

Board Meeting Transcript 1/18/2022

SPEAKERS

Ed Kinowski, Mo Wright, Mike Smith, Bill Peck, Matt Veitch, Therese Connolly, Bridget Rider, Scott Ostrander, Tara Gaston, Eric Butler, Phil Barrett, Diana Edwards, Jonathan Schopf, Kevin Veitch, Kevin Tollisen, Eric Connolly, Theodore Kusnierz, Mark Hammond, John Lant, Sandra Winney, Joe Grasso, Several Supervisors, Tom Richardson, Tom Wood, Jack Lawler

Theodore Kusnierz

All right I'd like to welcome everyone to a regular meeting of the Saratoga County Board of Supervisors for January 18, 2022 and ask the Clerk to please call the roll.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Here.

Bridget Rider

Butler.

Eric Butler

Here.

Bridget Rider

Connolly.

Eric Connolly

Here.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Here.

Bridget Rider
Grasso.

Joe Grasso
Here.

Bridget Rider
Hammond.

Mark Hammond
Here.

Bridget Rider
Kinowski.

Ed Kinowski
Here.

Bridget Rider
Kusnierz.

Theodore Kusnierz
Here.

Bridget Rider
Lant.

John Lant
Here.

Bridget Rider
Lawler.

Jack Lawler
Here.

Bridget Rider
Ostrander.

Scott Ostrander
Here.

Bridget Rider
Peck.

Bill Peck

Here.

Bridget Rider

Raymond. Richardson.

Tom Richardson

Here.

Bridget Rider

Schopf. Smith.

Mike Smith

Here.

Bridget Rider

Tollisen.

Kevin Tollisen

Here.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Here.

Bridget Rider

Matt Veitch.

Matt Veitch

Here.

Bridget Rider

Winney.

Sandra Winney

Here.

Bridget Rider

Wood.

Tom Wood

Here.

Bridget Rider

Wright.

Mo Wright

Here.

Bridget Rider

Quorum is present.

Theodore Kusnierz

Thank you. And if everyone would please rise for attention to the flag and remain standing for our Chaplain.

Several Supervisors

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Tom Wood

Let us pray. Our heavenly father we begin the new year we continue to thank you for the many blessing that you have given us and for the privilege of serving the residents of Saratoga County. May we proceed with optimism, enthusiasm, and vitality as we conduct the important business of Saratoga County. We ask for your guidance in our deliberations so that we may make the best possible decisions on all issues that come before us. May we continue to work cooperatively always striving for the best interests of the residents of Saratoga County. During this month of January may we remember Dr. Martin Luther King Jr. and his dream for a better America. May we work hard to see that his dream is a reality, that service to others is a priority, that social equality and justice become a reality, that we work together as bridge builders, and that the rights of all county residents are forever protected. Throughout all of 2022 we ask that you look out for the safety and security of all of the members of our armed forces and bring them all home safely. We ask this in your name, Amen.

Theodore Kusnierz

Thank you very much Supervisor Wood and I would let ask that the record reflect that we've been joined by Supervisor Schopf. Agenda item five is approval of minutes. We have two sets. We have December 15 2021 and the organizational meeting minutes of January 5 2022. And because we did have different Supervisors absence, I would recommend that we take them separately and do a roll call vote. So would someone like to move approval of December 15 2021 minutes.

Kevin Tollisen

So moved.

Jonathan Schopf

Second.

Theodore Kusnierz

Moved by Supervisor Tollisen, seconded by Supervisor Schopf. Roll Call.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Yes.

Bridget Rider

Grasso.

Joe Grasso

Yes.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider

Kinowski.

Ed Kinowski

Yes.

Bridget Rider

Kusnierz.

Theodore Kusnierz

Yes.

Bridget Rider

Lant.

John Lant

Yes.

Bridget Rider

Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Peck.

Bill Peck

Yes.

Bridget Rider

Richardson.

Tom Richardson

Yes.

Bridget Rider
Schopf.

Jonathan Schopf
Yes.

Bridget Rider
Smith.

Mike Smith
Yes.

Bridget Rider
Tollisen.

Kevin Tollisen
Yes.

Bridget Rider
Kevin Veitch.

Kevin Veitch
Yes.

Bridget Rider
Matt Veitch.

Matt Veitch
Yes.

Bridget Rider
Winney.

Sandra Winney
Yes.

Bridget Rider
Wood.

Tom Wood
Yes.

Bridget Rider
Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you and would somebody like to move adoption of the minutes for January 5 2022.

Kevin Tollisen

So moved.

Mike Smith

Second.

Theodore Kusnierz

Move by Senator, I'm sorry Supervisor Tollisen. Seconded by Supervisor Smith. Roll Call.

Bridget Rider

Supervisor Barrett.

Phil Barrett

I hope Clifton Park's in that district. Yes.

Theodore Kusnierz

Well the lines are not final yet.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Yes.

Bridget Rider

Grasso.

Joe Grasso

Yes.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider

Kinowski.

Ed Kinowski

Yes.

Bridget Rider

Kusnierz.

Theodore Kusnierz

Yes.

Bridget Rider

Lant.

John Lant

Yes.

Bridget Rider

Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Peck.

Bill Peck

Abstain, I was not present.

Bridget Rider

Richardson.

Tom Richardson

Yes.

Bridget Rider

Schopf.

Jonathan Schopf

Yes.

Bridget Rider

Smith.

Mike Smith

Yes.

Bridget Rider

Tollisen.

Kevin Tollisen

Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you. Agenda item six is correspondence. Clerk will read.

Therese Connolly

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.

Theodore Kusnierz

Received and filed.

Therese Connolly

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

Theodore Kusnierz

Received and filed.

Therese Connolly

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

Theodore Kusnierz

Received and filed.

Therese Connolly

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.

Theodore Kusnierz

Received and filed.

Therese Connolly

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

Theodore Kusnierz

Received and filed.

Therese Connolly

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

Theodore Kusnierz

Received and filed.

Therese Connolly

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.

Theodore Kusnierz

Received and filed.

Theodore Kusnierz

Agenda item seven is reports of committees. We only had one committee. That was the Law and Finance Committee, which will be taking up the bills that reported out of that Committee this afternoon. I would just like to add that it has been inaccurately reported that Committee meetings were unable to take place for the month of January. And as a matter of fact, all the Department Heads had received notification as to whether or not they wanted any items placed on the Law and Finance agenda for January. And that is how we have the agenda with the Resolutions that we’ll be taking up this

afternoon. So no county business was impacted by the lack of announcement of committees. So at this time, we'll take up Resolutions 28 through 53 and ask the clerk to read.

Tom Richardson

Mr. Chairman, before we start, Mr. Chairman, can I just.

Theodore Kusnierz

Supervisor Richardson.

Tom Richardson

I just want to mention to everybody that the Veterans Committee at the end of last year decided that we were not going to do the deceased, the honor the Vets here in January, At our next meeting we'll be discussing when we think we should start that up again because of the spike in COVID Thank you.

Theodore Kusnierz

Thank you very much Supervisor, any other Supervisor wish to be heard in relation to committees in general? If not, Clerk will read Resolutions 28 through 53.

Therese Connolly

Resolution 28. Introduced by Law & Finance.

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.

Budget impact statement: No Budget Impact. 100% State Aid.

Resolution 29. Introduced by Law & Finance.

Authorizing a renewal agreement with Mission Critical Partners, LLC for maintenance of the Capital District Computer-Aided Dispatch System.

Budget impact statement: No budget impact.

Resolution 30. Introduced by Law & Finance.

Authorizing an amended agreement with Saratoga Hospital for the use of lab and morgue facilities.

Budget impact statement: No budget impact. Funds are available in the 2022 budget.

Resolution 31. Introduced by Law & Finance .

Appointing Eugene Ladue as Deputy Coroner.

Budget impact statement: No budget impact. Funds are available in the 2022 budget.

Resolution 32. Introduced by Law & Finance.

Authorizing an agreement with Tim Godlewski for morgue assistant services.

Budget impact statement: no budget impact. Funds are available in the 2022 budget.

Resolution 33. Introduced by Law & Finance .

Authorizing the acceptance and disbursement of New York State septic system replacement program grant funds, and amending the 2021 county budget in relation thereto

Budget impact statement: none. 100% State Aid.

Resolution 34. Introduced by Law & Finance .

Authorizing contact tracing services agreements with Meredith Locke, Tiffany Foley, and Carolyn Hinchliffe.

Budget impact statement: none. Costs associated with this contract will be covered by a Health Research, Inc. Grant.

Resolution 35. Introduced by Law & Finance.

Authorizing an agreement with Maxim Healthcare Services, Inc. For the provision of nursing services to preschool students.

Budget impact statement: No Budget Impact. Funds for this agreement are included in the 2022 Budget.

Resolution 36. Introduced by Law & Finance.

Setting a public hearing on proposed amendments to the boundaries of Saratoga County Consolidated Agricultural Districts #1 & #2.

Budget impact statement: No budget impact.

Resolution 37. Introduced by Law & Finance.

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.

Budget impact statement: No budget impact. 100% State Aid.

Resolution 38. Introduced by Law & Finance.

Authorizing the County Auditor to approve tax refunds, corrections and credits in amounts not to exceed \$2,500.

Budget impact statement: No budget impact.

Resolution 39. Introduced by Law & Finance.

Scheduling a public hearing on proposed amendment and extensions of the east and west facilities airport leases with North American Flight Services, Inc. through December 31, 2061.

Budget impact statement: No budget impact.

Resolution 40. Introduced by Law & Finance.

Amending resolution 156-2020 to authorize the acceptance of an extension of a grant eligibility term from the New York State Board of Elections.

Budget impact statement: None. 100% State Aid.

Resolution 41. Introduced by Law & Finance.

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.

Budget impact statement: None. 100% Local Aid.

Resolution 42. Introduced by Law & Finance.

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.

Budget impact statement: No Budget Impact.

Resolution 43. Introduced by Law & Finance.

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".

Budget impact statement: No Budget Impact.

Resolution 44. Introduced by Law & Finance.

Authorizing an agreement with Gill Technical, Inc. for the installation of additional public address and intercom systems at the Public Safety Facilities Building.

Budget impact statement: No Budget Impact. Funds for this agreement are included in the Public Safety Building Capital Fund.

Resolution 45. Introduced by Law & Finance.

Authorizing an amendment to the agreement with Twinstare/Voice.data.video.inc. for the installation of additional public address and intercom systems at the Public Safety Facilities Building.

Budget impact statement: No Budget Impact. Funds for this agreement are included in the Public Safety Building Capital Fund.

Resolution 46. Introduced by Law & Finance.

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.

Budget impact statement: No Budget Impact.

Resolution 47. Introduced by Law & Finance.

Authorizing a renewal agreement with Adirondack Environmental Services, Inc. to conduct lab testing and wastewater analysis for Saratoga County Sewer District No. 1.

Budget impact statement: No Budget Impact.

Resolution 48. Introduced by Law & Finance.

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.

Budget impact statement: No Budget Impact.

Resolution 49. Introduced by Law & Finance.

Authorizing an agreement with Nancy Wemple for consulting services for the County Clerk's Office

Budget impact statement: No Budget Impact.

Resolution 50. Introduced by Law & Finance.

Authorizing the creation of the Saratoga County Non-Profit Covid Relief Grant Fund

Budget Impact Statement: No Budget Impact.

Resolution 51. Introduced by Chairman Kusnierz.

Appointing a member to the Community Services Board.

Budget Impact Statement: No Budget Impact.

Resolution 52. Introduced by Chairman Kusnierz.

Appointing a member to the Saratoga County Water Authority Board.

Budget impact statement: No Budget Impact.

Resolution 53. Introduced by Chairman Kusnierz.

Appointing commissioners of Saratoga County Sewer District No. 1.

Budget impact statement: No Budget Impact.

Theodore Kusnierz

Thank you very much. And I would ask that the record reflect that we have been joined by Supervisor Raymond. Are there any requests for separate votes on Resolutions 28 through 53? Supervisor Gaston.

Tara Gaston

Chairman I request a separate vote on Resolution 42.

Theodore Kusnierz

Resolution 42.

Matt Veitch

Mr. Chairman.

Theodore Kusnierz

Supervisor Veitch.

Theodore Kusnierz

Resolution 53 please.

Theodore Kusnierz

Resolution 53.

Matt Veitch

For discussion. Thank you.

Joe Grasso

Mr. Chairman.

Theodore Kusnierz

Supervisor Grasso.

Joe Grasso

I'd just like to note for the record I plan to abstain from any discussion or vote on Resolution number 37.

Theodore Kusnierz

Resolution 37 duly noted. Any other requests? If not, I'd entertain a motion to adopt Resolutions 28 through 53 except for resolutions 37, 42 and 53.

Eric Connolly

So moved. Supervisor Connolly.

Theodore Kusnierz

Supervisor Connolly. Second.

John Lant

Second.

Theodore Kusnierz

Supervisor Lant. Roll Call.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Yes.

Bridget Rider

Grasso.

Joe Grasso

Yes.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider
Kinowski.

Ed Kinowski
Yes.

Bridget Rider
Kusnierz.

Theodore Kusnierz
Yes.

Bridget Rider
Lant.

John Lant
Yes.

Bridget Rider
Lawler.

Jack Lawler
Yes.

Bridget Rider
Ostrander.

Scott Ostrander
Yes.

Bridget Rider
Peck.

Bill Peck
Yes.

Bridget Rider
Richardson.

Tom Richardson
Yes.

Bridget Rider
Schopf.

Jonathan Schopf

Yes.

Bridget Rider

Smith.

Mike Smith

Yes.

Bridget Rider

Tollisen.

Kevin Tollisen

Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you and would somebody like to move Resolution 37?

Matt Veitch

Mr. Chairman I'll move that.

Mike Smith

Second.

Theodore Kusnierz

Supervisor Veitch, Matt Veitch. Seconded by Supervisor Smith. I don't think this was anybody had any issues with this? If not, we'll call the roll.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Yes.

Bridget Rider

Grasso.

Bridget Rider

Grasso abstain.

Joe Grasso

Abstain.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider

Kinowski.

Ed Kinowski

Yes.

Bridget Rider

Kusnierz.

Theodore Kusnierz

Yes.

Bridget Rider

Lant.

John Lant

Yes.

Bridget Rider

Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Peck.

Bill Peck

Yes.

Bridget Rider

Richardson.

Tom Richardson

Yes.

Bridget Rider

Schopf.

Jonathan Schopf

Yes.

Bridget Rider

Smith.

Mike Smith

Yes.

Bridget Rider

Tollisen.

Kevin Tollisen

Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you would somebody like to move Resolution 42 for discussion.

Joe Grasso

So moved.

Theodore Kusnierz

Who was that Supervisor.

Therese Connolly

Grasso.

Theodore Kusnierz

Grasso. Is there a second?

Kevin Tollisen

Second.

Theodore Kusnierz

Supervisor Tollisen, discussion?

Theodore Kusnierz

Hearing none, roll call. I'm sorry. Supervisor Gaston.

Tara Gaston

Thank you, Chairman. My concern with Resolution 42. I understand it's going to a public hearing before it's enacted. But we are continuing to respond to an increase in population by parsing numbers. And I don't think that it's it does justice to our population in Saratoga County or as Supervisors. In 1970 when this first iteration of the resolution came into effect, our county had half the population it does now. We keep moving it, I crunched some numbers and keeping one Supervisor at Halfmoon. And changing the weighted vote, or the weighted we have remaining that way accordingly with population, will actually reduce the representation provided by each Supervisor to members of our community, I believe that will actually provide for the disenfranchisement of some members of our community because there's not sufficient representation for each of them. In fact, surprisingly, when I crunched the numbers, the smaller towns in the County were actually more likely to get benefit from having two Supervisors from the Town of Halfmoon. There are a number of other ways that it could be calculated, reducing some that have two to one, moving some to three, changing the number entirely. But I think continuing to move it piece by piece, rather than actually looking at what benefits represent the representation of our county is a, I think it's kind of an idea that's stuck in the past. And so I will be voting no on that. I don't know whether there will be any support for that or not. And it will go to a public hearing. So the public will speak to it prior to any enactment. But I'm happy to share the numbers with anybody who's here. But my goal is not to maintain the same number of Supervisors we've had since time in memorial, it's to make sure that the residents of our county are represented. Thank you.

Theodore Kusnierz

Thank you, Supervisor Gaston. And I would just comment, I appreciate your comments. But 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. So appreciate your comments. Supervisor Gaston.

Tara Gaston

Do I have a minute left?

Theodore Kusnierz

Pardon?

Tara Gaston

Do I have time left?

Theodore Kusnierz

Yes.

Tara Gaston

I understand that it moves in both directions. That's the point of having this census every 10 years and moderating it. Throwing a complete wrench in it. I also think the Board of Supervisors is not a very

useful model of government for our county either, but I don't know that we're going to fix that with this Resolution. But I think we should try as hard as we can to represent all the members of our community. So and it does change one way or the other. Thank you.

Theodore Kusnierz

Thank you. Any other discussion?

Kevin Tollisen

Yes, Mr. Chairman.

Theodore Kusnierz

Supervisor Tollisen.

Kevin Tollisen

Supervisor Gaston. Just so we are clear, my intention is to represent all of the residents of the Town of Halfmoon and the residents of Saratoga County. So whether it's one Supervisor or two, you can vote whatever you wish. Please understand that I represent all the residents of the Town of Halfmoon to the best of my ability.

Theodore Kusnierz

Thank you, Supervisor. Supervisor Lant? Any other Supervisor wish to be heard? Hearing none, call the roll.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

No.

Bridget Rider

Grasso.

Joe Grasso

Yes.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider

Kinowski.

Ed Kinowski

Yes.

Bridget Rider

Kusnierz.

Theodore Kusnierz

Yes.

Bridget Rider

Lant.

John Lant

Yes.

Bridget Rider

Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Peck.

Bill Peck

Yes.

Bridget Rider

Richardson.

Tom Richardson

Yes.

Bridget Rider

Schopf.

Jonathan Schopf

Yes.

Bridget Rider

Smith.

Mike Smith

Yes.

Bridget Rider

Tollisen.

Kevin Tollisen

Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you. And would somebody like to move Resolution 53 for discussion?

Matt Veitch

So moved.

Theodore Kusnierz

Supervisor Veitch, Matt Veitch.

Tara Gaston

I'll second.

Theodore Kusnierz

Seconded by Supervisor Gaston. Discussion. Supervisor Veitch.

Matt Veitch

Yeah, thank you, Mr. Chairman. This is normally a pretty routine Resolution for us to do. I'm gonna take this off quickly to sound a little clearer. And just wanted to say we're appointing a new representative for

Saratoga Springs on the Sewer Commission. And I just wanted to publicly thank our former commissioner, George Cannon. He's been on the Board probably for, I think the second longest serving tenured member of the Sewer Commission right now. So I just want to thank him for his service. It's not easy to volunteer time for these boards and commissions for no compensation and contribute to the County. So I just wanted to thank him publicly for his service to the Sewer Commission before we go ahead and appoint the new member, so thank you, Mr. Chairman, for your time.

Theodore Kusnierz

Thank you very much Supervisor. Any other discussion on Resolution 53? Or comments? Hearing none, roll call.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Yes.

Bridget Rider

Grasso.

Joe Grasso

Yes.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider

Kinowski.

Ed Kinowski

Yes.

Bridget Rider

Kusnierz.

Theodore Kusnierz

Yes.

Bridget Rider

Lant.

John Lant

Yes.

Bridget Rider

Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Peck.

Bill Peck

Yes.

Bridget Rider
Richardson.

Tom Richardson
Yes.

Bridget Rider
Schopf.

Jonathan Schopf
Yes.

Bridget Rider
Smith.

Mike Smith
Yes.

Bridget Rider
Tollisen.

Kevin Tollisen
Yes.

Bridget Rider
Kevin Veitch.

Kevin Veitch
Yes.

Bridget Rider
Matt Veitch.

Matt Veitch
Yes.

Bridget Rider
Winney.

Sandra Winney
Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you. And at this time, agenda item 12 is unfinished business a new proposals. I would like to move that to after our executive session, which is required today for an update on proposed pending and current litigation, and I'd entertain a motion to invite Karl Sleight, Drew Jarosh, Chad Cooke and Steve Bulger into that executive session.

Eric Connolly

So moved.

Phil Barrett

Second.

Theodore Kusnierz

Moved by Supervisor Connolly. Seconded by Supervisor Barrett. Roll Call.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Yes.

Bridget Rider

Grasso.

Joe Grasso

Yes.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider

Kinowski.

Ed Kinowski

Yes.

Bridget Rider

Kusnierz.

Theodore Kusnierz

Yes.

Bridget Rider

Lant.

John Lant

Yes.

Bridget Rider

Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Peck.

Bill Peck

Yes.

Bridget Rider

Richardson.

Tom Richardson

Yes.

Bridget Rider

Schopf.

Jonathan Schopf

Yes.

Bridget Rider

Smith.

Mike Smith

Yes.

Bridget Rider

Tollisen.

Kevin Tollisen

Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you very much. Supervisor Barrett.

Phil Barrett

Yeah, I'm sorry to I was going to do this on under unfinished business before we go into Executive Session, because I know he has to leave. So if I could just have a minute to recognize somebody. Chris Rezny is here from the Town of Clifton Park. Chris has been working in my office for the last few weeks as he's been on break from UAlbany. And he's had a crash course in COVID response as the pandemic has increased. And pressuring all organizations, certainly Clifton Park has been no different. And whether it was our public test kit giveaway distribution that he worked so hard on, as well as a recent event that we had, we collect hundreds of pounds of food and personal care items for organizations in Saratoga County, in partnership with World Series champion Ian Anderson. And he's

been separating masks and bags, and we got all those masks to all of our senior housing complexes. So he's been right in the middle of all the action, I want to thank him for his volunteer efforts. He stopped me in Home Depot this summer and asked me about an internship, and we don't really have an official internship program, but I said yeah, sure. You know, if you contact me in the later on in the year, I'm sure we could figure something out. So we did. So thank you, Chris.

Theodore Kusnierz

Thank you very much, Chris. And welcome to the Saratoga County Board of Supervisors and on behalf of all of us, thank you for all the good work you've done on behalf of Saratoga County residents. So how about a round of applause.

Several Supervisors

Applause.

Theodore Kusnierz

So at this time for the public's benefit, we will be going into Executive Session. I expect that we'll be taking action afterwards. But we're now in Executive Session.

Theodore Kusnierz

Okay, we're gonna come out of Executive Session, which will require a roll call vote and would like to record to reflect that no action was taken in an executive session

Theodore Kusnierz

I'll entertain a motion to come out of Executive Session.

Matt Veitch

So moved. So moved Mr. Chairman.

Phil Barrett

Second.

Theodore Kusnierz

Supervisor, Matt Veitch. Seconded by Supervisor Barrett. Roll Call.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Yes.

Bridget Rider

Grasso.

Joe Grasso

Yes.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider

Kinowski.

Ed Kinowski

Yes.

Bridget Rider

Kusnierz.

Theodore Kusnierz

Yes.

Bridget Rider
Lant.

John Lant
Yes.

Bridget Rider
Lawler.

Jack Lawler
Yes.

Bridget Rider
Ostrander.

Scott Ostrander
Yes.

Bridget Rider
Peck. Richardson.

Tom Richardson
Yes.

Bridget Rider
Schopf.

Jonathan Schopf
Yes.

Bridget Rider
Smith.

Mike Smith
Yes.

Bridget Rider
Tollisen.

Kevin Tollisen
Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you. And at this time, this takes us to agenda item number 12, which is unfinished business and new proposals. I believe there is a resolution to be offered in relation to authorizing a settlement with Allegan Finance LLC and Allergan Limited collectively, Allergan, named in an action to recover damages in combating and treating opioid abuse.

Jonathan Schopf

Mr. Chairman, at this point, I would move Resolution 54 be added to the agenda. The County Attorney's just distributed that to everybody.

Kevin Tollisen

Second.

Theodore Kusnierz

And seconded by Supervisor Tollisen. And this will be to add Resolution 54 to today's agenda. Does everybody have a copy of the of the proposed resolution? What about online was it emailed? Okay we will stand by until we get copies of the proposed Resolution to Lawler, Wood, Supervisors on the line we will be providing you a copy with of the proposed resolution momentarily.

Theodore Kusnierz

For those supervisors on the line, I just want to make sure you have a copy of the proposed Resolution. Anyone who doesn't?

Ed Kinowski

Not yet.

Theodore Kusnierz

OK. We'll wait.

Ed Kinowski

I have it.

Tom Wood

I got it, Supervisor Wood I got it.

Theodore Kusnierz

Thanks, Supervisor. Supervisor Kinowski. Do you have a copy?

Ed Kinowski

Yes.

Theodore Kusnierz

Okay. So this again, the Resolution is to add Resolution 54 to today's agenda. Roll call vote.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider
Connolly.

Eric Connolly
Yes.

Bridget Rider
Edwards.

Diana Edwards
Yes.

Bridget Rider
Gaston.

Tara Gaston
Yes.

Bridget Rider
Grasso.

Joe Grasso
Yes.

Bridget Rider
Hammond.

Mark Hammond
Yes.

Bridget Rider
Kinowski.

Ed Kinowski
Yes.

Bridget Rider
Kusnierz.

Theodore Kusnierz
Yes.

Bridget Rider
Lant.

John Lant

Yes.

Bridget Rider

Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Richardson.

Tom Richardson

Yes.

Bridget Rider

Schopf.

Jonathan Schopf

Yes.

Bridget Rider

Smith.

Mike Smith

Yes.

Bridget Rider

Tollisen.

Kevin Tollisen

Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you. And if the Clerk would please read into the record the resolution.

Therese Connolly

Resolution 54 – 2022. 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.

Theodore Kusnierz

Thank you. Would someone like to move that Resolution?

Tom Richardson

So moved.

Theodore Kusnierz

Supervisor Richardson? Is there a second?

Mark Hammond

Second.

Theodore Kusnierz

Second by Supervisor Hammond? Any discussion? Hearing none, call the roll.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider

Edwards.

Diana Edwards

Yes.

Bridget Rider

Gaston.

Tara Gaston

Yes.

Bridget Rider

Grasso.

Joe Grasso

Yes.

Bridget Rider

Hammond.

Mark Hammond

Yes.

Bridget Rider

Kinowski.

Bridget Rider

Supervisor Kinowski you might be muted. If so you'd have to press star six to unmute. Thank you.

Ed Kinowski

Yes.

Bridget Rider

Kusnierz.

Theodore Kusnierz

Yes.

Bridget Rider

Lant.

John Lant

Yes.

Bridget Rider

Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Richardson.

Tom Richardson

Yes.

Bridget Rider

Schopf.

Jonathan Schopf

Yes.

Bridget Rider

Smith.

Mike Smith

Yes.

Bridget Rider

Tollisen.

Kevin Tollisen

Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you. And is there any other unfinished business and new proposals? If not.

Tom Richardson

Motion to adjourn.

Theodore Kusnierz

Well, almost there Supervisor. We have on the agenda item 14 other business. Any other business before the Board?

John Lant

Second.

Theodore Kusnierz

We're not through the Chairman's agenda. Public input. No public input. Roll call on the motion to adjourn and the second.

Bridget Rider

Supervisor Barrett.

Phil Barrett

Yes.

Bridget Rider

Butler.

Eric Butler

Yes.

Bridget Rider

Connolly.

Eric Connolly

Yes.

Bridget Rider
Edwards.

Diana Edwards
Yes.

Bridget Rider
Gaston.

Tara Gaston
Yes.

Bridget Rider
Grasso.

Joe Grasso
Yes.

Bridget Rider
Hammond.

Mark Hammond
Yes.

Bridget Rider
Kinowski.

Ed Kinowski
Yes.

Bridget Rider
Kusnierz.

Theodore Kusnierz
Yes.

Bridget Rider
Lant.

John Lant
Yes.

Bridget Rider
Lawler.

Jack Lawler

Yes.

Bridget Rider

Ostrander.

Scott Ostrander

Yes.

Bridget Rider

Richardson.

Tom Richardson

Yes.

Bridget Rider

Schopf.

Jonathan Schopf

Yes.

Bridget Rider

Smith.

Mike Smith

Yes.

Bridget Rider

Tollisen.

Kevin Tollisen

Yes.

Bridget Rider

Kevin Veitch.

Kevin Veitch

Yes.

Bridget Rider

Matt Veitch.

Matt Veitch

Yes.

Bridget Rider

Winney.

Sandra Winney

Yes.

Bridget Rider

Wood.

Tom Wood

Yes.

Bridget Rider

Wright.

Mo Wright

Yes.

Bridget Rider

Motion passes.

Theodore Kusnierz

Thank you very much, everyone.