

REGULAR MEETING  
TUESDAY, January 18, 2022  
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, Eric Butler, Diana Edwards, Jean Raymond, Michael Smith, Kevin Veitch, Arthur M. Wright, Kevin Tollisen, Mark Hammond, Scott Ostrander, 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 - 23. ABSENT -- 0.

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

On a motion by Mr. Tollisen, seconded by Mr. Schopf the minutes of the December 15, 2021 Board meeting was approved by the following vote.

AYES (218393): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Eric Butler (6531), Diana Edwards (856), Michael Smith (3545), Kevin Veitch (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Mark Hammond (14765), Thomas Richardson (5196), Scott Ostrander (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).  
ABSENT (1214): Jean Raymond (1214)

On a motion by Mr. Tollisen, seconded by Mr. Smith the minutes of the January 5, 2022 Board meeting was approved by the following vote.

AYES (218393): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Eric Butler (6531), Diana Edwards (856), Michael Smith (3545), Kevin Veitch (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Mark Hammond (14765), Thomas Richardson (5196), Scott Ostrander (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).  
ABSENT (1214): Jean Raymond (1214)

## CORRESPONDENCE

The Clerk presented the following:

Letter from County Clerk Craig Hayner informing the Board of the following appointments: Charles A. Foehser as First Deputy County Clerk and Shauna M. Sutton as Deputy County Clerk effective January 1, 2022.

Received and Filed.

Letter from Katie C. Lewis resigning from the Community Services Board.

Received and Filed.

Letter from County Attorney Michael Hartnett informing the Board of the following appointments:

Michelle W. Granger – First Assistant County Attorney  
Hugh G. Burke, Vida L. McCarthy Cerrito, Alexis M. Osborne, Michael P. Naughton, Nicholas M. Martin and Maribeth A. Hunt as Assistant County Attorney effective January 1, 2022 to December 31, 2022

Received and Filed.

Letter from Conflict Defender George Conway informing the Board of the following appointments:  
Neil S. Weiner, George Sexton as Assistant Conflict Defender effective January 1, 2022 to December 31, 2022

Received and Filed.

Letter from Public Defender Andrew Blumenberg informing the Board of the following appointments:  
Joseph W. Hammer – First Assistant Public Defender  
Heather N. Brondi, Michael J. Carota, Nicholas D'Allesandro, John Delong, Matthew A. Maiello, William A. Nowak, Elizabeth A. Parizh, Andrew Proler, Frederick Rench and Ann Flower Stitt as Assistant Public Defenders effective January 5, 2022 to December 31, 2022

Received and Filed.

Letter from Arthur D. Nolan resigning as Deputy Coroner effective December 29, 2021.

Received and Filed.

Letter from Commissioner of Social Services Tina Potter and Melissa Myers, Supervisor of Foster Care Unit thanking the Board for collecting toys and monetary donations for the Children's Holiday Program.

Received and Filed.

## REPORTS OF COMMITTEES

Mr. Kusnierz reported that Law & Finance was the sole committee that met in January. All Department Heads were instructed in mid-December to submit their items directly to Law & Finance for action at the January Board Meeting in order to not impact County business.

Mr. Richardson reported that the Veterans Committee decided at the end of last year that they would postpone the Honor Deceased Veterans' Ceremony due to the spike in Covid. They will be discussing the program at the next meeting.

Mr. Kusnierz noted that Mrs. Raymond has joined the meeting.

On a motion by Mr. Connolly, seconded by Mr. Lant, Resolutions 28 through 53 with the exception of Resolution #'s 37, # 42 and # 53 were adopted by a unanimous vote.

## RESOLUTION 28 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

AUTHORIZING THE ACCEPTANCE OF A 2020 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES AND AMENDING THE 2022 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Office of Emergency Services has secured a grant from the NYS Division of Homeland Security and Emergency Services in the amount of \$723,064 to assist with the improvement of interoperability and operability of communication systems, with the performance period of the grant being January 1, 2021 through December 31, 2022; and

WHEREAS, approval of this Board is required to accept the grant funds; and upon the recommendation of our Law and Finance Committee and the combined recommendation of the Director of Emergency Management to accept the grant funding; now, therefore, it is

RESOLVED, that the Chair of the Board and/or the Director of Emergency Management is authorized to execute any agreements or documents necessary to accept the 2020 Statewide Interoperable Communications Grant funding from the NYS Division of Homeland Security and Emergency Services in the amount of \$723,064; and it is further

RESOLVED, that the 2022 County Budget is amended as follows:

UNDER SHERIFF’S OFFICE

Increase Appropriations	
Acct.:#A.36.366-7051 – Communications Equipment	\$ 630,064
Acct.:#A.36.366-8293 – Equipment Maintenance	\$ 93,000
	\$ 723,064
Increase Revenues	
Acct.:#A.36-3306 – Homeland Security	\$ 723,064

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact. 100% State Aid.

RESOLUTION 29 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

**AUTHORIZING A RENEWAL AGREEMENT WITH MISSION CRITICAL PARTNERS, LLC FOR MAINTENANCE OF THE CAPITAL DISTRICT COMPUTER-AIDED DISPATCH SYSTEM**

WHEREAS, pursuant to Resolution 245-2015, as amended by Resolution 112-2016, this Board authorized an agreement with the Counties of Albany and Rensselaer to establish a shared interoperable 9-1-1 Telephone, Computer Aided Dispatch, and Records Management Network, which shared system has been constructed and is operational; and

WHEREAS, each of the three counties is in need of technical support services and on-site computer-aided dispatch (CAD) network support for the portion of the Capital District CAD System infrastructure constructed within its boundaries; and

WHEREAS, pursuant to Resolution 270-2020, this Board authorized an agreement with Mission Critical Partners, LLC for the provision of technical support services and on-site computer-aided dispatch network support for the portion of the Capital District CAD System constructed within

Saratoga County, for a term of one (1) year at a cost of \$5,267 per month, with total costs not to exceed \$63,200; and

WHEREAS, said agreement with Mission Critical Partners, LLC expired on December 31, 2021; and

WHEREAS, Mission Critical Partners has submitted a proposal for a renewal of the agreement for the provision of technical support services, on-site computer-aided dispatch network support and Records Management System (RMS) network support for the portion of the Capital District CAD System constructed within Saratoga County at the cost of \$32,548 for a six-month term from January 1, 2022 to June 30, 2022; and

WHEREAS, our Law & Finance Committee and the Director of Emergency Management have recommended that the proposal of Mission Critical Partners, LLC be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Mission Critical Partners, LLC of Port Matilda, Pennsylvania, for the provision of technical support services, on-site computer-aided dispatch network support and Records Management System network support for the portion of the Capital District CAD System constructed within Saratoga County for the term January 1, 2022 to June 30, 2022, at the cost of \$32,548; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 30 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### AUTHORIZING AN AMENDED AGREEMENT WITH SARATOGA HOSPITAL FOR THE USE OF LABORATORY AND MORGUE FACILITIES

WHEREAS, pursuant to Resolution 180-2019, this Board authorized an agreement with Saratoga Hospital to provide for the use of the Hospital's morgue and laboratory facilities and services by our County Coroners when performing autopsies and other post-mortem activities, for a three year term commencing on January 1, 2020 and terminating on December 31, 2022 at the rates set forth in Saratoga Hospital's published fee schedules for each of the years 2020, 2021 and 2022, with the annual cost not to exceed \$40,000; and

WHEREAS, due to increasing numbers of cases handled by the County Coroners at Saratoga Hospital in 2021, the only facility currently used for this purpose, it is necessary to amend the agreement to increase the contract limit from \$40,000 to \$65,000 for the years 2021 and 2022; and

WHEREAS, our Law and Finance Committee and the County Coroners have recommended that the contract with Saratoga Hospital be amended to increase the contract limit from \$40,000 to \$65,000 for years 2021 and 2022; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Saratoga Hospital of Saratoga Springs, New York, to provide morgue and laboratory facilities and services for the Saratoga County Coroners' Office for the years 2021 and 2022 at the rates set forth in Saratoga Hospital's published fee schedules for each of the years 2021 and 2022, with the annual cost not to exceed \$65,000; and it is further

RESOLVED, that the form and content of such amended 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. Funds are available in the 2022 budget.

#### RESOLUTION 31 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### APPOINTING EUGENE LADUE AS DEPUTY CORONER

WHEREAS, pursuant to Resolution 201-2021, this Board appointed Arthur D. Nolan as Deputy Coroner; and

WHEREAS, Arthur D. Nolan has resigned from the position of Deputy Coroner; and

WHEREAS, our Law and Finance Committee has approved the recommendation of Saratoga County Coroners Susan Hayes-Masa and David DeCelle that Eugene LaDue be appointed as Deputy Coroner effective as of January 18, 2022 at a per diem rate of \$225 per case without mileage; now, therefore, be it

RESOLVED, that Eugene LaDue of the Town of Malta be, and hereby is, appointed to the contract position of Deputy Coroner for the County of Saratoga effective January 18, 2022 at a per diem rate of \$225 per case without mileage.

BUDGET IMPACT STATEMENT: None. Funds for the position are included in the 2022 budget.

#### RESOLUTION 32 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### AUTHORIZING AN AGREEMENT WITH TIM GODLEWSKI FOR MORGUE ASSISTANT SERVICES

WHEREAS, pursuant to Resolution 27-2021 the County entered into an agreement with Tim Godlewski for morgue assistant services for the Saratoga County Coroner's Office for a term of October 1, 2020 through December 31, 2021, at a rate of \$125 per autopsy, at a total cost not to exceed \$30,000; and

WHEREAS, Mr. Godlewski has proposed to continue to provide morgue assistant services to the County Coroner's Office at a rate of \$150 per autopsy with an annual amount not to exceed \$30,000; and

WHEREAS, our Law and Finance Committee and the County Coroners have recommended that the County enter an agreement with Tim Godlewski for the provision of morgue assistant services at a rate of \$150 per autopsy with the total amount not to exceed \$30,000 annually; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Tim Godlewski, of Ballston Lake, New York, for morgue assistant services, at the rate of \$150 per autopsy, at a total cost not to exceed \$30,000 annually; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact. Funds are available in the 2022 budget.

#### RESOLUTION 33 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### AUTHORIZING THE ACCEPTANCE AND DISBURSEMENT OF NEW YORK STATE SEPTIC SYSTEM REPLACEMENT PROGRAM GRANT FUNDS, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the New York State Clean Water Infrastructure Act of 2017 established the Septic System Replacement Fund ("the Fund") to provide property owners a source of funding for the replacement of failing cesspools and septic systems servicing residences and small businesses in New York State; and

WHEREAS, the Septic System Replacement Program ("the Program") is a grant program that seeks to reduce the environmental and public health impacts associated with the discharge of effluent from cesspools and septic systems on groundwater used as drinking water, as well as threatened or impaired waterbodies; and

WHEREAS, pursuant to Resolution 79-2018, this board authorized the County to participate in the New York State Environmental Facilities Corporation ("EFC") Septic System Replacement Program ("the Program") for the term March 1, 2018 through December 31, 2022, and authorized the execution of a County Participation Agreement with the EFC; and

WHEREAS, the Program is being administered for the County by the Saratoga County Soil and Water Conservation District; and

WHEREAS, a property owner in the Town of Clifton Park submitted a grant application to the Saratoga County Soil and Water Conservation District requesting an award of Program funds for the replacement of the aging septic system on his property; and

WHEREAS, the Saratoga County Soil and Water Conservation District determined that said proposed septic system project would significantly and quantifiably reduce potential environmental and/or public health impacts that could result from the aging septic system, and issued an award letter to the applicant notifying him of the award of Program funds for the reimbursement of his eligible project costs; and

WHEREAS, the property owner has completed his septic system replacement project, and has applied to the Saratoga County Soil and Water Conservation District for the disbursement of his grant award of Program funds; and

WHEREAS, the Saratoga County Soil and Water Conservation District made an application to the EFC for disbursement of the Septic System Replacement Program funds awarded for this septic system project, and EFC has distributed total funds in the amount of \$10,000 to the County in reimbursement of the eligible costs of said project; and

WHEREAS, the acceptance and disbursement of these Septic System Replacement Program grant funds requires this Board’s approval, and an amendment to the 2021 Saratoga County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized to execute all necessary documents with the New York State Environmental Facilities Corporation for the acceptance of Septic System Replacement Program grant funds in the amount of \$10,000, with the form and content of such documents being subject to the approval of the County Attorney; and it is further

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

NON-DEPARTMENTAL

Appropriations

Increase Acct. # A.90.000-8762 – Septic System Replacement Fund Program \$10,000

Revenues

Increase Acct. # A.90-3904 – State Aid – Septic System Replacement Fund \$10,000

;and, be it further

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disburse payment of said Septic System Replacement Program grant funds to the following property owner in the following amount in reimbursement of his respective eligible septic system project costs incurred:

Property Owner	Amount
John Knowlton	\$10,000
633 Bruno Road	
Clifton Park, NY 12065	

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 34 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

AUTHORIZING CONTACT TRACING SERVICES AGREEMENTS WITH MEREDITH LOCKE, TIFFANY FOLEY, AND CAROLYN HINCHLIFFE

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

WHEREAS, the County entered into existing minor contracts with Meredith Locke, Tiffany Foley, and Carolyn Hinchliffe for contact tracer services with each minor contract having met or exceeded the minor contract limit; and

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

WHEREAS, Meredith Locke, Tiffany Foley and Carolyn Hinchliffe have been dependable contact tracers who are all available to work full-time; and our Law and Finance Committee and Commissioner of Health have recommended that the County enter into one-year agreements with the following contact tracers, effective at the signing of said contracts: 1) Meredith Locke, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; 2) Tiffany Foley, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; and 3) Carolyn Hinchliffe at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; now, therefore be it

RESOLVED, that the Chair of the Board is authorized to execute one-year agreements one-year agreements with the following contact tracers, effective at the signing of said contracts: 1) Meredith Locke, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; 2) Tiffany Foley, at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; and 3) Carolyn Hinchliffe at a rate of \$25.00 per hour, for a maximum of 35 hours per week, with the total contract amount not to exceed \$45,500; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 35 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

AUTHORIZING AN AGREEMENT WITH MAXIM HEALTHCARE SERVICES, INC. FOR THE PROVISION OF NURSING SERVICES TO PRESCHOOL STUDENTS

WHEREAS, the County entered into a minor contract with Maxim Healthcare Services, Inc. (“Maxim”) for the provision of nursing services to preschool students identified with a disability as



recommended by the Individual Education Plan (IEP) while traveling to school and throughout the school day; and

WHEREAS, the minor contract with Maxim will expire on January 31, 2022 and it is anticipated that expenses for these nursing service will exceed the annual minor contract limit of \$15,000; and

WHEREAS, our Law and Finance Committee and the Commissioner of Health have recommended that the County enter into a contract with Maxim Healthcare Services, Inc. for the provision of nursing services, including Licensed Professional Nurses at the rate of \$52 per hour; and Registered Nurses at the rate of \$57 per hour; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Maxim Healthcare Services, Inc., of Columbia, Maryland, for the provision of nursing services for preschool students with an identified disability, including Licensed Professional Nurses at the rate of \$52 per hour; and Registered Nurses at the rate of \$57 per hour; 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. Funds for this agreement are included in the 2022 Budget.

#### RESOLUTION 36 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### SETTING A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE BOUNDARIES OF SARATOGA COUNTY CONSOLIDATED AGRICULTURAL DISTRICTS #1 & #2

WHEREAS, pursuant to Resolution 176-96, this Board of Supervisors approved the consolidation of Saratoga County Agricultural Districts #1, #3 and #4 into Saratoga County Consolidated Agricultural District #1 within the Towns of Moreau, Northumberland, Saratoga, Stillwater and Wilton; and

WHEREAS, pursuant to Resolution 133-98, this Board of Supervisors approved the consolidation of Saratoga County Agricultural Districts #2, #5 and #6 into Saratoga County Consolidated Agricultural District #2 within the Towns of Ballston, Charlton, Clifton Park, Galway, Malta, and Milton, and the City of Saratoga Springs, and with continued annual reviews involving Agriculture and Markets Law Section 303-b, has expanded the boundaries of the District within the Towns of Ballston, Charlton, Clifton Park, Corinth, Edinburg, Galway, Greenfield, Hadley, Malta, Milton, Providence and the City of Saratoga Springs; and

WHEREAS, this Board of Supervisors has received a petition from Wendy Zwijacz, landowner in the Town of Wilton, to include 106.17 ± acres of predominately viable agricultural land located on West Lane, identified as Tax Parcel #128.-1-83.11, which parcel is dedicated to hay and corn crop production with aspirations of raising livestock on the land in the future, within the boundaries of Saratoga County's Consolidated Agricultural District #1; and

WHEREAS, this Board of Supervisors has received a petition from David A. Anusesky, in the Town of Stillwater, Tax Parcel # 243.-1-43.2 to include 38 ± acres located on Colonial Road, which parcel is dedicated to firewood production and adjacent to Mr. Anusesky's father's land which is already part of the agricultural district, within the boundaries of Saratoga County's Consolidated Agricultural District #1; and

WHEREAS, this Board of Supervisors has received a petition from Turner Tower LLC, landowner in the Town of Clifton Park, to include 12.5 ± acres of predominately viable agricultural land located on Tanner Road, identified as Tax Parcel #264.-3-64.113, which parcel has been historically farmed and is dedicated to production of crops, within the boundaries of Saratoga County's Consolidated Agricultural District #2; and

WHEREAS, the Saratoga County Agricultural & Farmland Protection Board has submitted a report to the Board of Supervisors recommending the inclusion of the respective lands of Wendy Zwijacz and David A. Anusesky within the boundaries of Saratoga County Consolidated Agricultural District #1 and the respective lands of Turner Tower LLC within the boundaries of Saratoga County Consolidated Agricultural District #2; and

WHEREAS, pursuant to Agriculture and Markets Law §303-b(3), this Board of Supervisors is required to hold a public hearing to consider the requests for inclusion and the recommendations of the Saratoga County Agricultural and Farmland Protection Board; now, therefore, be it

RESOLVED, that this Board of Supervisors shall hold a public hearing on the requests of Wendy Zwijacz and David A. Anusesky within the boundaries of Saratoga County Consolidated Agricultural District #1 and the request of Turner Tower, LLC within the boundaries of Saratoga County Consolidated Agricultural District #2, on February 9, 2022 at 4:30 p.m. in the Meeting Room of the Saratoga County Board of Supervisors at 40 McMaster Street, Ballston Spa, New York; and, be it further

RESOLVED, that the Clerk of the Board of Supervisors shall publish a notice of this hearing in the official County newspapers and shall mail said notice of public hearing to the Towns of Wilton, Stillwater and Clifton Park, and to the New York State Commissioner of Agriculture and Markets.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 38 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### AUTHORIZING THE COUNTY AUDITOR TO APPROVE TAX REFUNDS, CORRECTIONS AND CREDITS IN AMOUNTS NOT TO EXCEED \$2,500

WHEREAS, Real Property Tax Law §554, §556 and §556(8) authorize delegation to the County Auditor of legislative duties relative to the correction, refund and credit of certain taxes; and

WHEREAS, upon the recommendation of our Law and Finance Committee, and upon the joint recommendations of the Director of the Real Property Tax Service Agency and the County Treasurer; now, therefore, it is

RESOLVED, that the County Auditor is authorized pursuant to §556 of the Real Property Tax Law to approve for payment tax bill refunds in amounts not to exceed \$2,500, and it is further

RESOLVED, that the County Auditor is authorized pursuant to §554 of the Real Property Tax Law to approve corrections of errors on tax rolls in amounts not to exceed \$2,500, and it is further

RESOLVED, that the County Auditor is authorized pursuant to §556(8) of the Real Property Tax Law to approve tax credits in amounts not to exceed \$2,500, and it is further

RESOLVED, that the County Auditor shall report to the Real Property Tax Committee all refunds, corrections and credits made pursuant to the authority delegated by this Resolution; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 38 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

AUTHORIZING THE COUNTY AUDITOR TO APPROVE TAX REFUNDS, CORRECTIONS AND CREDITS IN AMOUNTS NOT TO EXCEED \$2,500

WHEREAS, Real Property Tax Law §554, §556 and §556(8) authorize delegation to the County Auditor of legislative duties relative to the correction, refund and credit of certain taxes; and

WHEREAS, upon the recommendation of our Law and Finance Committee, and upon the joint recommendations of the Director of the Real Property Tax Service Agency and the County Treasurer; now, therefore, it is

RESOLVED, that the County Auditor is authorized pursuant to §556 of the Real Property Tax Law to approve for payment tax bill refunds in amounts not to exceed \$2,500, and it is further

RESOLVED, that the County Auditor is authorized pursuant to §554 of the Real Property Tax Law to approve corrections of errors on tax rolls in amounts not to exceed \$2,500, and it is further

RESOLVED, that the County Auditor is authorized pursuant to §556(8) of the Real Property Tax Law to approve tax credits in amounts not to exceed \$2,500, and it is further

RESOLVED, that the County Auditor shall report to the Real Property Tax Committee all refunds, corrections and credits made pursuant to the authority delegated by this Resolution; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

#### RESOLUTION 40 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

AMENDING RESOLUTION 156-2020 TO AUTHORIZE THE ACCEPTANCE OF AN EXTENSION OF A GRANT ELIGIBILITY TERM FROM THE NEW YORK STATE BOARD OF ELECTIONS

WHEREAS, during 2019, the New York State Board of Elections conducted security assessment reviews of county boards of elections including a security assessment of the operations of the Saratoga County Board of Elections; and

WHEREAS, pursuant to Resolution 156-2020, this board authorized the acceptance of an Elections Cybersecurity Remediation Grant from the New York State Board of Elections in the amount of \$128,891.50 for the grant period from December 21, 2019 through December 31, 2021 for the reimbursement of expenses incurred relative to the implementation of security improvements undertaken by the Saratoga County Board of Elections; and

WHEREAS, the New York State Board of Elections has offered to amend the grant agreement with the Saratoga County Board of Elections to extend the eligibility deadline of the grant by two years until December 31, 2023 and acceptance of this amendment to the grant agreement requires the approval of this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby accepts and approves the amendment of terms of the grant agreement extending the eligibility period for expenditure of grant funds until December 31, 2023; and, be it further

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all agreements, amendments or documents needed to accept from the New York State Board of Elections said \$128,891.50 in funding for the grant period from December 21, 2019 through December 31, 2023 for the reimbursement of expenses incurred relative to the implementation of security improvements undertaken by the Saratoga County Board of Elections; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% State Aid.

RESOLUTION 41 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE WILLIAM G. POMEROY FOUNDATION FOR THE ESTABLISHMENT OF HISTORICAL MARKERS AND AMENDING THE 2022 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Saratoga County Historian has secured a grant from the William G. Pomeroy Foundation in the amount of \$2,280 to purchase and erect two historical markers located in the Village of Ballston Spa; one of the historical markers will be a New York State Historical Marker on

Fairground Avenue acknowledging the long history of the Saratoga County Fairgrounds, and the other marker will be a Legends and Lore Marker on Malta Avenue describing the unique history of the Franklin Spring which is said to have been located with the assistance of the spirit of Benjamin Franklin; the purposes of such markers is to identify the sites and give a brief history; and

WHEREAS, acceptance of the grant requires this Board’s approval and an amendment of the 2022 Saratoga County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board and/or the County Historian are authorized to execute any agreements or documents necessary to accept or implement the grant award from the William G. Pomeroy Foundation in the amount of \$2,280 to erect two historical markers in the Village of Ballston Spa; and it is further

RESOLVED, that the 2022 County Budget is amended as follows:

UNDER COUNTY CLERK

Appropriations	
Increase Acct.:# A.19.111-7099 – Other Capital Expense	\$2,280
Revenues	
Increase Acct.:#A.19-2770 – Unclassified Revenue	\$2,280

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. 100% Local Aid.

RESOLUTION 43 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 7, PRINT NO. 1 OF 2021 ENTITLED “A LOCAL LAW AMENDING THE 2022 SARATOGA COUNTY COMPENSATION SCHEDULE TO PROVIDE SALARY AND COST-OF-LIVING INCREASES FOR CERTAIN COUNTY OFFICIALS”

WHEREAS, Resolution 319-2021 introduced and presented a proposed Local Law identified as Introductory No. 7, Print No. 1 of 2021, to this Board of Supervisors and scheduled a public hearing thereon for January 12, 2022 at 3:45P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

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

WHEREAS, the scheduled public hearing was held and all persons desiring to be heard have been heard by this Board; now, therefore, be it

RESOLVED, that this Board of Supervisors, on this 18<sup>th</sup> day of January, 2022 hereby adopts a Local Law identified as Introductory No. 7, Print No. 1 of 2021, as set forth in the annexed Schedule A; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

SCHEDULE A

INTRODUCTORY NO. 7

PRINT NO. 1

INTRODUCED BY SUPERVISORS: Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

COUNTY OF SARATOGA  
LOCAL LAW 1 - 2022

A LOCAL LAW AMENDING THE 2022 COUNTY COMPENSATION  
SCHEDULE TO PROVIDE A SALARY AND COST-OF-LIVING INCREASE  
FOR CERTAIN COUNTY OFFICIALS

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

SECTION 1. The 2022 compensation for the following County officials shall be increased to the following levels, effective January 1, 2022:

ELECTED OFFICIALS

David DeCelle, Coroner	\$ 39,500
Andrew Jarosh, County Treasurer	\$ 123,265

APPOINTED OFFICIALS

Roger Scheira, Commissioner of Elections	\$ 90,000
William Fruci, Commissioner of Elections	\$ 90,000
Scot Chamberlain, Director of Human Resources	\$ 128,416
Daniel Kuhles, Commissioner of Public Health Services	\$ 206,635
Chad Cooke, Commissioner of Public Works	\$ 148,053
Anna Stanko, Director of Real Property Tax Services	\$ 93,177
Tina Potter, Commissioner of Social Services	\$ 158,971

SECTION 2. This Local Law is subject to a permissive referendum as provided in Municipal Home Rule Law §24.

SECTION 3. This Local Law shall become effective as provided in Municipal Home Rule Law §27.

## RESOLUTION 44 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

**AUTHORIZING AN AGREEMENT WITH GILL TECHNICAL, INC. FOR THE INSTALLATION OF ADDITIONAL PUBLIC ADDRESS AND INTERCOM SYSTEMS AT THE PUBLIC SAFETY FACILITIES BUILDING**

WHEREAS, the Public Safety Facilities Building opened in 2020 and as a result of ongoing assessments a need for additional public address and intercom systems has been identified by the Department of Public Works and the Sheriff's Office; and

WHEREAS, the proposed additional public address systems include the installation and relocation of speakers and horns and associated electrical and cabling work; and

WHEREAS, Gill Technical, Inc. has submitted a quote to provide the requested installation and relocation services at a cost of \$22,773.27; and

WHEREAS, our Law and Finance Committee, the Director of Information Technology, and the Commissioner of Public Works have recommended the County enter into an agreement with Gill Technical, Inc. for the installation and relocation of additional public address and intercom systems at the Public Safety Facilities Building at a cost of \$22,773.27; now therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Gill Technical, Inc., of Saratoga Springs, New York, for the installation, relocation and associated electrical and cabling services for the public address and intercom systems at the Public Safety Facilities Building, at a cost not to exceed \$22,773.27; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact. Funds for this agreement are included in the Public Safety Building Capital Fund.

## RESOLUTION 44 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

**AUTHORIZING AN AGREEMENT WITH GILL TECHNICAL, INC. FOR THE INSTALLATION OF ADDITIONAL PUBLIC ADDRESS AND INTERCOM SYSTEMS AT THE PUBLIC SAFETY FACILITIES BUILDING**

WHEREAS, the Public Safety Facilities Building opened in 2020 and as a result of ongoing assessments a need for additional public address and intercom systems has been identified by the Department of Public Works and the Sheriff's Office; and

WHEREAS, the proposed additional public address systems include the installation and relocation of speakers and horns and associated electrical and cabling work; and

WHEREAS, Gill Technical, Inc. has submitted a quote to provide the requested installation and relocation services at a cost of \$22,773.27; and

WHEREAS, our Law and Finance Committee, the Director of Information Technology, and the Commissioner of Public Works have recommended the County enter into an agreement with Gill Technical, Inc. for the installation and relocation of additional public address and intercom systems at the Public Safety Facilities Building at a cost of \$22,773.27; now therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Gill Technical, Inc., of Saratoga Springs, New York, for the installation, relocation and associated electrical and cabling services for the public address and intercom systems at the Public Safety Facilities Building, at a cost not to exceed \$22,773.27; and be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact. Funds for this agreement are included in the Public Safety Building Capital Fund.

#### RESOLUTION 46 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### RESCINDING RESOLUTION 291-2021 AND AUTHORIZING AN AGREEMENT WITH MID STATE INDUSTRIES, LTD. 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 needs replacement; and

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

WHEREAS, pursuant to Resolution 291-2021, this Board awarded the contract to the low bidder, VAD Contractors, Inc. of Brooklyn, New York, and after the contract award, VAD Contractors, Inc. voluntarily withdrew from the contract award prior to contract execution; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the second lowest bid, submitted by Mid-State Industries, Ltd. in the amount of \$352,811, be accepted; now, therefore, be it

RESOLVED, that Resolution 291-2021 authorizing an agreement with VAD Contractors, Inc. for the demolition and replacement of the roof of Building #2 at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant, is hereby rescinded; and it is further



RESOLVED, that the Chair of the Board is authorized to execute an agreement with Mid-State Industries, Ltd., of Schenectady, 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 \$352,811; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 47 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### AUTHORIZING A RENEWAL AGREEMENT WITH ADIRONDACK ENVIRONMENTAL SERVICES, INC. TO CONDUCT LAB TESTING AND WASTEWATER ANALYSIS FOR SARATOGA COUNTY SEWER DISTRICT NO. 1

WHEREAS, testing and wastewater analysis are necessary at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant to be in compliance with its State Pollution Discharge Elimination System (SPDES) Permit; and

WHEREAS, pursuant to Resolution 33-2021, this Board authorized a renewal agreement with Adirondack Environmental Services, Inc. to provide lab testing and wastewater analysis services, for the term January 1, 2021 through December 31, 2021, at a cost not to exceed \$70,000; and

WHEREAS, our Law and Finance Committee, the Sewer District Commission, and the Executive Director of the Sewer District have recommended that the contract for testing and wastewater analysis services with Adirondack Environmental Services, Inc., be renewed for the term of January 1, 2022 to December 31, 2022, at a cost not to exceed \$70,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with Adirondack Environmental Services, Inc., of Albany, New York, to provide lab testing and wastewater analysis services, for a term of January 1, 2022 to December 31, 2022, at a cost not to exceed \$70,000, with Adirondack Environmental Services, Inc. to charge for its lab testing and wastewater analysis services at its rates in effect at the time the services were rendered to the Sewer District, provided that Adirondack Environmental Services, Inc. shall attach to any voucher submitted to the Sewer District for payment a rate sheet confirming the rates it was charging at the time the services billed for were rendered; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

## RESOLUTION 48 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

**AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH ARCADIS OF NEW YORK, INC. FOR PERFORMANCE OF A TECHNICAL DETERMINATION OF LOCAL LIMITS STUDY AND EVALUATION FOR THE SARATOGA COUNTY SEWER DISTRICT NO. 1'S INDUSTRIAL PRETREATMENT PROGRAM**

WHEREAS, Resolution 166-2021 authorized an agreement with Arcadis of New York, Inc. for the performance of a technical determination of local limits study and evaluation for the Saratoga County Sewer District No. 1's Industrial Pretreatment Program at a cost not to exceed \$24,500; and

WHEREAS, the Executive Director of the Sewer District has recommended that the testing of chemical parameters be increased across different aeration basins to include a process profiling and study of the impact of certain chemicals to wastewater treatment in different seasons to assist the Sewer District in assessing the inhibitory effects of certain chemicals discharged to the Wastewater Treatment Plant including the variable effects of the treatment of ammonia, biochemical oxygen demand (BOD), and total suspended solids (TSS); and

WHEREAS, Arcadis of New York, Inc. has provided a quote to provide such additional process profiling and testing at a cost of \$44,000; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the agreement with Arcadis of New York, Inc. be amended to include additional process profiling assistance and reporting in the amount of \$44,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Arcadis of New York, Inc., of Clifton Park, New York, to include additional process profiling and testing at an amended total amount not to exceed \$68,500; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

## RESOLUTION 49 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

**AUTHORIZING AN AGREEMENT WITH NANCY WEMPLE FOR CONSULTING SERVICES FOR THE COUNTY CLERK'S OFFICE**

WHEREAS, the position of Director of Motor Vehicles was created in 2018 to meet the strong demand for services as a result of the exponential growth of Department of Motor Vehicle (DMV) transactions; and

WHEREAS, Nancy Wemple previously served the County as the Director of Motor Vehicles with distinction prior to her retirement in 2021; and

WHEREAS, our Law and Finance Committee, the County Clerk, and the Director of Human Resources have recommended the County enter into a contract with Nancy Wemple, at a rate of \$33.65 per hour, not to exceed a total cost of \$35,000, for the purpose of providing consulting services to the County Clerk's Office, including assisting the management team in developing programs, evaluation of future needs for the department, and development of succession planning programs; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Nancy Wemple for consulting services for the County Clerk's Office, at a rate of \$33.65 per hour, with the total amount not to exceed \$35,000, for the provision of consulting services to the County Clerk's Office, including assisting the management team in developing programs, evaluation of future needs for the department, and development of succession planning programs; and it is further

RESOLVED, that such agreement shall be subject to the approval of the County Attorney and the Director of Human Resources; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 50 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### AUTHORIZING THE CREATION OF THE SARATOGA COUNTY NON-PROFIT COVID RELIEF GRANT FUND

WHEREAS, the establishment of a COVID-19 grant fund in the amount of \$2 million was approved by this Board of Supervisors as part of the 2022 County Budget in order to offer the opportunity for non-profit organizations in Saratoga County that were negatively affected by the COVID-19 pandemic to apply for funding to support programs and projects that are beneficial to residents of our County; and

WHEREAS, it is necessary to formalize the application and award process for the Saratoga County Non-Profit COVID Relief Grant Fund; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the creation of the Non-Profit COVID Relief Grant Fund Program to respond to the COVID-19 pandemic and its economic impacts by assisting not-for-profit organizations within Saratoga County with funding to replace losses incurred during the pandemic and to prepare for another emergency with such grant program to be administered by the Saratoga County Administrator's Office; and it is further

RESOLVED, funding requests can range from \$500 to a maximum of \$50,000 and shall be submitted to the County Administrator's office accompanied by the Saratoga County Non-Profit COVID Relief Grant Fund Application; and it is further

RESOLVED, that the County Administrator’s Office will refer any completed and qualified funding requests to the Law and Finance Committee for consideration; and it is further

RESOLVED, that any funding requests recommended by the Law and Finance Committee shall be subject to the approval of the Board of Supervisors; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

RESOLUTION 51 - 2022

Introduced by Chairman Kusnierz

APPOINTING A MEMBER TO THE COMMUNITY SERVICES BOARD

WHEREAS, Mental Hygiene Law §41.11 requires the appointment of a Community Services Board to advise the local mental hygiene director on the policies and performances of local programs; and

WHEREAS, there exists vacancies on the County’s Community Services Board due to term expirations and/or resignations; now, therefore be it

RESOLVED, that the following individual is appointed as a member Community Services Board for the County of Saratoga for the state term:

NAME/ADDRESS	REPRESENTING	TERM EXPIRES
Paul Morcone 50 Brampton Lane Gansevoort, NY 12831	Mental Health Treatment	12/31/2025

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 52 - 2022

Introduced by Chairman Kusnierz

APPOINTING A MEMBER TO THE SARATOGA COUNTY WATER AUTHORITY BOARD

WHEREAS, Chapter 678 of the Laws of 1990 enacted the “Saratoga County Water Authority Act” as Title 8-F of Article 5 of the Public Authorities Law; and

WHEREAS, the term of a member of the Board of the Saratoga County Water Authority having expired; now, therefore, be it

RESOLVED, that the following person is appointed as a member of the Board of the Saratoga County Water Authority for the stated term:

NAME	Term Expires
Mark Hammond	12/31/2023

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Grasso requested a separate vote on Resolution 37 and said that he plans on abstaining from any discussion or vote on this Resolution.

On a motion by Mr. Matthew Veitch, seconded by Mr. Smith Resolution # 37 was adopted by the following vote.

On a motion by Mr. Richardson, seconded by Mr. Lant the meeting was adjourned by the following vote:  
 AYES (215474): Eric Connolly (9776), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Eric Butler (6531), Diana Edwards (856), Jean Raymond (1214), Michael Smith (3545), Kevin Veitch (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Mark Hammond (14765), Thomas Richardson (5196), Scott Ostrander (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).  
 ABSTAIN (4133): Joseph Grasso (4133),

RESOLUTION 37 - 2022

Introduced by Supervisors Schopf, Barrett, Lant, Raymond, Tollisen and M. Veitch

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

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

WHEREAS, pursuant to Resolution 232-2021, the contract with Greenway Conservancy for the Hudson River Valley, Inc. was amended to an amount not to exceed \$275,000; and

WHEREAS, pursuant to Resolution 96-2021 this Board of Supervisors authorized an agreement with CHA Consulting Inc. for the Design, Construction Administration, and Construction Inspection Services Related to the construction of the 1.2 mile section of Champlain Canalway Trail to be constructed from the Village of Waterford at Broad Street (CR 32) and terminating at the Southern

portion of the previously constructed section of the Champlain Canalway Trail over the lands of the City of Mechanicville and the Town of Waterford; and

WHEREAS, CHA Consulting Inc. submitted an Extra Work Authorization for unanticipated work associated with the construction of the trail in the amount of \$5,000.00; and

WHEREAS, the Hudson River Valley Greenway determined that the Extra Work Authorization was justified and approved the request on December 15, 2021; and

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

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with CHA Consulting, Inc. of Albany, New York for the provision of construction bid phase, administration and inspection services for the construction of a 1.2 mile section of the Champlain Canalway Trail in the Town and Village of Waterford, at a cost not to exceed \$40,000; and it is further

RESOLVED, that the form and content of said amended 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. 100% State Aid.

Ms. Gaston requested a separate vote on Resolution 42. Ms. Gaston said that she understands this is going to a public hearing however she is concerned that the Board is continuing to respond to an increase in population by parsing numbers. She does not believe this does justice to the population in Saratoga County or as Supervisors. When the first iteration of the Resolution came into effect in 1970, the County had half the population it has now. Ms. Gaston said that she has crunched some numbers and keeping one Supervisor in Halfmoon will actually reduce the representation provided by each Supervisors to members of our community. She believes that the smaller towns in the County will benefit from having two Supervisors from the Town of Halfmoon. Ms. Gaston said that there are other ways to calculate the weighted vote, reducing some that have two, moving some to three, changing the number entirely. Ms. Gaston said that she will be voting no on this Resolution and her goal is not to maintain the same number of Supervisors to make sure that the residents of the County are represented. Ms. Gaston added that she believes the Board of Supervisors is not a very useful model of government for the County either.

Mr. Kusnierz thanked Ms. Gaston for her comments and said that there was a time when the Town of Moreau was the largest town in Saratoga County with the highest weighted vote, so it moves in both directions.

Mr. Tollisen addressed Ms. Gaston's comments and said that it is his intention to represent all of the residents of the Town of Halfmoon and the residents of Saratoga. Whether it's one Supervisor or two, he represents all of the residents to the best of his ability.

On a motion by Mr. Grasso, seconded by Mr. Tollisen, Resolution # 42 was adopted by the following vote.

AYES (206314): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Eric Butler (6531), Diana Edwards (856), Jean Raymond (1214), Michael Smith (3545), Kevin Veitch (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Mark Hammond (14765), Thomas Richardson (5196), Scott Ostrander (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).  
NAYS (13293): Tara N. Gaston (13293)

## RESOLUTION 42 - 2022

Introduced by Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

INTRODUCING A PROPOSED LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1, OF 2022 TO AMEND LOCAL LAW NO. 2 OF 1968 TO INCREASE THE POPULATION THRESHOLD FOR AN ADDITIONAL COUNTY SUPERVISOR AND SCHEDULING A PUBLIC HEARING THEREON

WHEREAS, Local Law No. 2 of 1968, as amended by Local Law No. 5 of 2011, provides that each town or city in the County of Saratoga will elect an additional County Supervisor for every 25,000 residents and that the municipality's weighted vote on the County's Board of Supervisors will be divided equally between or among all of its Supervisors; and

WHEREAS, the 1971, 1981, 1991, 2001, and 2011 amendment to Local Law No. 2 of 1968 ensured that the number of members on the Board remained constant and unchanged at twenty-three (23); and

WHEREAS, the 2020 Federal Census raises the possibility of an additional County Supervisor during this decade; and

WHEREAS, the fiscal strength and demonstrable progressive performance of the County of Saratoga and its Board of Supervisors during the past decades are partially attributable to the fact that the Board's size has proven to be workable and an effective balance between the respective majority and minority positions on the many major, and minor, issues confronted during the past fifty years; and

WHEREAS, an increase in the population threshold is appropriate to ensure that future Boards of Supervisors retain the demonstrated deliberative capability of their predecessors; and

WHEREAS, an amendment of Local Law No. 2 of 1968 is necessary to increase the population threshold and maintain the existing membership number; now, therefore, be it

RESOLVED, that a proposed Local Law, identified as Introductory No. 1, Print No. 1 of 2022, entitled "A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1968, AS LAST AMENDED BY LOCAL LAW NO. 5 OF 2011, TO INCREASE THE POPULATION THRESHOLD FOR AN ADDITIONAL COUNTY SUPERVISOR", is hereby introduced before this Board of Supervisors; and it is further

RESOLVED, that this Board shall hold a Public Hearing on February 9, 2022 at 4:35 p.m., at the Chambers of the Saratoga County Board of Supervisors, located at 40 McMaster Street, Ballston Spa, New York 12020, on the matter of the adoption of such proposed Local Law; and it is further

RESOLVED, that the Clerk of the Board of Supervisors is directed to give notice of the Public Hearing in the manner prescribed by law; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

SCHEDULE A

INTRODUCTORY NO. 1

PRINT NO. 1

INTRODUCED BY: Supervisors

COUNTY OF SARATOGA  
LOCAL LAW - 2022

A LOCAL LAW TO AMEND LOCAL LAW NO. 2 OF 1968, AS LAST AMENDED BY LOCAL LAW NO. 5 OF 2011, TO INCREASE THE POPULATION THRESHOLD FOR AN ADDITIONAL COUNTY SUPERVISOR

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

SECTION 1. That paragraphs a.) and b.) of Section 2 of Local Law No. 2 of 1968, as last amended by Local Law 5 of 2011, be amended as follows:

“SECTION 2. Such system of weighted voting shall be as follows:

a.) Each municipality shall elect one (1) Supervisor where its population is less than [~~25,000~~] 27,500 according to the latest decennial census and each Supervisor shall cast one (1) vote for each person in [~~his~~] their district according to such census.

b.) Where any such municipality shall have a population of [~~25,000~~] 27,500 one additional Supervisor shall be elected therefrom and one additional thereafter as each whole multiple of [~~25,000~~] 27,500 is attained. Such Supervisors shall each cast that number of votes arrived at by dividing the total population of each municipality by the number of its Supervisors.”

SECTION 2. That SECTION 3. of said Local Law No. 2 of 1968, as last amended by Local Law No. 5 of 2011, be further amended as follows:

“SECTION 3. The composition of the Saratoga County Board of Supervisors shall consist of twenty-three (23) Supervisors, with two (2) Supervisors each from the City of Saratoga Springs and the Town of Clifton Park, and one (1) Supervisor each from the City of Mechanicville and the remaining Towns of the County of Saratoga, and, hereafter, such number shall automatically increase by the addition of an additional Supervisor from each Town or City as its population, based on a County-wide Official Federal Census, shall reach [~~25,000~~] 27,500 or whole multiples thereof.”

SECTION 3. This Local Law is subject to a permissive referendum as provided in Section 24 of the Municipal Home Rule Law.

SECTION 4. This Local Law shall take effect after it is filed as provided in Section 27 of the Municipal Home Rule Law.

EXPLANATION - Matter that is underscored is new; matter in brackets [-] is old law to be omitted.



Mr. Veitch requested a separate vote on Resolution 53. Mr. Veitch said that a new representative for Saratoga Spring is being appointed and wanted to publicly thank the former Commissioner, George Cannon, for his service.

On a motion by Mr. Veitch, seconded by Ms. Gaston, Resolution # 53 was adopted by unanimous vote.

#### RESOLUTION 53 - 2022

Introduced by Chairman Kusnierz

#### APPOINTING COMMISSIONERS OF SARATOGA COUNTY SEWER DISTRICT NO. 1

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

WHEREAS, the terms of three Commissioners have expired; now, therefore, be it

RESOLVED, that the following individuals are appointed as Commissioners of Saratoga County Sewer District No. 1, for the stated terms:

NAME	MUNICIPALITY	Term Expires
Richard Doyle 67 Lake Hill Road Burnt Hills, NY 12027	Town of Ballston	12/31/2024
Joseph J. O'Neill, III 474 Broadway Saratoga Springs, NY 12866	City of Saratoga Springs	12/31/2024
Kyle Fillion 1 Carlyle Terrace Saratoga Springs, NY 12866	Town of Wilton	12/31/2024

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. Barrett introduced Chris Rezny from the Town of Clifton Park. Mr. Rezny is a student at UAlbany and has been working as an intern in the Supervisors office for the past few weeks while on break. Mr. Rezny has helped with the public test kit distribution as well as a recent event the Town had collecting food and personal care items for organizations in Saratoga County in partnership with World Series Champion Ian Anderson. Mr. Barrett thanked Mr. Rezny for his assistance.

A motion was made by Mr. Connolly, seconded by Mr. Barrett, to enter into Executive Session to discuss proposed, pending or current litigations. Unanimous.

Mr. Kusnierz invited Mr. Karl Sleight, Mr. Andrew Jarosh, Mr. Chad Cooke and Mr. Steve Bulger into the Executive Session.

A motion was made by Mr. Matthew Veitch, seconded by Mr. Barrett, to return to Regular Session. The motion passed by the following vote:

AYES (214520): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Eric Butler (6531), Diana Edwards (856), Jean Raymond (1214), Michael Smith (3545), Kevin Veitch (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Mark Hammond (14765), Thomas Richardson (5196), Scott Ostrander (18575), Theodore Kusnierz (14728), 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).  
ABSENT (5087): Willard H. Peck (5087)

Proposed Resolution #54 was distributed to all Supervisors

Mr. Schopf made a motion to add Resolution #54 to the agenda. Seconded by Mr. Tollisen. The vote to add Resolution #54 to the agenda was approved by the following vote:

AYES (214520): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Eric Butler (6531), Diana Edwards (856), Jean Raymond (1214), Michael Smith (3545), Kevin Veitch (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Mark Hammond (14765), Thomas Richardson (5196), Scott Ostrander (18575), Theodore Kusnierz (14728), 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).  
ABSENT (5087): Willard H. Peck (5087)

On a motion by Mr. Richardson, seconded by Mr. Hammond, Resolution #54 was adopted by the following vote.

AYES (214520): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Eric Butler (6531), Diana Edwards (856), Jean Raymond (1214), Michael Smith (3545), Kevin Veitch (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Mark Hammond (14765), Thomas Richardson (5196), Scott Ostrander (18575), Theodore Kusnierz (14728), 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).  
ABSENT (5087): Willard H. Peck (5087)

RESOLUTION 54 - 2022

Introduced by Supervisors Schopf and Tollisen

**AUTHORIZING A SETTLEMENT WITH ALLERGAN FINANCE, LLC AND ALLERGAN LIMITED (COLLECTIVELY ALLERGAN) NAMED IN AN ACTION TO RECOVER DAMAGES IN COMBATTING AND TREATING OPIOID ABUSE**

WHEREAS, pursuant to Resolution 203-2017, this Board authorized the commencement of litigation against the manufacturers, distributors, and certain prescribing physicians of opioid pharmaceuticals to recover damages resulting from the County combatting and treating opioid abuse,

and further authorized the retention of Napoli Shkolnik, PLLC to serve as special counsel with respect to the initiation and prosecution of such litigation; and

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

WHEREAS, an action was commenced against defendants Allergan Finance, LLC (f/k/a Actavis, Inc.; f/k/a Watson Pharmaceuticals, Inc.) and Allergan Limited (f/k/a Allergan PLC; f/k/a Actavis, PLC) (collectively "Allergan"), based on claims that Allergan 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, Allergan has offered to settle the claims of the County of Saratoga by paying a sum of approximately \$335,915.78 in a one-time direct payment to be used for restitution and in addition agreeing to injunctive relief that drastically changes the company's business model as it relates to opioids, including restraining Allergan or its affiliates, including its parent AbbVie, from manufacturing, selling, promoting, or lobbying for opioids for ten years; and

WHEREAS, the cornerstone of the proposed settlement is a full resolution of all governmental claims filed in the State against Allergan which will maximize the recovery and incentive scenarios which are built into the agreement to secure and achieve a full \$125 million value of the settlement; and

WHEREAS, to join the proposed settlement, this Board needs to authorize the County becoming a party to the Allergan 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 Allergan from a separate fund; and

WHEREAS, if all incentives are met, Saratoga County will recover a total of \$365,915.78 from Allergan as a one-time direct payment to be used in part for projects and programs focused on approved uses; and

WHEREAS, Napoli Shkolnik, PLLC and the County Attorney have recommended settlement of the lawsuit against Allergan 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 Allergan 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 Allergan Finance, LLC and Allergan Limited (collectively "Allergan") 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 Allergan New York Sharing Agreement and the New York Allergan Term Sheet and any other releases or documents necessary to settle and conclude the litigation commenced by the County of Saratoga against Allergan; 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.

PUBLIC INPUT

There were no requests for public input.

On a motion by Mr. Richardson, seconded by Mr. Lant the meeting was adjourned by the following vote:  
AYES (214520): Eric Connolly (9776), Joseph Grasso (4133), Philip C. Barrett (18352.5), Jonathon Schopf (18352.5), Eric Butler (6531), Diana Edwards (856), Jean Raymond (1214), Michael Smith (3545), Kevin Veitch (7775), Arthur M. Wright (2048), Kevin Tollisen (21535), Mark Hammond (14765), Thomas Richardson (5196), Scott Ostrander (18575), Theodore Kusnierz (14728), 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).  
ABSENT (5087): Willard H. Peck (5087)

Respectfully submitted,

Therese Connolly  
Clerk of the Board