatives to handle and reduce sludge volumes at the Saratoga County Wastewater Treatment Plant, at a total cost not to exceed \$3,000,000; and it is further

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

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

SEWER DISTRICT No. 1

Appropriations:

|  |           |
|--|-----------|
| Increase Acct.: #ES.81.813-7098 Professional Services for Capital Purposes | \$938,948 |
|--|-----------|

Revenues:

|  |           |
|--|-----------|
| Increase Acct.: #ES-0599.B Unassigned Fund Balance | \$938,948 |
|--|-----------|

and, it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: This will require a transfer from the Sewer District’s Unassigned Fund Balance in the amount of \$938,948.

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

Respectfully submitted,

Therese Connolly  
 Clerk of the Board