

REGULAR MEETING  
 TUESDAY, November 15, 2022  
 AT 4:00 p.m., E.S.T.

Board called to order by Chairman Kusnierz.

Roll call was taken. PRESENT – Joseph Grasso, Philip C. Barrett, Jonathon Schopf, Eric Butler, Diana Edwards, Jean Raymond, Michael Smith, Kevin Tollisen, Mark Hammond, Scott Ostrander, Thomas Richardson, Theodore Kusnierz, Sandra Winney, Tara Gaston, Matthew E. Veitch, Edward D. Kinowski, John Lant - 17. ABSENT – Eric Connolly, Kevin Veitch, Arthur M. Wright, Willard H. Peck, Thomas N. Wood, III, John Lawler - 6

The invocation was given by County Clerk Craig Hayner on behalf of Thomas N. Wood, III, Chaplain.

On a motion by Mr. Kinowski, seconded by Mr. Smith, the minutes of the October 18, 2022 Board meeting was unanimously approved.

The Clerk presented the following:

CORRESPONDENCE

Thank you correspondence from the Capital District YMCA and Big Brothers Big Sisters of the Southern Adirondacks for the Covid Relief Grant Funding.

Received and Filed

Thank you correspondence from the Living History Education Foundation for the Board’s support of the Revolutionary War 250<sup>th</sup> Celebration

Received and Filed

REPORTS OF COMMITTEES

There were no reports of Committees.

On a motion by Mr. M. Veitch, seconded by Mr. Grasso, Report #3 – Mortgage Tax Report was approved by a unanimous vote.

Saratoga County Treasurer  
 Mortgage Tax Distribution as of September 30, 2022

BALLSTON	\$ 330,495.09
BALLSTON SPA (BALL)	\$ 10,611.74
MILTON	\$ 819,583.79
BALLSTON SPA (MILTON)	\$ 92,132.13
CHARLTON	\$ 64,940.70
CLIFTON PARK	\$ 793,409.88

CORINTH	\$ 63,761.62
CORINTH (VILLAGE)	\$ 20,904.65
DAY	\$ 25,702.00
EDINBURG	\$ 13,658.26
GALWAY	\$ 60,143.41
GALWAY (VILLAGE)	\$ 850.04
GREENFIELD	\$ 154,357.38
HADLEY	\$ 22,451.18
HALFMOON	\$ 611,767.81
MALTA	\$ 726,268.43
ROUND LAKE (VILLAGE)	\$ 18,402.03
MECHANICVILLE	\$ 52,351.00
MOREAU	\$ 397,839.33
SO. GLENS FALLS (VILLAGE)	\$ 42,523.34
NORTHUMBERLAND	\$ 116,057.14
PROVIDENCE	\$ 20,127.31
SARATOGA	\$ 112,198.25
SCHUYLERVILLE (VILLAGE)	\$ 7,931.35
VICTORY (VILLAGE)	\$ 2,795.46
SARATOGA SPRINGS	\$1,001,995.81
STILLWATER	\$ 380,198.27
STILLWATER (VILLAGE)	\$ 22,303.28
WATERFORD	\$ 79,087.95
WATERFORD (VILLAGE)	\$ 5,572.56
WILTON	\$ 393,955.92
TOTAL	\$6,464,395.11

Mr. Barrett recognized six students that recently passed their EMT testing. Their training was provided through a County pilot program in conjunction with HVCC, Clifton Park EMS and Shenendehowa Schools. Mr. Barrett gave a brief overview of the program. Mr. Kusnierz reported that \$25K has been earmarked in the 2023 tentative budget to expand the program next year.

On a motion by Mr. Schopf, seconded by Mr. M. Veitch, Resolutions 344 and 345 were tabled by a unanimous vote.

On a motion by Mr. Hammond, seconded by Mr. Butler, Resolutions 313 through 348 with the exception of Resolution #'s 314, 344 and 345 were adopted by a unanimous vote.

#### RESOLUTION 313 - 2022

Introduced by Real Property Tax: Supervisors Ostrander, Butler, Raymond and Winney

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 3 OF 2022, PRINT NO. 1 ENTITLED "A LOCAL LAW OF THE COUNTY OF SARATOGA TO AMEND LOCAL LAW 1 OF 1967, AS LAST AMENDED BY LOCAL LAW 2 OF 1995, TO INCREASE ALLOWABLE INCOME AND GRANT PARTIAL TAX EXEMPTIONS TO PERSONS 65 YEARS OF AGE OR OVER"

WHEREAS, Resolution 269-2022 introduced and presented a proposed Local Law identified as Introductory No. 3, Print No. 1 of 2022, entitled “A Local Law of the County of Saratoga Amending Local Law 1 of 1967” to this Board of Supervisors and scheduled a public hearing thereon for October 12, 2022 at 4:30 p.m.in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

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

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

RESOLVED, that this Board of Supervisors, on this 15<sup>th</sup> day of November, 2022, hereby adopts a Local Law identified as Introductory No. 3, Print No. 1 of 2022, entitled “A Local Law of the County of Saratoga to amend Local Law 1 of 1967, as last amended by Local Law 2 of 1995, to increase allowable income and grant partial tax exemptions to persons 65 years of age or over”; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

INTRODUCTORY NO. 3 OF 2022

PRINT NO. 1

INTRODUCED BY: Supervisors Ostrander, Butler, Raymond, and Winney

**COUNTY OF SARATOGA  
LOCAL LAW NO. [4] OF 2022**

**A LOCAL LAW OF THE COUNTY OF SARATOGA  
AMENDING LOCAL LAW 1 OF 1967,  
AS LAST AMENDED BY LOCAL LAW 2 OF 1995,  
TO INCREASE THE ALLOWABLE INCOME AND  
GRANT PARTIAL EXEMPTIONS TO PERSONS OVER 65 YEARS OF AGE**

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

SECTION 1. That Section 3 of Local Law of 1 of 1967, be amended as follows:

“Section 3. Real property owned by persons sixty-five years of age or over shall be exempt from county taxes in accordance with the same conditions set forth in section 2 of this Local Law on a decreasing percentage basis pursuant to the following schedule:

<u>Annual Income</u>	<u>Percentage Exemption</u>
Less than \$30,000	50

\$30,001 but less than \$31,000	45
\$31,001 but less than \$32,000	40
\$32,001 but less than \$33,000	35
\$33,001 but less than \$33,900	30
\$33,901 but less than \$34,800	25
\$34,801 but less than \$35,700	20

SECTION 2. This Local Law shall take effect immediately after it is filed as provided in Section 27 of the Municipal Home Rule Law.

RESOLUTION 315 - 2022

Introduced by Real Property Tax: Supervisors Ostrander, Butler, Gaston, Raymond and Winney

CANCELLING DELINQUENT TAXES IN THE TOWNS OF WATERFORD AND STILLWATER

WHEREAS, pursuant to Real Property Tax Law §1138(6), a taxing district may cancel a delinquent tax lien if the taxing district determines that there is no practical method to enforce the collection of the delinquent tax lien and that a supplementary proceeding to enforce collection of the tax would not be effective; and

WHEREAS, due to a clerical error, a 2020 tax payment in the amount of \$606.42 was incorrectly applied to tax parcel 253.24-2-4, in the Town of Stillwater, and the Tax Enforcement Officer has recommended that the payment be applied to the correct parcel, and due to the length of time having elapsed without proper notice of the delinquency, that the unpaid delinquent taxes created thereby including penalty and interest be cancelled, as there is no viable means by which to collect the taxes; and

WHEREAS, between 2008 and 2014, certain parcels of real property in Saratoga including tax parcels 654.001-9999-736.000-1882; 654.089-9999-705.820-1882; 654.001-9999-710.000-1882; 654.001-9999-717.000-1882; 654.089-9999-710.000-1882; 654.089-9999-717.000-1882; 654.001-9999-760.710-1882; which were owned by fiber optic utility companies were inadvertently assessed for taxes, at a time when such parcels were tax exempt pursuant to Real Property Tax Law §102(12)(f); and

WHEREAS, the Tax Enforcement Officer has determined that there is no practical method to enforce the collection of such taxes and a supplementary proceeding to collect the taxes would be ineffective, and has recommended that the delinquent taxes be cancelled on those parcels; and

WHEREAS, Real Property Tax Law §1138(6) allows the County to cancel the tax liens, whether delinquent, current or prospective, on these parcels; now, therefore, be it

RESOLVED, that any delinquent, current or prospective tax lien on the following parcels is and are hereby cancelled pursuant to Real Property Tax Law §1138

<u>TOWN</u>	<u>PARCEL #</u>	<u>YEAR</u>	<u>AMOUNT</u>
Stillwater	253.24-2-4	2020	\$866.54
Waterford	654.001-9999-736.000-1882	2014	\$599.69

Waterford	654.089-9999-705.820-1882	2009	\$7,557.91
		2010	\$6,895.64
		2011	\$6,766.94
		2012	\$6,538.73
		2013	\$6,348.23
		2014	\$6,067.70
Waterford	654.001-9999-710.000-1882	2008	\$310.34
		2009	\$128.50
		2014	\$93.21
Waterford	654.001-9999-717.000-1882	2008	\$240.70
		2009	\$56.55
		2014	\$37.30
Waterford	654.089-9999-710.000-1882	2008	\$1,126.60
		2009	\$971.32
		2014	\$748.33
Waterford	654.089-9999-717.000-1882	2008	\$534.35
		2009	\$359.76
		2014	\$272.96
Waterford	654.001-9999-760.710-1882	2009	\$1,016.35
		2010	\$782.90
		2011	\$768.27
		2012	\$742.45
		2013	\$720.89

; and it is further

RESOLVED, that the Tax Enforcement Officer shall issue and file a certificate of cancellation for delinquent taxes on said parcels and file a copy of said certificate with the assessor of said town and with the Director of Real Property Tax Services; and it is further

RESOLVED, that the Saratoga County Treasurer shall cause the said delinquent taxes which have been credited to said town to be charged back to the town so credited; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 316 - 2022

Introduced by Buildings and Grounds: Supervisors M. Veitch, Connolly, Grasso, Lant, Ostrander, Raymond and Smith

AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MCFARLAND JOHNSON, INC. FOR ENGINEERING DESIGN AND BID SERVICES ASSOCIATED WITH THE AIRPORT

TERMINAL PROJECT AT THE SARATOGA COUNTY AIRPORT, AND AMENDING THE 2022 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 298-2022, this Board authorized the acceptance of an Upstate New York Economic Development and Revitalization Grant from the New York State Department of Transportation (“NYSDOT”) (PIN 1902.19) for construction of the “New Fixed Base Operator Terminal Building” at the Saratoga County Airport (“the Project”), and appropriated local match funds for the Project; and

WHEREAS, the Project will require professional engineering design and bid services; and McFarland-Johnson, Inc., has submitted a proposal to the Commissioner of Public Works to provide the necessary professional engineering design and bid services for the Project, at a cost of \$2,111,081; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended that the County enter into an agreement with McFarland-Johnson, Inc., in the amount of \$2,111,081 for professional engineering design and bid services associated with the construction of the “New Fixed Base Operator Terminal Building” at the Saratoga County Airport; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with McFarland-Johnson, Inc., of Saratoga Springs, New York, in the amount of \$2,111,081 for professional engineering design and bid services associated with the construction of the “New Fixed Base Operator Terminal Building” at the Saratoga County Airport; 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 the 2022 County Budget is amended as follows:

UNDER DEPARTMENT OF PUBLIC WORKS

Increase Appropriations

Acct.: #A.50.513-7098 – Professional Services	<u>\$2,111,081</u>
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Increase Revenue

Acct.: #A.50-3592 – State Aid	<u>\$2,111,081</u>
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; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds and authorize the related expenses.

RESOLUTION 317 - 2022

Introduced by Public Safety: Supervisors Lant, Barrett, Hammond, Lawler, Ostrander, K. Veitch and Wright

AUTHORIZING ACCEPTANCE OF A NEW YORK STATE SUPERVISION AND TREATMENT SERVICES FOR JUVENILES PROGRAM (STSJP) GRANT, AND AUTHORIZING PROVIDER CONTRACTS THROUGH DECEMBER 31, 2023

WHEREAS, the County's Department of Social Services and Probation Department are eligible for a grant from the New York State Office of Children and Family Services directed to reduce juvenile detention usage and encourage alternatives to detention and placement, known as the Supervision and Treatment Services for Juveniles Program (STSJP) grant; and

WHEREAS, the County has made application for an STSJP grant in an amount up to \$119,550.26 to cover the State's 62% share of the costs, with the remaining 38% of those costs to be funded by the County; and

WHEREAS, said grant funds, if received, would be accepted by the Department of Social Services and passed through to the Probation Department along with the County's matching funds; and

WHEREAS, the Probation Department proposes to utilize said STSJP grant and matching funds to: (1) contract with Berkshire Farm Center and Services for Youth, Inc. to provide intensive family-based programming to reduce and prevent juvenile detention through Berkshire Farm's Stepping Stones Program at a cost not to exceed \$182,323; (2) enter into a contract with KMG Monitoring Service to provide electronic monitoring of youth diverted from detention at an annual cost not to exceed \$18,500 (\$13,500 funded through STSJP and \$5,000 funded 100% through Raise the Age); and (3) enter into a minor contract with CAPTAIN Community Human Services, Inc. to provide residential respite services for eligible youth to prevent detention at an annual cost not to exceed \$500; and

WHEREAS, the contract period for the foregoing contracts shall run from January 1, 2023 through December 31, 2023; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute any and all documents necessary to apply for and accept a Supervision and Treatment Services for Juvenile Program (STSJP) grant in an amount up to \$119,550.26 to reduce juvenile detention usage and encourage alternatives to detention and placement; and it is further

RESOLVED, that the Chair of the Board and/or the Commissioner of Social Services and/or Probation Director II, are hereby authorized to submit any documentation or information as required by the New York State Office of Children and Family Services necessary to obtain grant funds and/or seek reimbursement under the Supervision and Treatment Services for Juveniles Program (STSJP) grant; and it is further

RESOLVED, that the Chair of the Board is authorized to execute a contract with Berkshire Farm Center and Services for Youth, Inc. of Canaan, New York, for the provision of intensive family-based programming to reduce and prevent juvenile detention for the term January 1, 2023 through December 31, 2023, at a sum not to exceed \$182,323; and it is further

RESOLVED, that the Chair of the Board is authorized to execute a contract with KMG Monitoring Services of Queensbury, New York to provide electronic monitoring services of youth diverted from detention for the term January 1, 2023 through December 31, 2023, at an annual cost not to exceed \$18,500; and it is further

RESOLVED, that the County Administrator is hereby authorized to execute a minor contract with CAPTAIN Community Human Services, Inc. of Clifton Park, New York, for the provision of residential respite services for eligible youth to prevent detention for the term January 1, 2023 through December 31, 2023 at an annual cost not to exceed \$500; and it is further

RESOLVED, that the form and content of the aforementioned agreements and documentation 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 included in the 2023 Tentative Budget.

#### RESOLUTION 318 - 2022

Introduced by Public Safety: Supervisors Lant, Barrett, Hammond, Lawler, Ostrander, K. Veitch and Wright

#### AUTHORIZING THE ACCEPTANCE OF A COUNTY PRETRIAL SERVICES GRANT FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, pursuant to Resolution 110-2022, this Board authorized the approval of our current Alternatives to Incarceration (ATI) Performance-Based Service Plan through June 30, 2023, and the acceptance of funding from the NYS Division of Criminal Justice Services' Office of Probation and Correctional Alternatives; and

WHEREAS, the NYS Division of Criminal Justice Services has allocated additional funding for County Pretrial Services in the amount of \$409,280 for the period of April 1, 2022 through March 31, 2023; and

WHEREAS, acceptance of the County Pretrial Services grant from the State Division of Criminal Justice Services' Office of Probation and Correctional Alternatives requires this Board's approval; now, therefore, be it

RESOLVED, that the Chairman of the Board is authorized to execute all necessary documents and agreements with New York State Division of Criminal Justice Services' Office of Probation and Correctional Alternatives for the acceptance of the County Pretrial Services grant in the amount of \$409,280 for the period April 1, 2022 through March 31, 2023; and it is further

RESOLVED, that the form and content of such documents 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 319 - 2022



Introduced by Public Safety: Supervisors Lant, Barrett, Hammond, Lawler, Ostrander, K. Veitch and Wright

**AUTHORIZING THE ACCEPTANCE OF AN INDIGENT LEGAL SERVICES GRANT (DISTRIBUTION #13) FROM THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES**

WHEREAS, grant funds are available for the grant period January 1, 2023 through December 31, 2025 from the New York State Office of Indigent Legal Services in the amount of \$211,602 to assist Saratoga County and the County Public Defender's Office in improving the quality of indigent legal services provided pursuant to County Law Article 18-B; and

WHEREAS, the Saratoga County Public Defender proposes to use said grant funds for technology improvements, investigator fees, expert witness fees, court mileage, transcripts, process services, attorney training, office supplies, printing and subscriptions; and

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

RESOLVED, that the Chair of the Board is authorized to execute all necessary documents and agreements with the New York State Office of Indigent Legal Services for the acceptance of a State Office of Indigent Legal Services Grant (Distribution #13) in the amount of \$211,602 for improving the quality of indigent legal services in Saratoga County for the grant period January 1, 2023 through December 31, 2025; and it is further

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

RESOLVED, that this resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact. Funds are included in the 2023 Tentative Budget.

**RESOLUTION 320 - 2022**

Introduced by Public Safety: Supervisors Lant, Barrett, Hammond, Lawler, Ostrander, K. Veitch and Wright

**AUTHORIZING A 2023 CONTRACT FOR POLICE SERVICES WITH THE TOWN OF CLIFTON PARK**

WHEREAS, Resolution 68-2022 last authorized a contract with the Town of Clifton Park for additional police services to be provided by the Sheriff's Office; and the Town wishes to extend its contract; and

WHEREAS, the proposed contract includes reimbursement by the Town for all County expenses including salaries, benefits, training, all transportation expenses and patrol cars; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute the following contract with the Town of Clifton Park for the indicated police services in 2023, at a cost of \$608,134.57;

<u>NUMBER OF PATROLS</u>	<u>SERVICE TIME OF PATROLS</u>	<u>PLACE OF SERVICE</u>	<u>AMOUNT</u>
Two (2)	Mon-Sun 8:00 a.m. – 4:00 p.m.	Entire Town	\$608,134.57
Two (2)	Mon-Sun 4:00 p.m. – 12:00 a.m.	of Clifton Park	

and; it is further

RESOLVED, that the Sheriff’s Office shall provide such additional police services to the Town of Clifton Park for added patrols or special detail assignments as shall be determined by the Sheriff, the cost of which services shall be included within the stated contract amount; and be it further

RESOLVED, that the Sheriff shall have the right to modify the foregoing schedule based upon the changing needs of law enforcement in the Town; 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 included in the 2023 Tentative Budget.

RESOLUTION 321 - 2022

Introduced by Public Safety: Supervisors Lant, Barrett, Hammond, Lawler, Ostrander, K. Veitch and Wright

AUTHORIZING A 2023 CONTRACT FOR POLICE SERVICES WITH THE TOWN OF HALFMOON

WHEREAS, Resolution 67-2022, last authorized a contract with the Town of Halfmoon for additional police services to be provided by the Sheriff’s Department and the Town wishes to extend its contract; and

WHEREAS, the proposed contract includes reimbursement by the Town for all County expenses including salaries, benefits, training, all transportation expenses and patrol cars; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute the following contract with the Town of Halfmoon for the indicated police services in 2023, at a cost of \$235,480.66;

<u>NUMBER OF PATROLS</u>	<u>SERVICE TIME OF PATROLS</u>	<u>PLACE OF SERVICE</u>	<u>AMOUNT</u>
One (1)	Tues-Sun 8:00 a.m. – 4:00 p.m.	Entire Town	\$235,480.66
One (1)	Tues-Sat 4:00 p.m. – 12:00 a.m.	of Halfmoon	

and; it is further

RESOLVED, that the Sheriff's Office shall provide such additional police services to the Town of Halfmoon for added patrols or special detail assignments as shall be determined by the Sheriff, the cost of which services shall be included within the stated contract amount; and be it further

RESOLVED, that the Sheriff shall have the right to modify the foregoing schedule based upon the changing needs of law enforcement in the Town; 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 included in the 2023 Tentative Budget.

#### RESOLUTION 322 - 2022

Introduced by Public Safety: Supervisors Lant, Barrett, Hammond, Lawler, Ostrander, K. Veitch and Wright

AUTHORIZING THE ACCEPTANCE OF AID FROM THE NEW YORK STATE STOP-DWI FOUNDATION, INC. FOR DWI HIGH VISIBILITY ENGAGEMENT CAMPAIGN (HVEC) PATROLS AND ACTIVITIES

WHEREAS, Resolution 147-2022 authorized renewal and implementation of our local STOP-DWI program and participation in the 2022 New York State STOP-DWI program; and

WHEREAS, additional state funding is available in the amount of \$28,000 through the New York State STOP-DWI Foundation, Inc. for use in local DWI High Visibility Engagement Campaign ("HVEC") patrols and activities during the grant cycle of October 29, 2022 through September 4, 2023; and

WHEREAS, our Public Safety Committee and the STOP-DWI Coordinator have recommended acceptance of these additional program funds in the amount of \$28,000; and

WHEREAS, the acceptance of these additional funds requires approval of this Board; now, therefore, it is

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all documents necessary to apply for and accept additional aid from the New York State STOP-DWI Foundation, Inc. in the amount of \$28,000 for use in Saratoga County's STOP-DWI HVEC patrols and activities; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact. Funds are included in the Department Budget.

#### RESOLUTION 323 - 2022

Introduced by Public Works: Supervisors Barrett, Butler, Edwards, Ostrander, Richardson, K. Veitch and Winney

**AUTHORIZING CONSENT TO AN ASSIGNMENT AGREEMENT BETWEEN LUTHER FOREST TECHNOLOGY CAMPUS ECONOMIC DEVELOPMENT CORPORATION AND GLOBALFOUNDRIES U.S., INC.**

WHEREAS, pursuant to Resolutions 199-2015 and 217-2015, this Board authorized an Agreement, (“the Agreement”), dated December 30, 2015, between the County and Luther Forest Technology Campus Economic Development Corporation (“LFTCEDC”) wherein the County maintains the roadways located in the Town of Malta within the Luther Forest Technology Park; and

WHEREAS, the Luther Forest Technology Campus Economic Development Corporation has proposed to assign their right, title, interest and obligations in the Agreement to GlobalFoundries U.S., Inc. (“GlobalFoundries”), through a proposed Assignment and Assumption Agreement; and

WHEREAS, Luther Forest Technology Campus Economic Development Corporation has requested that this Board consent and agree to the terms of the proposed Assignment and Assumption agreement wherein the rights, titles, interests and obligations of LFTCEDC would be assigned to GlobalFoundries, U.S., Inc.; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended that this Board provide consent to the Assignment and Assumption agreement as proposed by LFTCEDC; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute and otherwise provide consent to an Assignment and Assumption Agreement between Luther Forest Technology Campus Economic Development Corporation and GlobalFoundries, U.S., Inc., providing assignment of the Agreement, dated December 30, 2015, between the County and Luther Forest Technology Campus Economic Development corporation related to the maintenance of roadways in the Town of Malta within the Luther Forest Technology Park, be assigned to GlobalFoundries, U.S., Inc.; 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 324 - 2022**

Introduced by Public Works: Supervisors Barrett, Butler, Edwards, Ostrander, Richardson, K. Veitch and Winney

**AUTHORIZING AN AGREEMENT WITH COUNTY WASTE AND RECYCLING SERVICE, INC. FOR TRANSPORTATION, PROCESSING AND RECOVERY OF RECYCLABLES AND SCRAP METAL FROM RECYCLING CENTERS IN THE TOWNS OF CLIFTON PARK, CORINTH, MILTON, MOREAU, EDINBURG, AND THE CITY OF SARATOGA SPRINGS**

WHEREAS, pursuant to Resolution 252-2018, this Board authorized an agreement with County Waste and Recycling Services, Inc. for the transportation, processing, and recovery of recyclables and scrap metal from various recycling facilities throughout the County; and

WHEREAS, the Commissioner of Public Works solicited bids for services related to the transportation, processing, and recovery of recyclables and scrap metal from various transfer stations including the Clifton Park Recycling Center located on Vischer Ferry Road in the Town of Clifton Park; the Corinth Recycling Center located on Heath Road in the Town of Corinth; the Edinburg Town Highway Garage located on Military Road in the Town of Edinburg; the Milton Recycling Center located on County Farm Road in the Town of Milton; the Moreau Recycling Center located on State Route 9 in the Town of Moreau; and the Saratoga Springs Recycling Center located on Weibel Avenue in the City of Saratoga Springs; and

WHEREAS, County Waste and Recycling Service, Inc., the low bidder, has proposed to provide the requested services related to transportation, processing, and recovery of recyclables and scrap metal from various recycling facilities throughout the County, for a one (1) year term subject to three (3) renewal(s) of one (1) year each; and

WHEREAS, our Public Works Committee, and the Commissioner of Public Works have recommended that the proposal of County Waste and Recycling Service, Inc., be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with County Waste and Recycling Service, Inc., of Clifton Park, New York, for a one (1) year term commencing January 1, 2023 through December 31, 2023, subject to three (3) renewal terms of one (1) year each, at the following costs and amounts:

Single Stream Recyclables:

Per Ton Revenue for Sale of Single Stream Recyclables:	\$ 0.00
Per Ton Charge for Processing and Marketing Recyclables:	\$115.00
Per Ton Charge for residue disposal:	\$ 85.00

Per Pull Charge for Transportation

Clifton Park	\$150.00
Corinth	\$300.00
Edinburg	\$475.00
Milton	\$200.00
Moreau	\$257.00
Saratoga Springs	\$175.00

Scrap Metal

Per Ton Revenue Sale of Scrap Metal:	\$138.65
Per Ton Expense for Processing and Marketing Scrap Metal:	\$ 35.00
Net Per Ton County Revenue/Expense:	\$103.65

Per Pull Charge for Transportation

Clifton Park	\$150.00
Corinth	\$300.00
Edinburg	\$475.00
Milton	\$200.00
Moreau	\$275.00

Saratoga Springs

\$175.00

; 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 included in the Department Budget.

#### RESOLUTION 325 - 2022

Introduced by Health and Human Services: Supervisors Barrett, Butler, Connolly, Edwards, Lant, Schopf and Wood

#### AUTHORIZING A RENEWAL AGREEMENT WITH TENELEVEN GROUP, INC. FOR SUPPORT OF AN ELECTRONIC HEALTH RECORD SYSTEM AT SARATOGA COUNTY MENTAL HEALTH AND ADDICTION SERVICES

WHEREAS, pursuant to Resolution 225-2017 the County entered into an agreement with TenEleven Group, Inc. for the installation, maintenance, and support of an Electronic Health Record (“EHR”) system for the service period of five (5) years, between December 15, 2017, through December 14, 2022; and

WHEREAS, the EHR system provided by TenEleven Group, Inc. ensures compliance with Federal regulatory requirements for tracking, reporting, billing, interoperability, and health information exchange; and

WHEREAS, the Purchasing Department has determined the EHR system provided by TenEleven Group, Inc. to be a sole source product; and

WHEREAS, TenEleven Group, Inc. has proposed a renewal agreement for the EHR system at Saratoga County Mental Health and Addiction Services for a period of five (5) years at a total contract cost of \$335,100; and

WHEREAS, our Health and Human Services Committee and the Commissioner of Mental Health and Addiction Services have recommended that the County enter into a renewal agreement with TenEleven Group, Inc. for a five (5) year term commencing December 15, 2022, and terminating on December 14, 2027, at a cost of \$67,020 annually including monthly fees of \$4,307 and \$1,278 for Ability Clearinghouse fees; at a total contract amount not to exceed \$335,100; now therefore be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with TenEleven Group, Inc. of East Amherst, New York, for a five (5) year term commencing December 15, 2022, and terminating on December 14, 2027, at a cost of \$67,020 annually including monthly fees of \$4,307 and \$1,278 for Ability Clearinghouse fees; at a total contract amount not to exceed \$335,100; and it is further

RESOLVED, that the form and content of such renewal 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 included in the Department Budget.

#### RESOLUTION 326 - 2022

Introduced by Health and Human Services: Supervisors Barrett, Butler, Connolly, Edwards, Lant, Schopf and Wood

#### AUTHORIZING AN AGREEMENT WITH THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION COUNCIL OF SARATOGA COUNTY, INC. FOR THE PROVISION OF FAMILY SUPPORT NAVIGATOR SERVICES

WHEREAS, pursuant to Resolutions 247-2021, 293-2021, and 54-2022, the County authorized settlement of a litigation related to actions to recover damages in combatting and treating opioid abuse (the “Opioid Litigation”) and thereafter entered into an Opioid Settlement Sharing Agreement (the “Sharing Agreement”); and

WHEREAS, pursuant to the Sharing Agreement with Opioid manufacturers and distributors, the County entered into an Opioid Settlement Sharing Agreement which authorizes the damages awarded to the County to be utilized in both restricted and unrestricted manners to mitigate the damage caused by the opioid epidemic; and

WHEREAS, the Sharing Agreement provides that the restricted use damages award may be utilized to engage services which expand and improve access to care for substance abuse treatment and services; and

WHEREAS, The Alcohol and Substance Abuse Prevention Council of Saratoga County, Inc. (the “Prevention Council”), a domestic not-for-profit corporation, has provided a proposal to the County Department of Mental Health and Addiction Service to provide Family Support Navigator (“FSN”) services designed to connect families with community-based treatment, rehabilitation, and support services and to break down barriers to access such services; and

WHEREAS, the Prevention Council has proposed to provide the Family Support Navigator services for a three (3) year term at a total cost of \$308,673 wherein 50% (\$154,336.50) of the cost of the program in addition to \$19,435 in startup costs, would be funded by the County through utilization of Opioid Settlement funds, and the remaining 50% (\$154,336.50) of the cost of the program would be funded by the Prevention Council; and

WHEREAS, our Health and Human Services Committee and the Commissioner of Mental Health and Addiction Services have recommended that the County enter into an agreement with the Prevention Council for the provision of Family Support Navigator services for a three (3) year term commencing January 1, 2023; at a cost of (1) \$70,880.50 for the period of January 1, 2023 through December 31, 2023, which includes a one-time startup payment of \$19,435; (2) \$51,445.50 for the period of January 1, 2024 through December 31, 2024; and (3) \$51,445.50 for the period of January 1, 2025 through December 31, 2025; for a total County share cost not to exceed \$173,771.50; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to enter into an agreement with The Prevention Council of Saratoga County, Inc. of Saratoga Springs, New York, for the provision of Family Support Navigator services for a three (3) year term commencing January 1, 2023: at a cost of (1) \$70,880.50 for the period of January 1, 2023 through December 31, 2023, which includes a one-time startup payment of \$19,435; (2) \$51,445.50 for the period of January 1, 2024 through December 31, 2024; and (3) \$51,445.50 for the period of January 1, 2025 through December 31, 2025; for a total County share cost not to exceed \$173,771.50; 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 included in the 2023 Tentative Budget.

RESOLUTION 327 - 2022

Introduced by Health and Human Services: Supervisors Barrett, Butler, Connolly, Edwards, Lant, Schopf and Wood

ACCEPTING A YOUTH SPORTS AND EDUCATION GRANT FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES, AND AMENDING THE 2022 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Department of Aging and Youth Services is eligible to receive Youth Sports and Education grant funding from the New York State Office of Children and Family Services in the amount of \$12,809 for the grant period January 1, 2022 through December 31, 2022, for the purpose of providing youth sports programming; and

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

RESOLVED, that the Chair of the Board is hereby authorized to execute any and all agreements and documents needed to accept a Youth Sports and Education grant funding from the New York State Office of Children and Family Services in the amount of \$12,809 for the grant period January 1, 2022 through December 31, 2022; and it is further

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

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

UNDER AGING AND YOUTH SERVICES

Increase Appropriations

Acct.: #A.76.771-8190 – Other Professional Services	<u>\$12,809</u>
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Increase Revenues

Acct.: #A.76-3812 – Youth and Sports Recreation	<u>\$12,809</u>
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; and it is further



RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds and authorize related expenses.

#### RESOLUTION 328 - 2022

Introduced by Health and Human Services: Supervisors Barrett, Butler, Connolly, Edwards, Lant, Schopf and Wood

ACCEPTING ADDITIONAL STATE AID FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR RUNAWAY HOMELESS YOUTH PROGRAMS AND SERVICES, AUTHORIZING AN AMENDED AGREEMENT WITH CAPTAIN COMMUNITY HUMAN SERVICES, AND AMENDING THE 2022 COUNTY BUDGET IN RELATION THERETO

WHEREAS, a 2022 Resource Allocation for programs and agencies participating in the Runaway Homeless Youth Act (RHYA) program include County sponsorship, administration, and payment responsibility; and

WHEREAS, pursuant to Resolution 148-2022, the County entered an agreement with Captain Community Human Services to provide Runaway Homeless Youth Programs and Services, at a cost not to exceed \$25,015; and

WHEREAS, additional State funding in the amount of \$6,493 is available and the Department of Aging and Youth Services has proposed to use the additional funding to provide additional Runaway Homeless Youth Programs and to utilize the administrative portion of the funding to offset salaries; and

WHEREAS, Captain Community Human Services has submitted a proposal to provide additional Runaway Homeless Youth Program services; and

WHEREAS, our Health and Human Services Committee and the Director of the Department of Aging and Youth Services have recommended acceptance of the additional State funding and amendment of the agreement with Captain Community Human Services to provide Runaway Homeless Youth Programs and Services, at an amended cost not to exceed \$30,859; now, therefore it is

RESOLVED, that the Chair of the Board is authorized to execute any documentation and agreements with the New York State Office of Children and Family Services necessary to obtain additional Runaway Homeless Youth Act (RHYA) program funding in the amount of \$6,493; and it is further

RESOLVED, that the Chair of the Board and/or the Director of the Department of Aging and Youth Services are authorized to submit any documentation required by the NYS Office of Children and Family Services for approval, reimbursement, and implementation of the 2022 Runaway Homeless Youth Act Program for the County and its' local governments; and it is further

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Captain Community Human Services of Clifton Park, New York, to provide Runaway Homeless Youth Programs and Services, at an amended cost not to exceed \$30,859; and it is further

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

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

UNDER DEPARTMENT OF AGING AND YOUTH SERVICES

Increase Appropriations

Acct.: #A.76.771-7734 – Runaway Homeless Youth \$5,844

Acct.: #A.76.000-6000 – Regular Wages \$ 649

\$6,493

Increase Revenues

Acct.: #A.76-3877 – Runaway Homeless Youth \$6,493

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds and authorize related expenses.

RESOLUTION 329 - 2022

Introduced by Health and Human Services: Supervisors Barrett, Butler, Connolly, Edwards, Lant, Schopf and Wood

AUTHORIZING AN AGREEMENT WITH THE PREVENTION COUNCIL OF SARATOGA COUNTY INC. FOR THE PROVISION OF A CERTIFIED RECOVERY PEER ADVOCATE

WHEREAS, for the past several years, The Alcohol and Substance Abuse Prevention Council of Saratoga County Inc (the “Prevention Council”). has provided Certified Recovery Peer Advocate (“CRPA”) services to the inmate population at the Saratoga County Correctional Facility and individuals associated with the Saratoga County Mental Health and Addiction Services; and

WHEREAS, the Veterans’ Services Agency Peer-to-Peer Program is a peer to peer mentoring program which pairs established veterans with returning veterans who are experiencing posttraumatic stress disorder (PTSD) or other re-acclimation challenges in a personalized and informal manner intended to ease the transition from combat to civilian life; and

WHEREAS, the Sheriff’s Office Second Chance Program, which is a component of the Sheriff’s Office Opioid Prevention Program, aims to ensure individuals who overdose, and their significant others, are aware of and able to utilize community-based substance abuse treatment services; and

WHEREAS, pursuant to Resolutions 247-2021, 293-2021, and 54-2022, the County authorized settlement of a litigation related to actions to recover damages in combatting and treating opioid abuse

(the “Opioid Litigation”) and thereafter entered into an Opioid Settlement Sharing Agreement (the “Sharing Agreement”); and

WHEREAS, pursuant to the Sharing Agreement with Opioid manufacturers and distributors, the County entered into an Opioid Settlement Sharing Agreement which authorizes the damages awarded to the County to be utilized in both restricted and unrestricted manners to mitigate the damage caused by the opioid epidemic; and

WHEREAS, the Sharing Agreement provides that the restricted use damages award may be utilized to engage services which expand and improve access to care for substance abuse treatment and services; and

WHEREAS, the Prevention Council has proposed to provide an additional Full-Time Equivalent (FTE) Community Outreach Certified Recovery Peer Advocate who will work with several populations throughout Saratoga County, primarily to include referrals from the Second Chance Program and Veterans’ Peer-to-Peer Program, and which will provide integrated services to individuals that are suffering from substance abuse issues by promoting recovery, offering person-centered support, advocacy, skill development, and referrals; and

WHEREAS, the Prevention Council has proposed to provide the additional Community Outreach Certified Recovery Peer Advocate for a three year term at a total cost of \$314,244 for the term of January 1, 2023 through December 31, 2025, at a total cost not to exceed \$314,244 wherein 50% (\$52,374) of the annual cost of the program would be funded by the County through utilization of Opioid Settlement funds, and the remaining 50% (\$52,374) of the annual cost of the program would be funded by the Prevention Council; and

WHEREAS, our Health and Human Services Committee, the Sheriff, and the Director of the Veterans’ Services Agency recommend that the proposal of the Prevention Council be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to enter into an agreement The Alcohol and Substance Abuse Prevention Council of Saratoga County, Inc. of Saratoga Springs, New York, for the provision of a Community Outreach Certified Recovery Peer Advocate for a three (3) year term commencing January 1, 2023 through December 31, 2025: at a cost of \$52,374 per year; for a total County share cost not to exceed \$157,122; 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 included in the 2023 Tentative Budget.

RESOLUTION 330 - 2022

Introduced by Human Resources and Insurance: Supervisors Tollisen, Edwards, Grasso, Hammond, Schopf, K. Veitch and Wood

AUTHORIZING AN AGREEMENT WITH PMA MANAGEMENT CORP. TO PROVIDE THIRD-PARTY ADMINISTRATIVE SERVICES FOR THE COUNTY'S WORKERS' COMPENSATION PLAN

WHEREAS, the County's current agreement with CorVel Corporation to provide third-party administrative services for the County's Workers' Compensation Plan is set to expire on December 31, 2022; and

WHEREAS, the Human Resources Department issued a Request for Proposals for third-party administration of the County's Workers' Compensation Plan; and

WHEREAS, PMA Management Corp. has proposed to provide Third-Party Administrative Services for the County's Workers' Compensation Plan for an initial two (2) year term commencing January 1, 2023 and continuing through December 31, 2024, at a cost of \$157,000 per year plus additional as-needed services listed in PMA Management Corp.'s proposal dated October 28, 2022, with the option to renew for three (3) additional terms of one (1) year each, subject to a maximum 3% annual increase for each renewal term exercised; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended that the proposal submitted by PMA Management Corp. for third-party administration of the County's Workers' Compensation Plan be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with PMA Management Corp., of Blue Bell, Pennsylvania, for the provision of third-party administration of the County's Workers' Compensation Plan, for an initial two (2) year term commencing January 1, 2023 and continuing through December 31, 2024, at a cost of \$157,000 per year plus additional as-needed services listed in PMA Management Corp.'s proposal dated October 28, 2022, with the option to renew for three (3) additional terms of one (1) year each, subject to a maximum 3% annual increase for each renewal term exercised; 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 included in the 2023 Tentative Budget.

RESOLUTION 331 - 2022

Introduced by Human Resources and Insurance: Supervisors Tollisen, Edwards, Grasso, Hammond, Schopf, K. Veitch and Wood

AMENDING THE POLICIES AND PROCEDURES MANUAL TO REVISE THE VACATION CARRYOVER POLICY AND PROCESS

WHEREAS, Resolution 330-82 adopted a manual of Policies and Procedures for the conduct of Saratoga County government; and

WHEREAS, since adoption, the Board of Supervisors has enacted several amendments to the Manual; and

WHEREAS, pursuant to Resolution 118-2020, this Board authorized an amendment to the Vacation Carryover Policy and Process as a result of the impacts of the COVID-19 Pandemic on staffing and departmental operations, said amendment affecting accruals earned on or before December 31, 2020; and

WHEREAS, pursuant to Resolution 80-2021, this Board authorized an amendment to the Vacation Carryover Policy and Process to accommodate staffing and departmental operation and to prevent vacation carryover expiration, said amendment affecting accruals earned on or before December 31, 2021; and

WHEREAS, authorizing County employees who have staggered accrual anniversary dates an extension of time in which to use their unused vacation time will positively impact department operations and help ensure adequate staffing to efficiently serve the public; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended that the policy be amended to provide County employees with staggered anniversary dates the ability to use their carryover vacation accruals by the following anniversary in accordance with the Collective Bargaining Agreements; and that the following section be added to the County’s Vacation Carryover Policy and Process:

VACATION CARRYOVER AMENDMENTS

Effective January 1, 2023, any approved vacation carryover request will be extended to the employee’s next accrual anniversary date. At the conclusion of the carryover period, any unused vacation time will be removed from the employee’s vacation accrual bank.

Upon the approval of an employee’s Department Head and the Human Resources Department, all vacation carryover requests made by the employee will be approved until the employee’s next anniversary date. Upon the employee’s next accrual anniversary date, any unused vacation carryover accruals will be removed from the employee’s vacation accrual bank.

; and

WHEREAS, implementation of any legislative revisions to the Manual requires the approval of the Board; now, therefore be it

RESOLVED, that any County employees with staggered accrual dates that are currently approved to use carryover vacation, such approval is extended to their next anniversary date; and it is further

RESOLVED, that the following section of the Saratoga County Policies and Procedures Manual is amended to revise the Vacation Carryover Policy and Process, as more particularly described in the Human Resources and Insurance Committee’s proposal, hereinabove described:

<u>CHAP/SECTION</u>	<u>TITLE</u>	<u>ORIGINALLY ADOPTED</u>	<u>LAST REVISED</u>
4 M	Vacation Carryover Policy	5/13/80	Resolution 80-2021

; and it is further

RESOLVED, that the Human Resources Department shall distribute copies of the revised Vacation Carryover Policy to all County departments and agencies; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 332 - 2022

Introduced by Economic Development: Supervisors Tollisen, Grasso, Hammond, Schopf, K. Veitch, M. Veitch and Wood

DESIGNATING THE SARATOGA COUNTY CHAMBER OF COMMERCE AS THE COUNTY'S TOURISM PROMOTION AGENCY AND AUTHORIZING THE SARATOGA COUNTY CHAMBER OF COMMERCE TO APPLY FOR AN "I LOVE NEW YORK" GRANT FOR 2023

WHEREAS, Article 5-A of the Economic Development Law authorizes matching funds for tourism promotion to be administered through a County's Tourism Promotion Agency; and

WHEREAS, approval of any application for such State funds requires the designation of a Tourism Promotion Agency and a local commitment for an amount at least equal to the grant request; and

WHEREAS, the maximum possible grant for tourism promotion for 2022 approximates \$172,500; and

WHEREAS, tourism promotion has long been a commitment of the Board of Supervisors of Saratoga County; and

WHEREAS, the Saratoga Chamber of Commerce has been successful in the promotion of tourism for Saratoga County for many years, and is well suited to be designated as Tourism Promotion Agency for Saratoga County; now, therefore, be it

RESOLVED, that the Saratoga County Chamber of Commerce is hereby designated as Tourism Promotion Agency for Saratoga County for 2023; and, it is further

RESOLVED, that the Chairman of the Board is authorized and directed to execute and file necessary applications, acceptance and subrecipient documents required by the New York State Empire State Development for the maximum award of tourism promotion matching funds for 2023 with a possible total program expenditure of \$172,500; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 333 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

## ESTABLISHING 2023 SCALE OF CHARGES FOR SARATOGA COUNTY SEWER DISTRICT NO. 1

WHEREAS, pursuant to County Law §266, the Commissioners of Saratoga County Sewer District No. 1 adopted a scale of charges for the Sewer District's 2023 services; and

WHEREAS, this scale was duly published in the official newspapers of the County and on the County of Saratoga's official website and was duly filed with our Clerk of the Board; and

WHEREAS, after due consideration, and upon the District's recommendation, this Board finds that it is in the public interest to adopt that scale of charges for collection, conveyance, treatment and disposal of sewage; now, therefore, be it

RESOLVED, that the following 2023 scale of charges for the Sewer District, be, and the same hereby is, confirmed and established:

### 2023 SCALE OF CHARGES FOR SARATOGA COUNTY SEWER DISTRICT NO. 1

#### SECTION 1 - SEWER CHARGES IMPOSED

Pursuant to County Law §266(1)(a), Saratoga County Sewer District No. 1 hereby imposes sewer charges for 2023 upon all premises and real property, within or without District boundaries, connected to, the District's sewer system.

#### SECTION 2 - ESTABLISHMENT AND CONFIRMATION OF SEWER CHARGES

Subject to confirmation by the County Board of Supervisors, this scale of charges may, from time to time, be amended by the District's Commission.

#### SECTION 3 - CRITERIA FOR ESTABLISHING SEWER USER CHARGES

The scale of sewer user charges shall use the following criteria:

(a) A user is defined as any piece of land upon which a building or buildings stand and is connected to an interceptor, trunk or collector sewer served by the District.

(b) The annual cost of debt service, administration, operation and maintenance for the District's treatment facilities will be generally allocated to all users.

(c) The annual cost of debt service and operation and maintenance associated with the interceptor sewer, will be generally allocated to all users connected to and/or discharging into the system.

(d) The annual cost of debt service and operation and maintenance associated with each major trunk sewer system will be generally allocated to all users connected to and/or discharging into the system.

(e) A connection unit is defined as a single-family dwelling unit. Units include, but are not limited to, a single family house, each apartment unit (e.g. an apartment building with six apartments is six units), each half of a duplex, a cottage, a camp, a mobile home, and each unit of a condominium or

townhouse. A "unit" as used for billing purposes will be 200 gallons per day of sewer discharge, or any portion thereof. No user will be rated at less than one unit. Users will be rated in terms of whole connection units. Each tenant with sanitary facilities within a commercial complex will be defined as an individual user.

(f) For all users, including single-family dwelling units, equivalent connection units (E.C.U.) will be determined based on the following schedule which accommodates peak demand and potential flow needs:

#### USER CHARGES:

##### Single parcel:

- A. Vacant - no charge unless a lateral was requested and installed. If lateral is installed, a collector fee shall be charged for each lateral.
- B. Occupied - Residential
  - (1) Single Family Residence
    - a. 1 user, 1 collector as applicable.
  - (2) Multiple Family Residence – Each separate dwelling unit in a two family, three family or multiple dwelling, which is not an apartment
    - a. 1 user per dwelling unit
    - b. 1 collector per dwelling unit as applicable
  - (3) Apartments
    - a. Each dwelling unit is assigned 1 user and 1 collector as applicable
    - b. Subsidized senior housing - For complexes receiving Federal, State or municipal rent subsidies for dedicated senior housing, each 2 dwelling units will be assigned 1 user and 1 collector as applicable
    - c. Proof of entitlement to the designation as senior subsidized housing will need to be provided by the user and will be subject to approval of the Sewer Commission; confirmation of continuance of the subsidy will need to be provided to the Sewer District by September 1<sup>st</sup> of each year.
  - (4) Trailer Parks
    - a. 1 user for each approved trailer site
  - (5) Condominiums
    - a. Each unit is assigned 1 user and 1 collector as applicable
    - b. Charges will commence upon issuance of a Certificate of Occupancy by the local municipality for those units that the New York State Department of Law has authorized to be offered for sale. Common area facilities will be assessed to the owner of record as determined under provisions of Commercial Users.
- C. Occupied - Commercial
  - (1) 1 Collector for each user

#### COMMERCIAL USERS

- A. Restroom is defined as 1 toilet, sink and/or urinal to be adjusted proportionately for additional facilities
- B. Commercial, non-food



	User - 400 GPD/restroom, or 0.1 GPD/sq. ft., whichever is greater.	
	Collector - 1 collector per each user	
C.	Other commercial, food/gas, etc. (e.g., convenient store)	
	User - 2 per restroom, or 0.1 GPD/sq. ft., whichever is greater.	
D.	<u>Misc.</u>	<u>GPD</u>
	Beauty/Barber shop (per chair)	100
	plus 2 units for sanitary facilities	
	Bowling alley (per lane, no food)	75
	plus restaurant facility (see below)	
	Camps, day (per person)	15 – 20
	resort	65 - 75
	Country club (per member)	25
	Hotels/Motels (per room) no kitchen	120
	(per room) with kitchen	150
	plus dining facilities (see below)	
	Day worker (per shift)	15 - 35
	Dental office Apply A (SEE ABOVE)	-
	Hospital (per bed)	250 - 350
	 Institutions other than hospitals (per bed)	 125
	 Bed and Breakfast - 2 units per bathroom	 400
	 Schools	
	Day (per student)/day care (per adult and child)	10
	cafeteria, add	10
	showers, add	5
	Boarding (per student)	100
	Service station (per restroom)	400
	Self-service laundry (per machine)	400
	 Shopping center	 .05/sq. ft
	(plus restaurant, see below)	
	1 collector per each user	
	Swimming pool/beach with bathhouse	10
	(per person)	
	Theatre indoor (per seat)	3
	drive-in (per car space)	5
	Public assembly (per person)	3 - 10
	Car wash (per bay)	400
	Campground (per site) w/facilities	100
	Seasonal Use (6 months or less), per site	50
	Food Service:	
	Ordinary restaurant ** (per seat)	35
	24-hour restaurant (per seat)	50
	restaurant on freeway (per seat)	70
	tavern (little food service) (per seat)	20
	curb service (per car space)	50
	catering/banquet facilities - per seat	20
	carryout food service (minimum of 3 users)	
	**This assumes a minimum of 7 GPD/per person and turnover of 5x/day/seat	

Office building	.1/sq. ft.
or 2 units per restroom (whichever is more)	
Warehouse - storage floor space only	.02/sq. ft.

For all commercial users: where actual sewer flow is measured, that flow (one year's record data) shall be used for determining an E.C.U. count with adjustments for discharge strength and content. The data is to provide cumulative and daily peak flow volumes; the methodology is subject to approval of the Executive Director.

Users generating higher annual sewer flows than above schedule, the following rate table applies:

<u>Consumption (gallons)</u>	<u>Connection Units</u>
Up to 112,500	1
112,501 - 187,500	2
187,501 - 262,500	3
262,501 - 337,500	4
337,501 - 412,500	5

For each additional 75,000 gallons or any part thereof, the number of connection units shall be increased by one.

(g) When there is a substantial increase in sewer flows during the current year, the District may adjust the number of connection units charged and bill the user directly for that additional sum pursuant to Section 8.

(h) Saratoga Spa State Park will be charged based on their 2022 measured waste expressed in E.C.U.'s discharged to District facilities.

(i) Wastewater from wet processing and other operations is subject to the restrictions, prohibitions and surcharges outlined in the District's rules and regulations covering the discharge of sewage, industrial waste and other waste into the Saratoga County sewer system and all sewers tributary thereto.

(j) A user discharging B.O.D. or T.S.S. to the District facilities exceeding the amount allowed in the District's rules and regulations will be charged \$700 per dry ton for that excess per conditions of their discharge permit.

(k) All costs of the District's pretreatment and spill response program including, but not limited to, laboratory testing, labor, equipment, materials, consultants and sub-consultants, contractors and subcontractors, and fines, shall be reimbursed by the individual or user.

(l) Outside non-residential users will be charged two and one-half times the rate established for the trunk system servicing that user, residential housing will be one and one-half times that rate.

(m) Users of collection sewers turned over to the District will be charged for that portion of the District facilities utilized and at the same rate as the other users of the particular system.

SECTION 4 - SCALE OF CHARGES

The following is the 2023 scale of charges for the trunking and treatment of sewage.

(a) The cost of the treatment facilities and interceptor sewer lines is allocated among the 23 trunk systems. The units for those trunks and the portion of the 2023 user charges based on those units are as follows:

2023 SEWER CHARGES

	<u>UNITS</u>	<u>CHARGE</u>	<u>REVENUE (thousands)</u>
Ballston Spa - Village	3,300	\$ 250.50	\$ 826,650.00
Ballston - Town	1,927	\$ 250.50	\$ 482,713.50
Clifton Park	15,847	\$ 268.50	\$ 4,254,919.50
Country Knolls - Clifton Park	1,148	\$ 260.50	\$ 299,054.00
Country Knolls North - Malta	1,998	\$ 250.50	\$ 500,499.00
Halfmoon	10,292	\$ 284.50	\$ 2,928,074.00
Mechanicville	3,145	\$ 247.50	\$ 778,387.50
Pruyn Hill - Halfmoon	659	\$ 257.50	\$ 169,692.50
Riverside - Stillwater	1,185	\$ 324.50	\$ 384,532.50
Round Lake - Village	430	\$ 295.50	\$ 127,065.00
Saratoga State Park	117	\$ 271.50	\$ 31,765.50
Saratoga Springs	17,493	\$ 254.50	\$ 4,451,968.50
Saratoga Lake - Saratoga, Stillwater	1,141	\$ 353.50	\$ 403,343.50
Wilton	5,149	\$ 282.50	\$ 1,454,592.50
Greenfield	550	\$ 284.50	\$ 156,475.00
Milton - Town	2,464	\$ 250.50	\$ 617,232.00
Malta	6,151	\$ 294.50	\$ 1,811,469.50
Cascade Service - Halfmoon	1,946	\$ 247.50	\$ 481,635.00
NYSERDA Service - Malta	84	\$ 268.50	\$ 22,554.00
Hemstreet Park - Outside, residential	239	\$ 346.00	\$ 82,694.00
Saratoga County Water Authority	30	\$ 282.50	\$ 8,475.00
Cold Springs Road - Stillwater	15,250	\$ 257.50	\$ 3,926,875.00
<b>TOTAL</b>	<b>90,545</b>		<b>\$ 24,200,667.00</b>

(b) The total user money needed in 2023 for debt service, maintenance and operation is \$24,200,667.00.

(c) The property owners served by the Sewer District will pay the established rate per connection unit listed above.

(d) Property owners within the other trunks will pay the following connection charges based on E.C.U.'s:

Saratoga Spa State Park	\$ 31,765.50
Saratoga County Water Authority	\$ 8,475.00

City of Saratoga Springs, including Geyser Crest, Crescent Avenue, Geyser Road, Floral Estates Saratoga Lake (within city limits)	\$4,451,968.50
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(e) Outside non-residential users will pay two and one-half times the established rate.

(f) Outside residential housing units will pay one and one-half times the established rate.

SECTION 5 - COLLECTOR SEWER SYSTEM

Collector sewer rates are generally based on the overall construction costs of the collector system together with debt service or operation and maintenance costs of the collector system. The number of collector units charged per E.C.U. is defined under the “USER RATES”.

The District's collector sewer charges, exclusive of any trunk and treatment charges are as follows:

**SUMMARY OF COLLECTOR SEWER RATES**

Does Not Include Trunk and Treatment Charge

<u>Description</u>	<u>Total Charge</u>
Ballston	\$ 50.00
Clifton Park systems served by Clifton Park/Halfmoon Trunk	\$ 50.00
Country Knolls system - Clifton Park	\$ 50.00
Pruyn Hill system	\$ 50.00
Halfmoon systems served by Clifton Park/Halfmoon trunk	\$ 50.00
Country Knolls North – Malta	\$ 50.00
Saratoga Springs (includes Kirby Road, Loughberry Lake, Crescent Avenue, Saratoga Lake portion of collection system, Floral Estates)	\$60,050.00
Sherwood Forest - Clifton Park	\$ 50.00
Riverside system – Stillwater	\$ 50.00
Saratoga Lake (towns)	\$ 50.00
Wilton	\$ 50.00
Greenfield	\$ 50.00

SECTION 6 - PAYMENT OF SEWER USER CHARGES

All sewer charges, excepting those for Saratoga Springs, Saratoga Spa State Park, Town of Schaghticoke, Saratoga County Water Authority, NYSERDA and GLOBALFOUNDRIES shall be collected pursuant to Real Property Tax Law Article 11. The assessor of each municipality utilizing the town and county tax bills for the collection of taxes shall properly code the assessment roll as to the number of connection units for each particular property and for those properties utilizing the collector system. The assessor shall use the District's formula to determine the units for multiple dwellings and commercial users of the trunk and collector systems.

The City of Saratoga Springs, which includes the Geyser Crest, Geyser Road and a portion of the Saratoga Lake trunk sewer systems; as well as the Kirby Road, Loughberry Lake, Crescent Avenue and a portion of the Saratoga Lake collector systems shall each be considered as a single-bulk user and shall be so billed by the District. The city's collecting officer shall determine the appropriate method of assessing and collecting its sewer user charge. This single-bulk user charge may be passed on to city residents as a city sewer rent and enforced pursuant to General Municipal Law §452.

City payments shall be due quarterly by March 31, June 30, September 30 and December 31, 2023. A late payment charge of one percent (1%) per month shall be added for each month or portion thereof until paid.

The District shall bill Saratoga Spa State Park their 2023 user charges payable no later than May 1, 2023.

The Town of Schaghticoke shall be billed by the District for service to the Hemstreet Park area of the Town on a semi-annual basis in accordance with the terms of the District's Inter-municipal Agreement with the Town.

GLOBALFOUNDRIES and Saratoga County Water Authority will be billed on a monthly basis based on flows discharged the preceding month per terms of their Industrial Discharge Permits.

Payments by single-bulk users shall be made to the County Treasurer who shall reject any untimely or insufficient payment. The postmark date of a payment shall be evidence of payment.

#### SECTION 7 - PENALTIES FOR LATE PAYMENTS

Sewer charges shall be subject to the same penalties and interest applicable to County taxes generally.

#### SECTION 8 - PAYMENT OF SEWER CHARGES NOT ON TOWN/COUNTY TAX ROLLS

The District shall bill directly those users of the collector sewer system and the trunk sewer system not appearing on the town and county tax rolls. Payments shall be made to the District and forwarded to the County Treasurer. Partial payments will not be accepted and will be returned.

The District shall also bill directly those users that have had an increase in connection units during the year.

The County Treasurer shall prepare and transmit to the Board of Supervisors, on or before December 1, a list of District residents or property owners within the District who are in arrears in the payment of such trunk or collector charges for a period of 30 days or more. The list shall contain a brief description of the properties for which the services were provided, the names of the persons or corporations liable to pay for same and the amount chargeable to each including penalties and interest computed to December 31.

The Board of Supervisors shall levy such sums against the properties liable and shall state the amount thereof in a separate column in the annual tax rolls of the various municipalities under the name of "county sewer charges". Such amounts, when collected by the several municipal collectors or receivers of taxes, shall be paid over to the County Treasurer. All of the provisions of the tax laws of the State of New York covering the enforcement and collection of unpaid taxes or assessments for special improvements not inconsistent herewith shall apply to the collection of such unpaid charges. Such amounts, when received by the County Treasurer, shall be credited to the County Sewer District fund for the District's exclusive use.

#### SECTION 9 - PROCEDURES

This proposed scale of charges shall be considered by the District's Commissioners. The adopted rates shall be published in accordance with Resolution No. 174 of 1977 as amended by Resolution No. 174-09.

The County Board of Supervisors shall thereafter act upon the proposed scale of charges and upon all appeals in one of the following ways:

- (a) By confirming the scale of charges by a general resolution;

- (b) By amending the scale of charges and confirming the amended scale by a general resolution;  
or
- (c) By committing the scale of charges to the Sewer District Commission for further study and consideration.

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact. Funds are included in the 2023 Tentative Budget.

#### RESOLUTION 334 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Tollisen, Veitch, Winney and Wood

#### AUTHORIZING AN AGREEMENT WITH INSITUFORM TECHNOLOGIES, LLC FOR CONSTRUCTION SERVICES RELATED TO SARATOGA COUNTY SEWER DISTRICT NO.1'S INTERCEPTOR REHABILITATION PROJECT

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, this Board of Supervisors, established a county sewer district designated and known as Saratoga County Sewer District No. 1 (hereinafter the "District"); and

WHEREAS, the sewer interceptor and related facilities serving properties in the District are in need of rehabilitation and improvement, as described in the January 2020 report of M.J. Engineering & Land Surveying, P.C.; and

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5-A, and more particularly, Resolution 245-2020, of this Board of Supervisors, an increase and improvement of facilities of Saratoga Sewer District No.1, consisting of rehabilitation and improvement of the sewer interceptor and related facilities (the "Project") has been approved at a total estimated cost to the County of \$29,800,000; and

WHEREAS, pursuant to Resolution 97-2022, this Board authorized the issuance of \$29,800,000 of general municipal bonds to finance the Project related to the rehabilitation and improvement of the sewer interceptor and related facilities; and

WHEREAS, the rehabilitation and improvement of the interceptor is necessary to ensure safe transportation of wastewater from throughout the District to the Wastewater Treatment Plant in Halfmoon; and

WHEREAS, the Executive Director of the Sewer District solicited bids to perform the construction services related to the Project, including cured in-place pipe rehabilitation of fourteen (14) miles of interceptor sewer line as well as manhole rehabilitation; and

WHEREAS, Insituform Technologies, the low bidder, has proposed to provide the construction services required for the Project at cost not to exceed \$26,338,455; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that this Board award the contract for construction services associated with Saratoga County Sewer District No. 1's Interceptor Rehabilitation and Improvement Project to Insituform Technologies, LLC, at a cost not to exceed \$26,338,455; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Insituform Technologies, LLC, of Chesterfield, Missouri, for construction services related to the Saratoga County Sewer District No. 1 Interceptor Rehabilitation and Improvement Project, at a cost not to exceed \$26,338,455; 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 included in the Department Budget.

#### RESOLUTION 335 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Tollisen, Veitch, Winney and Wood

AUTHORIZING AN AMENDED AGREEMENT WITH MISSION COMMUNICATIONS, LLC TO INCLUDE UPDATED RATES TO MAINTAIN THE CELLULAR BASED COMMUNICATIONS SYSTEM FOR SARATOGA COUNTY SEWER DISTRICT NO. 1

WHEREAS, pursuant to Resolution 145-12, this Board adopted the replacement and upgrade of the Saratoga County Sewer District No. 1's pump station radio system as a result of regulations imposed by the Federal Communications Commission (FCC) mandating narrower radio band frequencies; and

WHEREAS, the cell-based Supervisory Control and Data Acquisition ("SCADA") monitor system allows for the monitoring of pump stations and meter pits on a constant basis to provide immediate alarm information to Saratoga County Sewer District No. 1 (the "District") personnel which is critical to ensuring the maintenance and operation of the collection system; and

WHEREAS, pursuant to Resolution 48-13, this Board authorized an agreement with Mission Communications, LLC to provide service and monitoring of the District's pump station radios at an annual cost of \$347.40 per Mission M100 radio; \$563.40 per M800 radio; \$227.40 per M80 radio; and \$60.00 per expansion board adder; and

WHEREAS, Mission Communications, LLC has submitted a proposal with updated rates to provide service and monitoring of the District's pump station radios at an annual cost of \$359.40 per M110 radio; \$347.40 per MyDro 150 radio; \$581.40 per M800 radio; \$563.40 per MyDro 850 radio; \$233.40 per Manhole Monitor; and \$227.40 for Manhole Monitor+; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that proposal of Mission Communications, LLC be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Mission Communications, LLC, of Norcross, Georgia, for service and monitoring of Saratoga County Sewer District No. 1's pump station radios at an annual cost of \$359.40 per M110 radio; \$347.40 per MyDro 150 radio; \$581.40 per M800 radio; \$563.40 per MyDro 850 radio; \$233.40 per Manhole Monitor; and \$227.40 for Manhole Monitor+; 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 included in the Department Budget.

#### RESOLUTION 336 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Tollisen, Veitch, Winney and Wood

#### AUTHORIZING AN AMENDED AGREEMENT WITH WRIGHT-PIERCE ENGINEERING CONSULTANTS, P.C. FOR ADDITIONAL EVALUATION AND DESIGN SERVICES RELATED TO UPGRADES TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT

WHEREAS, Saratoga County Sewer District No.1's Capital Budget as approved by this Board includes upgrades to the secondary clarifiers, gates, motor control center and 4160V transformers at the Saratoga County Sewer District No. 1 (the "District") Wastewater Treatment Plant ("WWTP"); and

WHEREAS, the Saratoga County Sewer District No.1 Sewer Commission and the Sewer District's Executive Director previously solicited bids for the provision of design and evaluation of said upgrades; and

WHEREAS, pursuant to Resolution 56-2021, this Board awarded a contract to Wright-Pierce Engineering Consultants, P.C., based on their best value proposal, to provide the evaluation and design services at a cost not to exceed \$454,180; and

WHEREAS, pursuant to General Municipal Law §103, a change-order amounting to less than ten percent (10%) of the contract award was approved by the Saratoga County Sewer District No. 1. Sewer Commission and the Executive Director of the Sewer District, which increased the contract scope to provide Computational Fluid Dynamics (CFD) modeling, at an additional cost of \$20,400; and

WHEREAS, during the sixty percent (60%) and ninety percent (90%) design phases of the Secondary Clarifier and Electrical Upgrades Project, additional scope items were added due to modifications in the Ammonia Project and requests from the Executive Director of the Sewer District, including additional electrical design components, electrical room additions, upgrades to the RAS



pump gallery, an additional UV gate, an additional effluent gate, addition of e-stops and influent pumps, and an additional stilling well and radar level sensor with secondary clarifier splitter box; and

WHEREAS, the current project vendor, Wright-Pierce Engineering Consultants, P.C., have submitted a proposal to provide the additional evaluation and design services to be included in the final design of Secondary Clarifier and Electrical Upgrade components of the project, at an added cost of \$39,500; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that proposal of Wright-Pierce Engineer Consultants, P.C., be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Wright-Pierce Engineering Consultants, P.C., of Saratoga Springs, New York, for the provision of design and evaluation services for the upgrades to the secondary clarifiers, gates, motor control center and 4160V transformers at the Saratoga County Sewer District Wastewater Treatment Plant, at an amended total cost not to exceed \$514,080; 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 included in the Department Budget.

#### RESOLUTION 337 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Tollisen, Veitch, Winney and Wood

**AUTHORIZING AN AGREEMENT WITH BDP INDUSTRIES, INC. FOR DESIGN, FABRICATION, AND INSTALLATION OF REPLACEMENT LOCAL AND MASTER CONTROL PANELS FOR THE SLUDGE BELT FILTER PRESSES AT THE SARATOGA COUNTY SEWER DISTRICT NO. 1 WASTEWATER TREATMENT PLANT**

WHEREAS, Saratoga County Sewer District No.1's (the "District") Wastewater Treatment Plant utilizes a sludge Belt Filter Presses ("BFP") in the processing of sludge resulting from wastewater treatment; and

WHEREAS, proper functioning of sludge BFPs is critical to the functioning of Saratoga County Sewer District No. 1's Wastewater Treatment Plant and in maintaining compliance with the District's State Pollution Discharge Elimination System ("SPDES") issued by the NYS Department of Environmental Conservation; and

WHEREAS, the local and master control panels of the sludge BFPs are at risk of failing and need replacement as a result of being exposed to the high hydrogen sulfide environment where they are located within the Wastewater Treatment Plant; and

WHEREAS, BDP Industries, Inc. was the original equipment manufacturer of the sludge BFPs at the Wastewater Treatment Plant, including the electrical control panels and the master/auxiliary dewatering electrical control panel; and

WHEREAS, BDP Industries, Inc. has been determined to be a sole source provider as the original equipment manufacturer who can provide design, fabrication, assembly, installation, and testing of replacement control panels to ensure proper operation, equipment interlock, and safety; and

WHEREAS, BDP Industries, Inc. has submitted a proposal to design, fabricate, assemble, install, and test replacement local and master control panels for the sludge BFPs at the Saratoga County Sewer District No. 1 Wastewater Treatment Plant, at a cost of \$174,100; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that proposal of BDP Industries, Inc., be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with BDP Industries, Inc., of Greenwich, New York, for the design, fabrication, assembly, installation, and testing of replacement local and master control panels for the sludge Belt Filter Presses at the Saratoga County Sewer District No. 1 Wastewater Treatment Plant, at a cost not to exceed \$174,100; 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 included in the Department Budget.

#### RESOLUTION 338 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Tollisen, Veitch, Winney and Wood

#### AUTHORIZING AN AMENDED AGREEMENT WITH DELAWARE ENGINEERING, D.P.C. FOR ENGINEERING SERVICES RELATED TO PLANNED IMPROVEMENTS TO SARATOGA COUNTY SEWER DISTRICT NO. 1's PUMP STATIONS

WHEREAS, pursuant to Resolution 347-2021, this Board authorized an agreement with Delaware Engineering, D.P.C., for engineering services related to planned improvements at Saratoga County Sewer District No. 1's Halfmoon Pump Station, at a cost of \$127,720; and

WHEREAS, the planned upgrades include the relining of approximately 2,230 linear feet of 24" sanitary sewer main feeding the Englemore Pump Station; and

WHEREAS, to advance the planned improvements of the relining of sewer main to the Englemore Pump Station the level of work required to develop plans and specifications now requires delineation of wetlands and additional mitigation and permitting related to mitigation; and

WHEREAS, the completion of the proposed improvements and relining of the sanitary sewer main feeding the Englemore Pump Station are critical to ensure proper functioning of the pump station and sewer infrastructure in the vicinity of the pump station; and

WHEREAS, Delaware Engineering, D.P.C., has submitted a proposal to provide the additional professional engineering services for wetland delineation, mitigation, and permitting at an additional cost of \$85,000; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that proposal of Delaware Engineering, D.P.C., be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Delaware Engineering, D.P.C., of Albany, New York, for engineering services related to planned improvements to Saratoga County Sewer District No.1's Pump Stations, at an amended total cost not to exceed \$212,720; 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 included in the Department Budget.

#### RESOLUTION 339 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Tollisen, Veitch, Winney and Wood

#### AUTHORIZING AN AMENDED AGREEMENT WITH ARCADIS OF NEW YORK, INC. FOR ADDITIONAL PROFESSIONAL SERVICES RELATED TO THE PERFORMANCE OF ADDITIONAL TESTING AND TECHNICAL DETERMINATION OF LOCAL LIMITS STUDY AND EVALUATION FOR THE SARATOGA COUNTY SEWER DISTRICT NO. 1'S INDUSTRIAL PRETREATMENT PROGRAM

WHEREAS, a recent audit by the United States Environmental Protection Agency (EPA) resulted in an Administrative Compliance Order which required Saratoga County Sewer District No. 1 (the "District") to recalculate technically based local limits, including for ammonia, based upon current loadings at the Wastewater Treatment Plant (WWTP) in accordance with federal regulations; and

WHEREAS, as a result of the anticipated investments and development at Global Foundries, it is imperative that the District take appropriate steps to understand the impact of chemicals that cause nitrification inhibition at the WWTP; and

WHEREAS, pursuant to Resolution 166-2021, this Board authorized an agreement with Arcadis of New York for professional services related to a technical determination of local limits study and evaluation for the District's Industrial Pretreatment Program, at a cost of \$24,500; and

WHEREAS, pursuant to Resolution 48-2022, this Board authorized an amended agreement with Arcadis of New York for professional services related services related to a technical

determination of local limits study and evaluation for the District's Industrial Pretreatment Program to include additional process profiling assistance and reporting, at an additional cost of \$44,000; and

WHEREAS, pursuant to Resolution 161-2022, this Board authorized an amended agreement with Arcadis of New York for professional services related services related to a technical determination of local limits study and evaluation for the District's Industrial Pretreatment Program to include additional inhibition jar testing and technical determination of local limits study, at an additional cost of \$124,000; and

WHEREAS, Arcadis of New York has submitted a proposal to provide additional services related to a technical determination of local limits study and evaluation for the District's Industrial Pretreatment Program professional services to include a State Point Analysis, Process Modeling, and provision of a Technical Memorandum, at an additional cost of \$44,550; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that the proposal of Arcadis of New York be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Arcadis of New York, of Clifton Park, New York, to include additional professional services related to a technical determination of local limits study and evaluation for the District's Industrial Pretreatment Program professional services to include a State Point Analysis, Process Modeling, and provision of a Technical Memorandum, at an amended total cost not to exceed \$237,050; 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 included in the Department Budget.

#### RESOLUTION 340 - 2022

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

APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY THE MICHIGAN FINANCE AUTHORITY TO FINANCE CERTAIN PROJECTS LOCATED IN SARATOGA COUNTY FOR ST. PETER'S HEALTH PARTNERS AND AFFILIATES AS REQUIRED BY SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

WHEREAS, Trinity Health Corporation ("Trinity"), is an Indiana nonprofit corporation which owns, or which is affiliated with, owners and operators of, hospital and health care facilities located in the State of New York, including St. Peter's Health Partners ("SPHP"), which owns and/or operates health care facilities in Saratoga County, New York (the "County"), as more particularly described herein; and

WHEREAS, Trinity and SPHP have requested that the Michigan Finance Authority (the "Issuer") issue its hospital revenue bonds (Trinity Health Credit Group) in one or more series or subseries from time to time in an aggregate principal amount not to exceed \$900,000,000 (the

“Bonds”), to provide funds to Trinity Health and SPHP and the affiliates of SPHP, to finance and refinance additions and improvements to, and equipment for, hospitals or other health care facilities owned and/or operated by SPHP, or an affiliate of SPHP, in an amount not to exceed \$5,000,000 with respect to such projects at Seton Health at Schuyler Ridge located at 1 Abele Boulevard, Clifton Park, New York and at St. Peter’s Health Partners Medical Associates, 4 Congress Place, Saratoga Springs, New York (hereinafter, the “Saratoga County Projects”); and

WHEREAS, the Saratoga County Projects are owned and/or operated by SPHP or its affiliates, and are located in the County, as described above; and

WHEREAS, on November 7, 2022 the Saratoga County Capital Resource Corporation held a public hearing with respect to the issuance of the Bonds and the Saratoga County Projects to be financed thereby (the “TEFRA hearing”), as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), following publication of notice of the TEFRA hearing in *The Daily Gazette*, a newspaper of general circulation in the County on, October 28, 2022, as required by the Code; and

WHEREAS, the approval of the Board of Supervisors of Saratoga County, New York, being the highest elected officials of the County, is required pursuant to Section 147(f) of the Code as a condition to the issuance of the Bonds to be applied to the Saratoga County Projects; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors approves the issuance of the Bonds by the Issuer for financing and refinancing of the Saratoga County Projects in an amount not to exceed \$5,000,000 solely for the purpose of compliance with, and as required by, Section 147(f) of the Code; and it is further

RESOLVED, that the County of Saratoga shall not be liable for the Bonds and the approvals and declarations in this Resolution shall in no way pledge or otherwise obligate the credit or taxing power of the County, nor shall the County be liable for the payment of principal of or interest or premium, if any, on the Bonds, nor shall the County have any obligations with respect to the projects to be financed and refinanced with the proceeds of the Bonds, including the Saratoga County Projects or any facilities owned and operated by Trinity or SPHP or the affiliates of SPHP; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 341 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Tollisen, Veitch, Winney and Wood

**AUTHORIZING A PUBLIC BENEFIT AGREEMENT WITH CAMPAIGN FOR SARATOGA 250, INC. FOR THE PROVISION OF HISTORICAL EDUCATION AND HERITAGE TOURISM**

WHEREAS, pursuant to Resolution 216-2021, this Board authorized the creation of the 250<sup>th</sup> American Revolution Commission with the intent to commemorate the anniversary of the Battle of Saratoga by planning events and activities that engage citizens and provide an opportunity to learn about our common heritage, develop pride of place, and celebrate our shared history; and

WHEREAS, pursuant to Resolution 181-2022, this Board appropriated an additional \$100,000 to the 250<sup>th</sup> American Revolution Commission to be used for tourism and economic development; and

WHEREAS, Campaign for Saratoga 250, Inc., is a domestic not-for-profit corporation organized under the laws of the State of New York, with a stated purpose of promoting historical education and heritage tourism including raising awareness about the role of Saratoga County in the Revolutionary War, including in connection with the national celebration of the United States Semiquincentennial, through programming such as battle reenactments, monument rehabilitation, historical discussion panels, local parades celebrating historical achievements, the construction of interactive displays conveying historical information, speaking events and the creation of web-based, informational software; and

WHEREAS, County Law §224 authorizes public benefit agreements for stated purposes including historical education and heritage tourism; and

WHEREAS, our Law and Finance Committee, the 250<sup>th</sup> American Revolution Commission, and the County Historian have recommended that the County enter a Public Benefit Agreement with Campaign for Saratoga 250, Inc. for the provision of historical education and heritage tourism, at a cost not to exceed \$100,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a public benefit agreement with Campaign for Saratoga 250, Inc. for the provision of historical education and heritage tourism in an amount not to exceed \$100,000; and it is further

RESOLVED, that the agreement shall include provisions that (a) payments shall be made to the organization's disbursing officer at such times as determined by the County Administrator; (b) payments shall only be made upon the submission of a duly certified and properly documented County voucher; (c) the documentation for the organization's initial voucher shall include copies of its current budget, financial statement, and compensation schedule; and (d) the organization shall refund any unused portion of its appropriation; 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 included in the Department Budget.

#### RESOLUTION 342 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Tollisen, Veitch, Winney and Wood

#### TRANSFERRING FUNDS TO THE CAPITAL RESERVE FUND

WHEREAS, pursuant to Resolution 246-2022, this Board authorized the creation of a Capital Reserve Fund; and

WHEREAS, pursuant to General Municipal Law §6-c(2), such fund may be established for the financing of all or part of the construction or acquisition of specific types of capital improvements or for the acquisition of specific items or types of equipment; and

WHEREAS, any funds in a Capital Reserve Fund must be deposited and secured in a manner as provided in Section 10 of the General Municipal Law; and

WHEREAS, our Law and Finance Committee, the County Treasurer, and the Budget Officer have recommended appropriating \$20,000,000 to the Capital Reserve Fund to be used for purposes enumerated in Section 6 of the General Municipal Law; now, therefore be it

RESOLVED, that this Board appropriates and directs that \$20,000,000 from the unassigned fund balance be transferred to the Capital Reserve Fund; and it is further

RESOLVED, that the monies be deposited and secured in a manner as provided in Section 10 of the General Municipal Law, and the County Treasurer shall invest such monies in the manner provided by Section 11 of the General Municipal Law, and any interest earned or capital gains realized on such monies shall continue to accrue and become part of the Capital Reserve Fund; and it is further

RESOLVED, that except as otherwise provided by law, expenditures from the Capital Reserve Fund shall be made only for the purpose for which the Capital Reserve Fund was established. No expenditure shall be made from the Capital Reserve Fund without the approval of the Board of Supervisors and such additional actions as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum as required by subdivision 4 of Section 6-c of the General Municipal Law; and it is further

RESOLVED, that the Director of Finance and/or the Budget Officer are authorized to effectuate the following transfer of funds:

Transfer

Decrease Acct.: # A-0917 – Unassigned Fund Balance \$20,000,000

Increase Acct.: # A-0888.CR – Special Reserves-Capital Reserve \$20,000,000

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The transfer of funds will reduce the unassigned fund balance by \$20,000,000.

RESOLUTION 343 - 2022

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

AUTHORIZING THE TRANSFER BETWEEN COUNTY FUNDS TO ALLOW FOR THE PURCHASE OF HIGHWAY EQUIPMENT IN 2022

WHEREAS, surplus funds remain in the 2022 County Budget under various retirement accounts; and

WHEREAS, the County Administrator has recommended that these excess funds in the amount of \$1,597,000 be transferred from said retirement accounts to two Public Works Road Machinery accounts to be used to make early purchases of Department of Public Works road equipment which has been requested in the 2023 Capital Plan; now, therefore, it is

RESOLVED, that this Board of Supervisors authorizes the transfer of funds in the amount of \$1,597,000 from the following department retirement accounts to the Department of Public Works Road Machinery accounts:

Transfer from

DISTRICT ATTORNEY

Decrease Acct.:

#A.25.000-6910 – Retirement \$ 173,894.19

SHERIFF’S OFFICE

Decrease Acct.:

#A.30.000-6910 – Retirement \$ 385,209.46

#A.30.301-6910 – Retirement \$ 269,557.46

PROBATION DEPARTMENT

Decrease Acct.:

#A.31.000-6910 – Retirement \$ 47,669.79

MENTAL HEALTH

Decrease Acct.:

#A.43.431-6910 – Retirement \$ 132,247.72

DEPARTMENT OF PUBLIC WORKS

Decrease Acct.:

#A.50.000-6910 – Retirement \$ 212,419.80

DEPARTMENT OF SOCIAL SERVICES

Decrease Acct.:

#A.60.000-6910 – Retirement \$ 157,307.27

#A.60.610-6910 – Retirement \$ 218,694.31

\$1,597,000.00

Transfer to

DEPARTMENT OF PUBLIC WORKS

Increase Acct.:

#DM.50.000-7042 – Rolling Stock-Highway use \$ 887,000.00

#DM.50.000-7043 – Rolling Stock – Off Hwy \$ 710,000.00

\$1,597,000.00

; and it is further



RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact. A budget transfer of \$1,597,000 will be needed.

#### RESOLUTION 344 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### ADOPTING THE 2023 SARATOGA COUNTY BUDGET

BE IT RESOLVED, that the tentative 2023 Saratoga County Budget, submitted by the Budget Officer on November 1, 2022, with amendments, if any, be, and the same hereby is, adopted; and, be it further

RESOLVED, that this Resolution shall take effect immediately.

#### RESOLUTION 345 – 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### APPROPRIATING AMOUNTS FINALLY SET FORTH IN THE 2023 SARATOGA COUNTY BUDGET

WHEREAS, Resolution 344-2022 adopts, with certain amendments, the revised tentative 2023 Budget previously submitted by the Budget Officer; now, therefore, be it

RESOLVED, that the several amounts specified in the tentative 2023 Saratoga County Budget in the column entitled "Law and Finance Recommendations", with amendments, if any, be inserted by the Clerk of this Board in the column entitled "Adopted", and that the total amounts as listed under each department heading be carried into the column entitled "Total": and it is further

RESOLVED, that, effective January 1, 2023, these total amounts are appropriated for the objects and purposes specified in the now-adopted 2023 Budget for the County of Saratoga; and it is further

RESOLVED, that this Resolution shall take effect immediately.

#### RESOLUTION 346 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

#### SETTING NOVEMBER 30, 2022 FOR A PUBLIC HEARING ON THE REVISED TENTATIVE 2023 SARATOGA COUNTY BUDGET

WHEREAS, the Budget Officer timely submitted the tentative 2023 Budget on November 1, 2022 to this Board; and

WHEREAS, pursuant to Local Law 1-50, our Law and Finance Committee reviewed and revised the tentative Budget on November 3, 2022; and

WHEREAS, on November 9, 2022 the entire Board reviewed and made revisions to the tentative Budget during the scheduled Budget Workshop; and

WHEREAS, County Law Section 359 requires the Board to conduct a public hearing on the revised tentative budget before its adoption; now, therefore, be it

RESOLVED, that this Board of Supervisors shall hold a public hearing on the revised tentative 2023 Saratoga County Budget on November 30, 2022, at 4:00 P.M. at the Saratoga County Board of Supervisors Chambers, 40 McMaster Street, Ballston Spa, New York 12020; and it is further

RESOLVED, that the Clerk of this Board give the required notice of this hearing by publication in designated newspapers including: *The Saratogian*, *The Daily Gazette*, *The Post Star* and *Saratoga Today*; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 347 - 2022

Introduced by Law & Finance: Supervisors Schopf, Barrett, Grasso, Lant, Raymond, Tollisen and M. Veitch

**AUTHORIZING A SETTLEMENT WITH BALLSTON TWO, LLC, SARATOGA CENTER FOR CARE, LLC, TRIPLE SSS EQUITIES, LLC, SARATOGA REALTY HOLDINGS, LLC, AND SARATOGA CARE AND REHABILITATION CENTER, LLC, IN AN ACTION FOR DECLARATORY JUDGEMENT AND TO RECOVER DAMAGES RELATED TO THE FORMER MAPLEWOOD MANOR NURSING HOME**

WHEREAS, pursuant to Resolution 218-2021, this Board authorized the commencement of litigation against Ballston Two, LLC, Saratoga Center for Care, LLC, Triple SSS Equities, LLC, Saratoga Realty Holdings, LLC, and Saratoga Care and Rehabilitation Center, LLC (collectively “the Defendants”), and any other necessary parties to recover damages resulting from the care, operation and management of the former Maplewood Manor Nursing Home, and to further the retention of Harris Beach, PLLC to serve as special counsel with respect to the initiation of such litigation; and

WHEREAS, on September 30, 2021, the County initiated a tax foreclosure proceeding under Real Property Tax Law Article 11 related to the property formerly known as Maplewood Manor; and

WHEREAS, in July 21, 2021, Harris Beach, PLLC commenced litigation in the Supreme Court of the State of New York, County of Saratoga, under Index Number EF2021-2177, on behalf of the County against certain defendants involved in the ownership, operation, and management of the property known as Maplewood Manor, located in the Village of Ballston Spa, and formerly owned and

operated by the County, such defendants including Ballston Two, LLC, Triple SSS Equities, LLC, Saratoga Realty Holdings, LLC, and Saratoga Care and Rehabilitation Center, LLC; and

WHEREAS, on December 27, 2021, delinquent taxes in the amount of \$1,914,627.82 were deposited and paid to the County Treasurer in full satisfaction of the tax lien on the properties owned by the Defendants, thereby resolving the tax foreclosure proceeding (Index Number 2019-4286); and

WHEREAS, following preliminary litigation including discovery and extensive negotiations between the County and the Defendants, a settlement has been agreed to in principle that requires the Defendants to jointly pay the County damages in the sum of one hundred thousand (\$100,000.00) U.S. dollars to settle and discontinue the litigation; and

WHEREAS, our Law and Finance Committee, the County Attorney and special counsel, Harris Beach, LLC, have recommended that the settlement negotiated by special counsel, providing for the Defendants to pay \$100,000 U.S. dollars to the County, be approved; now, therefore, be it

RESOLVED, that this Board of Supervisors authorizes the settlement of all claims and demands made by the County of Saratoga against Ballston Two, LLC, Saratoga Center for Care, LLC, Triple SSS Equities, LLC, Saratoga Realty Holdings, LLC, and Saratoga Care and Rehabilitation Center, LLC, and any other party involved in the action commenced in the Supreme Court of the State of New York, County of Saratoga, under Index Number EF2021-2177, for the amount of \$100,000 U.S. dollars; and be it further

RESOLVED, that the Chair of the Board, special counsel, Harris Beach, PLLC, and/or the County Attorney are hereby authorized to execute an appropriate release and any related paperwork needed to settle and conclude the litigation commenced by the County of Saratoga against Ballston Two, LLC, Saratoga Center for Care, LLC, Triple SSS Equities, LLC, Saratoga Realty Holdings, LLC, and Saratoga Care and Rehabilitation Center, LLC, in the action commenced in the Supreme Court of the State of New York, Saratoga County under Index Number EF2021-2177; and it is further

RESOLVED, that the form and content of such documents 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 348 – 2021

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

#### APPOINTING A COUNTY ATTORNEY

WHEREAS, County Law §500 authorizes the appointment of a County Attorney; and

WHEREAS, pursuant to Resolution 5-2021, Michael J. Hartnett was appointed County Attorney on January 5, 2022 for a term to expire on December 31, 2023, and as a result of the 2022 election, Michael J. Hartnett has been elected to the position of Family Court Judge thereby creating an anticipated vacancy in the position of County Attorney on January 1, 2023; and

WHEREAS, in the past the County Attorney has been designated as the person to hear appeals regarding the denial of access to public records under the Freedom of Information Law, pursuant to Resolution 66 of 1978; now, therefore, be it

RESOLVED, that Michelle W. Granger, of the Town of Greenfield, be and hereby is appointed full-time County Attorney, with all the powers and duties of the County Attorney as prescribed in County Law §501, commencing January 1, 2023, and her such term shall expire on December 31, 2023; and it is further

RESOLVED, commencing January 1, 2023, pursuant to Public Officers Law, Article 6, Michelle W. Granger be and she is hereby designated as the person to hear appeals regarding the denial of access to public records under the Freedom of Information Law; and it is further

RESOLVED, that in the event Michelle W. Granger shall have a conflict in hearing an appeal of a Freedom of Information Law request on which she provided legal advice to the Saratoga County Public Access Officer, Maribeth L. Hunt is hereby designated to hear all such appeals; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

Ms. Gaston requested a separate vote on Resolution 314.

Ms. Gaston expressed concerns over the flyer, the way it has been worded in the past, and that it was not posted for public review prior to this meeting. Discussion ensued.

On a motion by Mr. Schopf, seconded by Mr. Barrett, Resolution #314 was adopted by the following vote.

AYES (180195): Joseph Grasso (4328), Philip C. Barrett (19014.5), Jonathon Schopf (19014.5), Eric Butler (6500), Diana Edwards (819), Jean Raymond (1333), Michael Smith (3525), Kevin Tollisen (25662), Mark Hammond (17130), Thomas Richardson (5163), Scott Ostrander (18800), Theodore Kusnierz (16202), Sandra Winney (2075), Matthew E. Veitch (14245.5), Edward D. Kinowski (9022), John Lant (17361).

NOES (14245.5): Tara N. Gaston (14245.5)

ABSENT (41069): Eric Connolly (11831), Kevin Veitch (8004), Arthur M. Wright (1976), Willard H. Peck (5242), Thomas N. Wood, III (5808), John Lawler (8208).

RESOLUTION 314 - 2022

Introduced by Real Property Tax: Supervisors Ostrander, Butler, Gaston, Raymond and Winney

APPROVING THE 2023 TAX BILL FLYER IN ACCORDANCE WITH LOCAL LAW NO. 1 OF 2012 ESTABLISHING TRUTH IN TAXATION IN SARATOGA COUNTY

WHEREAS, pursuant to Resolution 151-12 this Board adopted Local Law No. 1 of 2012 establishing Truth in Taxation in Saratoga County to provide a legal mechanism by which Saratoga County property owners would receive accurate County property tax bill information and County budget information on an annual basis; and

WHEREAS, Section 3 of Local Law No. 1 of 2012 directs the County Administrator and County Director of Real Property Tax Services to prepare a Tax Bill Flyer summarizing financial information regarding the portion of each annual County property tax bill resulting from State and Federal mandates, and to present said Tax Bill Flyer to the Board of Supervisors concurrently with the presentation of the tentative budget for the following year; and

WHEREAS, Section 3 of Local Law No. 1 of 2012 further requires this Board of Supervisors to annually approve the contents of said Tax Bill Flyer at the Board's regular meeting during the month of November, and to authorize by resolution the manner by which said Tax Bill Flyer will be disseminated to Saratoga County property owners and the public; and

WHEREAS, the County Administrator and County Director of Real Property Tax Services have submitted to this Board for approval the Tax Bill Flyer for 2023 attached hereto as SCHEDULE A; and

WHEREAS, our Real Property Tax Committee has recommended the approval of the attached 2023 Tax Bill Flyer; now, therefore, be it

RESOLVED, in accordance with Local Law No. 1 of 2012, this Board of Supervisors hereby approves the 2023 Tax Bill Flyer attached hereto as SCHEDULE A; and, be it further

RESOLVED, that said 2023 Tax Bill Flyer shall be included as an enclosure with each 2023 Saratoga County property tax bill when mailed, and shall be posted on the County of Saratoga's website at [www.saratogacountyny.gov](http://www.saratogacountyny.gov) by no later than January 1, 2023; 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.

Mr. Barrett thanked Sheriff Zurlo, Frank McClement and Dr. Prezioso for their help with the Certified Recovery Peer Advocate and Family Support Navigator Services programs.

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

Respectfully submitted,

Therese Connolly  
Clerk of the Board