



Law & Finance Committee

February 15, 2023 4PM
40 McMaster Street, Ballston Spa, NY

Chair: Jonathan Schopf

Members:

Phil Barrett-VC
Diana Edwards
Joe Grasso
John Lant
Kevin Tollisen
Matt Veitch

Welcome and Attendance

Approval of the minutes from January 11, 2023

EXECUTIVE SESSION

- Discussion regarding collective negotiations pursuant to article fourteen of the civil service law.

REAL PROPERTY TAX

- Authorizing the establishment of a Capital Reserve Fund to finance the investigation of contaminated real property to be acquired by the County by tax foreclosure, and authorizing the transfer of funds.
(Michelle Granger, County Attorney)
BUDGET IMPACT: No Budget Impact.
- Correcting a 2023 tax bill in the Town of Clifton Park (S/B/L 272.1-2-13.1)
(Anna Stanko, Director of Real Property)
BUDGET IMPACT: No Budget Impact.
- Correcting a 2023 tax bill in the Town of Clifton Park (S/B/L 276.8-4-1)
(Anna Stanko, Director of Real Property)
BUDGET IMPACT: No Budget Impact.
- Correcting a 2023 tax bill in the Town/Village of Waterford (S/B/L 291.64-1-10.132)
(Anna Stanko, Director of Real Property)
BUDGET IMPACT: No Budget Impact.
- Correcting a 2023 tax bill in the Town of Waterford (S/B/L 285.11-2-45)
(Anna Stanko, Director of Real Property)
BUDGET IMPACT: No Budget Impact.
- Correcting a 2023 tax bill in the Town/Village of Waterford (S/B/L 291.62-1-19)
(Anna Stanko, Director of Real Property)
BUDGET IMPACT: No Budget Impact.

- Correcting a 2023 tax bill in the Town/Village of Waterford (S/B/L 291.71-1-36)
(Anna Stanko, Director of Real Property)
BUDGET IMPACT: No Budget Impact.

PUBLIC WORKS

- Authorizing the implementation and funding in the first instance 100% of the Federal-aid and State “Marchiselli” program-aid eligible costs of a transportation Federal-aid project, appropriating funds therefore, and amending the 2023 county budget in relation thereto.
(Intersection of CR109, Kinns Road and Plank Road, Town of Clifton Park)
(Chad Cooke, Commissioner of Public Works)
BUDGET IMPACT: The budget will be amended to accept these funds and authorize the related expenses.
- Authorizing an engineering consultant agreement with CPL Architects, Engineers, Landscape Architect and Surveyor D.P.C. for preliminary design, detailed design and right-of-way services related to the Plank Road intersection improvement project on CR 109 (Kinns road) in the Town of Clifton Park.
(Chad Cooke, Commissioner of Public Works)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget

LEGISLATIVE & GOVERNMENT AFFAIRS

- Calling on the State of New York to continue to pass-thru federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage funds.
(Steve Bulger, County Administrator)
BUDGET IMPACT: No Budget Impact.

PUBLIC SAFETY

- Authorizing an amended agreement with Prime Care Medical of New York Inc., Professional Care Medical Practice P.C., and Professional Care Dental Services, P.C. for the provision of behavioral health services for inmates at the Saratoga County Correctional Facility.
(Michael Zurlo, County Sheriff)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Authorizing an amended agreement with Saratoga Springs City School District for the provision of an additional School Resource Officer, and amending the 2023 county budget in relation thereto.
(Michael Zurlo, County Sheriff)
BUDGET IMPACT: The budget will be amended to accept these funds and authorize the related expenses.

- Authorizing an amendment to the contract for police services with the Town of Ballston, and amending the 2023 county budget in relation thereto.
 (Michael Zurlo, County Sheriff)
BUDGET IMPACT: The budget will be amended to decrease expenses and associated revenues by \$87,035.63.
- Authorizing an agreement with Pharmacy Associates of Glens Falls LLC d/b/a Omnicare of Ballston Spa for the provision of pharmaceutical products and pharmacy services for the Saratoga County Correctional Facility.
 (Michael Zurlo, County Sheriff)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Authorizing acceptance of a Criminal Justice Discovery Reform grant from the New York State Division of Criminal Justice Services.
 (Karen Heggen, District Attorney)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Authorizing acceptance of a Federal Emergency Management Agency Hazard Mitigation grant Program Planning grant from the New York State Division of Homeland Security and Emergency Services, and amending the 2023 county budget in relation thereto
 (Michael Stanley, Emergency Services)
BUDGET IMPACT: The budget will be amended to accept these funds and authorize the related expenses.

HUMAN RESOURCES & INSURANCE

- Authorizing the Chair to execute an agreement with Saratoga Hospital, Inc., Corporate Health Services for the provision of physical examinations and laboratory testing services.
 (Scot Chamberlain, Director of Human Resources)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Authorizing an agreement with Bishop House Consulting, Inc.
 (Scot Chamberlain, Director of Human Resources)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Amending the 2023 Compensation Schedule to reclassify positions under the Department of Health, and amending the 2023 county budget in relation thereto.
 (Scot Chamberlain, Director of Human Resources)
BUDGET IMPACT: The budget will be amended to decrease expenses and associated revenues and increase fund balance by \$8,159.

ECONOMIC DEVELOPMENT

- Authorizing the issuance of a fourth quarter 2022 payment to Saratoga Economic Development Corporation for marketing and promotional services.
(Steve Bulger, County Administrator)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Renewing an agreement with the New York State Environmental Facilities Corporation for the County's participation in the State Septic System Replacement Program.
(Steve Bulger, County Administrator)
BUDGET IMPACT: No Budget Impact.
- Setting a public hearing on proposed amendments to the boundaries of Saratoga County Consolidated Agricultural Districts #1 and #2.
(Jason Kemper, Director of Planning & Economic Development)
BUDGET IMPACT: No Budget Impact.
- Authorizing an amended agreement with Billio's, Inc. D/B/A Distinctive Catering for additional food and beverage services at the County's Annual Planning and Zoning Conference.
(Jason Kemper, Director of Planning & Economic Development)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.

LAW & FINANCE

- Adopting a Local Law identified as Introductory No. 1, Print No. 1 of 2023 entitled "a Local Law amending Local Law No. 3 of 2006 to modify the partial tax exemption for volunteer firefighters, volunteer ambulance workers, and un-remarried spouses of volunteer firefighters and volunteer ambulance workers killed in the line of duty"
(Anna Stanko, Director of Real Property)
BUDGET IMPACT: No Budget Impact.
- Amending Resolution 380-2022 to revise the contract amount for an amended agreement with Tyler Technologies, Inc.
(Andrew Jarosh, County Treasurer)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Authorizing an agreement with Jupiter Environmental Services, Inc. for mold and asbestos abatement at the Saratoga County Sewer District No. 1's maintenance facility in the Town of Halfmoon.
(Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.

- Authorizing an amended agreement with Barton and Loguidice and amending the 2023 budget in relation thereto.
 (Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: Funding for this amended agreement will require an appropriation of \$1,773,600 from Sewer Fund Balance.
- Authorizing an amendment to the agreement with M.J. Engineering and Land Surveying, P.C. for additional construction inspection services relating to Saratoga County Sewer District No. 1's Interceptor Rehabilitation Project, and amending the 2023 county budget in relation thereto.
 (Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: Funding for this amended agreement will require an appropriation of \$23,000 from Sewer Fund Balance.
- Authorizing agreements with T. Lemme Mechanical, Inc., and J. McBain, Inc. for replacements to the heating, ventilation and air conditioning (HVAC) units at the Saratoga County Sewer District No. 1's Wastewater Treatment Plant.
 (Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: No Budget Impact. Funds are included in the department budget.
- Authorizing an agreement with Bellamy Construction Company, Inc. for the installation of a new sewer forcemain in the Town of Wilton
 (Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: No Budget Impact. Funds are included in the department budget.
- Authorizing an agreement with Raftelis Financial Consultants, Inc for work associated with performing a complete appraisal of the Heritage Springs Sewer Works system and amending the 2023 budget in relation thereto.
 (Dan Rourke, Executive Director of Sewer District)
BUDGET IMPACT: Funding for this agreement will require an appropriation of \$45,000 from Sewer Fund Balance.
- Authorizing an agreement with NTS Data Services, LLC for the maintenance and support of the Board of Elections voter database software
 (Roger Schiera, William Fruci, Commissioner of Elections)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Authorizing an agreement with Clear Ballot Group, Inc. for the maintenance and support of the Board of Elections central count system.
 (Roger Schiera, William Fruci, Commissioner of Elections)
BUDGET IMPACT: No Budget Impact. Funds are included in the Department Budget.
- Authorizing a settlement with CVS, Walgreens, Walmart, Teva and Allergan named in an action to recover damages in combatting and treating opioid abuse.
 (Michelle Granger, County Attorney)
BUDGET IMPACT: No Budget Impact.

- Authorizing the acceptance of Local Assistance and Tribal Consistency Fund monies from the U.S. Department of the Treasury, and amending the 2023 budget in relation thereto.
(Steve Bulger, County Administrator)
BUDGET IMPACT: The budget will be amended to accept these funds and authorize the related expenses.
- Amending the 2023 budget to reappropriate unspent funds for various departments from 2022.
(Steve Bulger, County Administrator)
BUDGET IMPACT: Reappropriation from previous budget year.

CHAIRMAN’S ITEM

- Appointing members to the NYRA Local Advisory Board for Saratoga Racetrack.
BUDGET IMPACT: No Budget Impact.
- Appointing members to the Tourism Advisory Board.
BUDGET IMPACT: No Budget Impact.

OTHER BUSINESS

- **Setting agenda for Board Meeting Scheduled For February 23, 2023**

Adjourn



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Board of Supervisors



DATE: 2/9/2023

COMMITTEE: Law & Finance



RE: ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2023 ENTITLED A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2006 TO MODIFY THE PARTIAL TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS, VOLUNTEER AMBULANCE WORKERS, AND UN-REARRIED SPOUSES OF VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS KILLED IN THE LINE OF DUTY

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

See above

3. Specific Details on what the resolution will authorize:

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 1, PRINT NO. 1 OF 2023 ENTITLED A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2006 TO MODIFY THE PARTIAL TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS, VOLUNTEER AMBULANCE WORKERS, AND UN-REARRIED SPOUSES OF VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS KILLED IN THE LINE OF DUTY

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
If yes, budget lines and impact must be provided.
Any budget amendments must have equal and offsetting entries.

County Administrator's Office
Consulted

- Please see attachments for impacted budget lines.
(Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount
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Expense

Account Number	Account Name	Amount
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Source of Revenue

Fund Balance	State Aid	Federal Aid	Other
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5. Identify Budget Impact:

No Budget Impact

- a. G/L line impacted
- b. Budget year impacted
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term:

f. Termination of contract date:

g. Contract renewal and term:

h. Contact information:

i. Is the vendor/contractor an LLC, PLLC or partnership:

j. State of vendor/contractor organization:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office
Consulted

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

Marked-up previous resolution

No Markup, per consultation with County Attorney

Program information summary

Copy of proposal or estimate

Copy of grant award notification and information

Other _____

10. Remarks:

Public Hearing has been scheduled for Wednesday, February 15, 2023 at 4:30pm

INTRODUCTORY NO. 1

PRINT NO. 1

INTRODUCED BY SUPERVISORS: Ostrander, Barrett, Edwards, Lawler, and Wright

COUNTY OF SARATOGA
LOCAL LAW 1 - 2023

A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2006 TO MODIFY THE PARTIAL
TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS, VOLUNTEER AMBULANCE
WORKERS, AND UN-REMARRIED SPOUSES OF VOLUNTEER FIREFIGHTERS AND
VOLUNTEER AMBULANCE WORKERS

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

SECTION 1. Title. This Local Law shall be known as “A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 2006 TO MODIFY THE PARTIAL TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS, VOLUNTEER AMBULANCE WORKERS, AND UN-REMARRIED SPOUSES OF VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS.”

SECTION 2. That Section 1 of Local Law No. 3 of 2006 be amended to read as follows:

Section 1. Legislative intent. The Board of Supervisors recognizes the roles of the volunteer firefighters and ambulance workers in securing the safety and well being of our communities. The Board of Supervisors hereby finds that it is in the best interests of the County of Saratoga to encourage volunteerism for said purposes. The New York State Legislature has amended the Real Property Tax Law, in Section ~~[466-g]~~466-a, to authorize the County to permit enrolled volunteer firefighters, ~~and~~ volunteer ambulance workers, and the un-remarried spouses of enrolled volunteer firefighters and volunteer ambulance workers to be eligible for a real property tax exemption. To that end, by providing the following exemption it is the intent to so encourage volunteerism for our various fire and ambulance companies.

SECTION 3. That subdivision (a) of Section 2 of Local Law No. 3 of 2006 be amended to read as follows:

Section 2. Exemptions for certain volunteer firefighters and ambulance workers.

(a) Real property owned by an individual who has been an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service in Saratoga County and who resides in Saratoga County shall be exempt from taxation to the extent of ten percent of the assessed value of such property for county purposes, exclusive of special assessments, ~~provided however, that such exemption shall in no event exceed \$3,000 multiplied by the latest state equalization rate for the assessing unit in which such real property is located~~.

SECTION 4. That paragraph (iv) of subdivision (b) of Section 2 of Local Law No. 3 of 2006 be amended to read as follows:

(iv) the incorporated volunteer fire company or fire department or incorporated voluntary ambulance service has certified that the applicant has been an enrolled member of such incorporated voluntary fire company, or fire department, or incorporated voluntary ambulance service for at least [~~five~~]two years and remains an active enrolled member.

SECTION 5. That Local Law No. 3 of 2006 be amended by adding a new Section 3 to read as follows:

Section 3. Minimum Service Requirements.

(a) The applicant shall maintain continual eligibility for the exemption in accordance with Section 217 of the General Municipal Law, which defines active service as the accrual of a total of fifty (50) points during each calendar year in accordance with the following:

(i) One point shall be granted to a volunteer firefighter or member of a volunteer ambulance corps for each of the following activities performed:

- (1) Participation in a single training session.
- (2) Participation in a single drill.
- (3) Completion of a single work night.
- (4) Completion of each year of service.
- (5) Election or appointment to a position within the volunteer company, including as a delegate to a firefighter's convention.
- (6) Teaching a public education fire prevention class without compensation to a school, non-profit, or civic organization.
- (7) Attendance at a single official meeting of a volunteer company.
- (8) Participation in a single response and/or standby.

(ii) Volunteers either temporarily and totally, or partially and permanently disabled, as certified by the workers compensation board, during the course of service or while actively engaged in providing line of duty services, shall receive five (5) points for each full month of disability.

(iii) Volunteers whose continuous service is interrupted by up to four years of full-time active military duty are eligible for fifty (50) points each full year, prorated for service less than a year.

(b) At the start of a new calendar year, the total number of points accumulated by each individual shall return to zero.

(c) A fifty (50) point total must be accumulated by the end of each year of service to remain eligible for the ten percent (10%) reduction of county real property taxes.

SECTION 6. That Local Law No. 3 of 2006 be amended by adding a new Section 4 to read as follows:

Section 4. Twenty-year members. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the County of Saratoga.

SECTION 7. That Local Law No. 3 of 2006 be amended by adding a new Section 5 to read as follows:

Section 5. Un-remarried spouse of volunteer.

(a) The un-remarried spouse of a volunteer firefighter or volunteer ambulance worker killed in the line of duty may receive the real property tax exemption if:

(i) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a qualified, enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service who was killed in the line of duty;

(ii) such deceased volunteer had been an enrolled member for at least five years; and

(iii) such deceased volunteer had been receiving the partial tax exemption prior to his or her death.

(b) The un-remarried spouse of a volunteer firefighter or volunteer ambulance worker with twenty years of service may receive the real property tax exemption for the rest of his or her life if:

(i) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service;

(ii) such deceased volunteer had been an enrolled member for at least twenty years; and

(iii) such deceased volunteer and un-remarried spouse had been receiving the exemption of such property prior to the death of such volunteer.

SECTION 8. That subdivision (c) of Section 2 of Local Law No. 3 of 2006 be amended to create new Section 6 to read as follows:

Section 6. Application.~~(e)~~ Any application for such exemption under this Local Law shall be filed with the assessor on or before the taxable status date on a form as prescribed by the ~~[state board]~~New York State Commissioner for the Office of Real Property Tax Services.

SECTION 9. That subdivision (d) of Section 2 of Local Law No. 3 of 2006 be amended to create new Section 7 to read as follows:

Section 7. No diminution of current benefits.~~(d)~~ No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of this ~~[article]~~Local Law ~~[on the effective date of this section]~~ shall suffer any diminution of such benefit because of the provisions of this ~~[section]~~Local Law.

SECTION 10. That Section 3 of Local Law No. 3 of 2006 be amended to read as follows:

Section ~~[3]~~8. Effective date. This ~~[act]~~Local Law shall take effect ~~[upon filing with the Secretary of State]~~immediately after it is filed as provided in section 27 of the Municipal Home Rule Law.

SECTION 11. This Local Law shall become effective as provided in Municipal Home Rule Law § 27.

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



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: County Treasurer

DATE: 1/19/2023

COMMITTEE: Law & Finance

RE: Amending Resolution 380-2022



This column must be completed prior to submission of the request.

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

Amending Resolution 380-2022

3. Specific Details on what the resolution will authorize:

Amending the resolution amount to \$43,800. Resolution 380-2022, due to a typographical error was only approved up to \$20,500.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

No Budget Impact. Funds are included in the Department Budget

- a. G/L line impacted **A.16.000-8190**
- b. Budget year impacted **2023**
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term:

f. Termination of contract date:

g. Contract renewal and term:

h. Contact information:

i. Is the vendor/contractor an LLC, PLLC or partnership:

j. State of vendor/contractor organization:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Human Resources Consulted

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other _____

10. Remarks:

The December 2022 Law & Finance Agenda Item Request was for the correct contract amount of \$43,800. See supporting documentation attached.



Quoted By:
Quote Expiration:
Quote Name:

Christopher Vargo
5/8/23
Saratoga County, NY - P-Card
Import and Misc. Implementation

Sales Quotation For:

Saratoga County
25 W High St
Ballston Spa NY 12020-1963

Hourly Services

Description	Hours	Price
New World ERP		
Financials		
Misc Billing & Receivables	56	\$ 10,920
Contract Management	40	\$ 7,800
Project & Grant Accounting	80	\$ 15,600
eSuite Base	16	\$ 3,120
Payroll/HR		
eEmployee	8	\$ 1,560
TOTAL	200	\$ 39,000

Fixed Fee Services

Description	Units	Price	Maintenance
New World ERP			
Other Services			
AP Purchasing Card Import	1	\$ 4,800	\$ 0
TOTAL		\$ 4,800	\$ 0

Summary	One Time Fees	Recurring Fees
Total Tyler Software	\$ 0	\$ 0
Total SaaS	\$ 0	\$ 0
Total Tyler Services	\$ 43,800	\$ 0
Total Third-Party Hardware, Software, Services	\$ 0	\$ 0
Summary Total	\$ 43,800	\$ 0
Contract Total	\$ 43,800	

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms, subject to payment terms in an agreement, amendment, or similar document in which this sales quotation is included:

- License fees for Tyler and third-party software are invoiced upon the earlier of (i) delivery of the license key or (ii) when Tyler makes such software available accessible.
- Fees for hardware are invoiced upon delivery.
- Fees for year one of hardware maintenance are invoiced upon delivery of the hardware.
- Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software accessible to the

Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the agreement, with renewals invoiced annually thereafter in accord with the Agreement.

- Fees for services included in this sales quotation shall be invoiced as indicated below.
 - o Implementation and other professional services fees shall be invoiced as delivered.
 - o Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.
 - o Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and material basis. "
 - o Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where Project Planning Services are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
 - o If Client has purchased any change management services, those services will be invoiced in accordance with the Agreement.

o Notwithstanding anything to the contrary stated above, the following payment terms shall apply to fees specifically for migrations: Tyler will invoice Client 50% of any Migration Services Fees listed above upon Client approval of the product suite migration schedule. The remaining 50%, by line item, will be billed upon the go-live of the applicable product suite. Tyler will invoice Client for any Project Management Fees listed above upon the go-live of the first product suite. Annual SaaS Fees will be invoiced upon availability of the hosted environment.

- Expenses associated with onsite services are invoiced as incurred.

Any SaaS or hosted solutions added to an agreement containing Client-hosted Tyler solutions are subject to Tyler's SaaS Services terms found here: <https://www.tylertech.com/terms/tyler-saas-services>.

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held For six (6) months from the Quote date or the Effective Date of the Contract, whichever is later.

Customer Approval: _____

Date: _____

Print Name: _____

P.O.#: _____



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 380 - 2022

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

AUTHORIZING AN AMENDED AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR SERVICES RELATED TO THE COUNTY'S NEW WORLD FINANCIAL SERVICES SOFTWARE SYSTEM

WHEREAS, pursuant to Resolution 191-2021, this Board authorized the most recent amendment to its agreement with Tyler Technologies, Inc. for consulting services to install an eSuite-eEmployee self-service module to allow County employees the ability to obtain their pay stubs and W2s; update W9, contact, and direct deposit information; and interact with Human Resources and Payroll functions securely online; and

WHEREAS, the County wishes to enhance the capabilities of its New World Systems ERP Financial Accounting System by configuring and implementing eSuite-eEmployee Grant Administration and Miscellaneous Billing modules; and

WHEREAS, Tyler Technologies, Inc. has provided a quote to the County for services to provide and implement the enhanced capabilities, at an additional cost of \$20,500; and

WHEREAS, our Law and Finance Committee and the County Treasurer have recommended that the existing agreement with Tyler Technologies, Inc. be amended to allow for the installation of the new eSuite-eEmployee software, and related services, at an additional cost not to exceed \$20,500; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amendment to the agreement with Tyler Technologies, Inc. of Troy, Michigan, for the configuration, installation and implementation of eSuite-eEmployee software, and related services, at an additional cost not to exceed \$20,500; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

December 20, 2022 Regular Meeting

Motion to Adopt: Supervisor Schopf

Second: Supervisor Tollisen

AYES (179685): Eric Connolly (11831), 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 Veitch (8004), Arthur M. Wright (1976), Kevin Tollisen (25662), Thomas Richardson (5163), Scott Ostrander (18800), Theodore Kusnierz (16202), Tara N. Gaston (14245.5), Matthew E. Veitch (14245.5), Edward D. Kinowski (9022).

NOES (0):

ABSENT (55824): Mark Hammond (17130), Willard H. Peck (5242), Sandra Winney (2075), Thomas N. Wood, III (5808), John Lawler (8208), John Lant (17361)



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Sewer District #1

DATE: 1/31/23

COMMITTEE: Law & Finance

RE: Authorizing the chairman to enter into a contract with Jupiter Environmental Services Inc. for work relating to the abatement of mold and asbestos in existing buildings at 523 South Main Street in Halfmoon, SCSD's maintenance facility.

1. Is a Resolution Required:

Yes, Contract Approval

2. Proposed Resolution Title:

Authorizing the chairman to enter into a contract with Jupiter Environmental Services Inc. for work relating to the abatement of mold and asbestos in existing buildings at 523 South Main Street in

3. Specific Details on what the resolution will authorize:

This resolution(s) will authorize the chairman to enter into an agreement with Jupiter Environmental Services Inc. of New York for work relating to Mold and Asbestos abatement at SCSD's maintenance facility located at 523 South Main Street in the Town of Halfmoon. Total contract amount is \$119,200, and Jupiter Environmental was the low bid. This remediation will allow SCSD to begin using the property as intended, and clear space for the upcoming work to be done at the plant for other various projects.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

No Budget Impact. Funds are included in the Department Budget

- a. G/L line impacted **ES.81.813-7095**
- b. Budget year impacted **2023**
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation **BID**

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term: **TBD**

f. Termination of contract date: **N/A**

g. Contract renewal and term: **N/A**

h. Contact information: William Maggi Vice President
17 Warehouse Row Albany NY 12205
518-435-0700

i. Is the vendor/contractor an LLC, PLLC or partnership: **Inc**

j. State of vendor/contractor organization: **NY**

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

2 bids received.

Human Resources Consulted

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other _____

10. Remarks:

SCSD also is currently under contract with Alpine Environmental for the needed work of inspecting and verifying the removal per all rules and regulations of NYS.

FORM OF BID
SPECIFICATION #23-SDAMR-1

BIDDER'S NAME: Jupiter Environmental Services

<u>Addenda Acknowledgement:</u>	<u>Addendum No.</u>	<u>Date Received</u>
	<u>1</u>	<u>1-10-23</u>
	<u>2</u>	<u>1-10-23</u>

LUMP SUM BASE BID\$ 119,200.00
 TOTAL WRITTEN AMOUNT: One Hundred Nineteen Thousand
Two Hundred dollars

The bidder understands that the Owner reserves the right to reject any or all bids and to waive any informalities.
 The bidder agrees that his bid shall be valid and may not be withdrawn for a period of 45 days after scheduled closing time for receiving bids.

The bid security attached in the sum of \$ 5% (in figures)
Five Percent (in words)

is to become the property of the Owner in the event that contract and bond are not executed within the time set forth, as liquidated damages for the delay and additional expense to the County caused thereby.

Respectfully submitted:

SIGNATURE William Maggi
 NAME & TITLE William Maggi Vice President
 COMPANY Jupiter Environmental Services Inc
 ADDRESS 17 Warehouse Row
Albany NY 12205
 FEIN 00-1598172
 TELEPHONE 518-435-0760
 FAX 518-435-0702

DATE 1-9-23



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Sewer District #1

DATE: 1/31/23

COMMITTEE: Law & Finance

RE: Authorizing the Chairman to enter into an amended agreement with Barton and Loguidice D.P.C. to appropriate unspent funds and authorize additional funds for work relating to the construction administration and construction inspection for SCSD No1's WWTP Ammonia Removal Project.

1. Is a Resolution Required:

Yes, Contract Amendment

2. Proposed Resolution Title:

Authorizing the Chairman to enter into an amended agreement with Barton and Loguidice D.P.C. to appropriate unspent funds and authorize additional funds for work relating to the construction

3. Specific Details on what the resolution will authorize:

This resolution(s) will authorize the chairman to enter into an amended agreement with Barton and Loguidice D.P.C to reappropriate unspent funds for new tasks in the existing contract and and authorize additional funds not to exceed \$1,773,600 for work relating to the construction administration and construction inspection for the Ammonia Removal project at the WWTP - a \$44M upgrade. The current contract is \$2,027,800 which was for planning and design of the current project, but only included construction administration and inspection services for the original project in 2017 in which the scope was much less than today. This amendment bumps up all of those amounts to account for the scale of the project as it is today. This project is related to the current consent order SCSD has entered into with NYSDEC. The total contract amount would be 3,801,400, this equates to about 9% of the construction cost - which is a fair ratio of engineering fee to construction cost.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount
ES-0599.B	Appropriated Fund Balance	\$1,773,600

Expense

Account Number	Account Name	Amount
ES.81.813-7098	Prof Serv for Cap Purpose	\$1,773,600

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other
\$1,773,600			

5. Identify Budget Impact:

The budget will be amended to accept these funds and authorize the related expenses

- a. G/L line impacted ES.81.813-7098
- b. Budget year impacted 2023
- c. Details

Due to the scope change over the course of solving this problem for the last 5 years it was always anticipated this money would come from fund balance as final scope was unknown.

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term: n/a

f. Termination of contract date: N/A

g. Contract renewal and term: N/A

h. Contact information: See previous resolution attached for all required vendor information

i. Is the vendor/contractor an LLC, PLLC or partnership: D.P.C.

j. State of vendor/contractor organization: NY

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Already under contract with vendor - this resolution just amends the existing contract.
We can provide the contract if needed.

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other Previous resolution for amended contract

10. Remarks:



December 16, 2022
Revised January 25, 2023

Daniel Rourke, P.E.
Executive Director
Saratoga County Sewer District No. 1
1002 Hudson River Road
Mechanicville, New York 12118

Re: Ammonia Upgrade Project – Amendment to B&L Agreement for Construction Phase Services

File: 702.4147

Dear Dan:

Please find Barton & Loguidice’s proposed scope of services and associated professional fee for the bidding and construction services for the above-referenced project.

The scope of services outlined herein presents the effort needed to facilitate the construction of the final design of the ammonia removal upgrade project as modified by the February 2021 change in design scope.

This supplement outlines services associated with bidding, construction administration, on-site construction observation, special inspections, grant funding and design changes associated with Rambol’s structural modifications to the existing South Aeration tanks.

We look forward to continuing to work with you and the SCSD No. 1 team on this important project.

Sincerely,

BARTON & LOGUIDICE, D.P.C.

Richard A. Straut
Executive Vice President

KWC/tlh

Attachment

Saratoga County Sewer District #1

Ammonia Removal Project

Bidding, Construction Administration and Construction Observation Services Supplement

The following outlines the additional Bidding, Construction Administration, Construction Observation, and Special Inspection testing services necessary to complete the Ammonia Removal Project. Additional monthly services to support the three (3) grants that were obtained during the course of the project as well as design changes to incorporate tank modifications proposed by Rambol are also included.

These services are to supplement the original bidding and CA/CO services proposed in September 2017 for the original project. The original project entailed only the upgrade of the North Aeration blowers in the current building footprint and upgrades to the North Aeration Basins diffusion system, and a small prefabricated building for chemical addition.

The final project recommendations designed in 2021 expanded the project to include:

- Conversion of the North and South Aeration Tanks to the MLE process by adding baffle walls. The tanks will be constructed with a 15% dedicated anoxic zone, a middle zone of 25% that will swing from anoxic to aerobic based on temperature conditions and an 60% aerobic zone
- The anoxic zones will contain mixers
- The Swing zones will contain mixers and diffusers
- The North and South Side Aeration Tanks will incorporate new diffusers into the swing and aerobic zones
- Submersible axial recycle pumps for each of the 10 tanks to convey up to 200% of the forward flow back to the anoxic zone.
- Two additional South Side Aeration Tanks (designed for MLE process) including connections into the existing influent and effluent channels
- Modifications to the RAS splitter boxes to facilitate flow split to each side
- Three new high-speed turbo Turblex blowers in the North Side along with the expansion of the North Blower Building
- Three new high-speed turbo Turblex blowers in the South Blower Building. The current chemical feed area was modified to incorporate one new blower
- Modifications to HVAC for both the North and South Blower buildings to accommodate building expansions/modifications
- All new air piping on the North and South Tanks
- All new DO control systems for both the North and the South basins
- All new spray water piping for all tanks
- A chemical feed building for associated chemical storage and feed equipment, including necessary power and controls to support the process equipment and associated HVAC / architectural / site design for the building.
- Electrical to support the blowers and chemical feed building.
- New Plant Wide Back-up generator

Additional Scope of Services

1. Rebid of the Plumbing Contract

The Plumbing Contract was bid in conjunction with the three other prime contracts as part of the main project in March - May 2022. Only one bid was received and ultimately the bidder withdrew their bid and no award recommendation was established. Therefore, the County desires to rebid this contract. B&L will provide the following:

- a. Develop new front end contract documents just for the plumbing contract.
- b. Develop technical specifications from the prior set for Divisions 1 and 22. Documents will be revised to indicate coordination with the three other contracts that were awarded and integrate the necessary contract timelines to ensure the Plumbing Contract is completed in association with the General, Electrical and Mechanical Contracts.
- c. Prepare new Title sheet and modify associated plumbing drawings for a complete bid package.
- d. Provide bidding documents to the County for bid procurement via their online system
- e. Conduct one prebid meeting for potential contractors.
- f. Address contractor questions and issue addendum to the contract via the County Purchasing Department.
- g. Review and prepare a bid tabulation and recommendation letter to the County for the proposed Plumbing contractor.

All other CA services for the Plumbing contract will be completed in conjunction with the main construction project.

2. Additional Bidding Effort for Base Project

Additional bidding effort was needed due to the expansion of the project scope as outline above and the current project now includes four (4) prime construction contracts. An extended bidding timeframe was allocated due to the complexity of the project. Original project was estimated to be four (4) weeks and the actual project allocated a nine (9) week bidding timeframe.

A second bid walkthrough was conducted at the request of contractors to secure additional site information.

In addition, the County requested a significant design addition at the end of March 2022 just prior to the release of the initial drawing set. The request was to modify the Return Activated Sludge channel in the existing South Aeration Basins. This was issued as part of Addendum 3 and included the following design attributes:

- a. Modification of Drawing S131 Existing South Aeration Basin – Sections and Details to incorporate RAS channel changes
- b. Addition of Drawing S135 Existing South Aeration Basin – RAS Channel Sections for the RAS channel changes

- c. Modification to Drawing S150 South Aeration Basin – Foundation Plan to incorporate RAS channel changes
- d. Modification to Drawing S151 South Aeration Basin – Walkway Plan to incorporate RAS channel changes
- e. Modification to Drawing S156 South Aeration Basin – Sections and Details to incorporate RAS channel changes
- f. Modification to Drawing D130 Existing South Aeration Basin – Upper Demolition Plan to incorporate RAS channel changes
- g. Modification to Drawing D132 Existing South Aeration Basin Demolition Sections 1 to incorporate RAS channel changes
- h. Modification to Drawing D133 Existing South Aeration Basin Demolition Sections 2 to incorporate RAS channel changes
- i. Modification to Drawing D134 Existing South Aeration Basin Overall Upper Improvements Plan to incorporate RAS channel changes
- j. Modification to Drawing D136 Existing South Aeration Basin Enlarged Upper Improvement Plan to incorporate RAS channel changes
- k. Modification to Drawing D138 Existing South Aeration Basin Sections 1 to incorporate RAS channel changes
- l. Modification to Drawing D140 Existing South Aeration Basin Section 3 to incorporate RAS channel changes
- m. Modification to Drawing D600 Gate Schedule to incorporate gate changes due to RAS channel changes

3. Additional Construction Administration Services

Due to the significant expansion of the project scope effort associated with the Construction Administration services of the project will need to be increased. The original project, proposed in September 2017, was intended to be a 7 month construction project. The current construction contracts were awarded in September 2022 with substantial completion in December 2024, with a final completion estimated to be in March 2025. This results in 30 months of construction administration services.

Overall the project has increased in scope substantially from the original project intent. Additional discipline review is required due to the addition on the work in the South Aeration tanks, two new aeration tanks, the chemical feed building and new blowers in the South Blower building and a full plant wide generator system, and mechanical and plumbing support for the new and revised buildings. Shop drawing review time is significantly more than originally intended. Initially shop drawings were estimated at 212 hours in the September 2017 proposal.

The original construction administration tasks proposed in September 2017 remain valid, although expanded for the larger project, and include:

A Construction Manager will be assigned to the project to provide construction related services that include, but are not limited to:

- a. Pre-Construction Conference: Conduct a Pre-Construction Conference prior to commencement of work at the site. Prepare meeting minutes and action items.
- b. Defective Work: Reject work if, on the basis of Engineer's observations, Engineer believes that such work (a) is defective under the standards set forth in the Contract Documents, (b) will not produce a completed Project that conforms to the Contract Documents, or (c) will imperil the integrity of the design concept of the completed Project as a functioning whole as indicated by the Contract Documents.
- c. Clarifications and Interpretations; Field Orders: Issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. Subject to any limitations in the Contract Documents, Engineer may issue field orders authorizing minor variations in the work from the requirements of the Contract Documents.
- d. Change Orders and work Change Directives: Recommend change orders and work change directives to Owner, as appropriate, and prepare change orders and work change directives as required.
- e. Shop Drawings and Samples: Review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit.
- f. Substitutes and "or-equal": Evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor.
- g. Inspections and Tests: Require such special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Contract Documents. See Task 5 for estimate of Special Inspection Fees.
- h. Disagreements between Owner and Contractor: Render formal written decisions on all duly submitted issues relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the execution, performance, or progress of Contractor's work; review each duly submitted Claim by Owner or Contractor, and in writing either deny such Claim in whole or in part, approve such Claim, or decline to resolve such Claim if Engineer in its discretion concludes that to do so would be inappropriate.
- i. Applications for Payment: Based on Engineer's observations as an experienced and qualified design professional and on review of Applications for Payment and

accompanying supporting documentation, determine the amounts that Engineer recommends Contractor be paid. It is assumed that work will be completed and paid in one payment application.

- j. Contractor's Completion Documents: Receive, review, and transmit to Owner maintenance and operating instructions, schedules, guarantees, bonds, certificates or other evidence of insurance required by the Contract Documents, certificates of inspection, tests and approvals, Shop Drawings, Samples and other data approved as required, and transmit the annotated record documents which are to be assembled by Contractor in accordance with the Contract Documents to obtain final payment.
- k. Substantial Completion: Promptly, after notice from Contractor that Contractor considers the entire work ready for its intended use, in company with Owner and Contractor, visit the Project to determine if the work is substantially complete. If after considering any objections of Owner, Engineer considers the work substantially complete, Engineer shall deliver a certificate of Substantial Completion to Owner and Contractor.
- l. Substantial Completion Inspection: Together with Owner, conduct an inspection of the substantially completed work. Develop a list of deficiencies and issue said list to contractor. Manage, supervise and reinspect deficiencies until final resolution.
- m. Final Notice of Acceptability of the work: Conduct a final visit to the Project to determine if the completed work of Contractor is acceptable so that Engineer may recommend, in writing, final payment to Contractor. Provide a written notice of completion to regulatory agencies as required.
- n. Record Drawings: Prepare Record Drawings showing appropriate information and furnish to Owner. One (1) electronic copy in PDF format, one (1) electronic copy in AutoCAD format, two (2) sets of 22" x 34" sheets in paper shall be provided to the Owner. One copy of the project specifications in electronic format and one paper copy. Electronic copy of all approved shop drawings.

4. Additional Construction Observation Services

Due to the significant expansion of the construction project, the scope effort associated with the Construction Observation services will need to be increased. The original project, proposed in September 2017, was intended to provide 700 hours of field representative time.

As a final construction schedule has not been obtained from Jensen an estimated of construction observation hours was developed. Based upon information presented in the schedule contained

in the construction bids and discussed at the Construction kick-off meeting the following is understood:

October 2022 – February 2023: Miscellaneous field investigation for utility location: estimated 100 hours of construction observation time over this five month time period to support this effort.

March 2023 – December 2024 : Full time construction observation time utilizing the following assumptions:

- 10 hour days from April 2023 – October 2023 to observe construction of the new South Aeration Tanks. (estimate of 1,500 hours)
- 8 hours per day from April 2023 to October 2023 for a second inspector, if needed, to assist with the observation of the construction of the new South Aeration tanks (estimate of 1,200 hours)
- 10 hour days from April 2024 to September 2024 for the conversion of the existing South Aeration tanks (estimate of 1,300 hours)
- 8 hour days in March 2023, November 2023– March 2024, October 2024 – December 2024 (estimate of 1,500 hours)

January 2025 to April 2025, on a PT basis to support the final punchlist and closeout. It is estimated that 2.5 days per week will be needed equating to 300 hours

The total hours of construction inspection is estimated to be 5,900 hours (4,700 hours CO #1, 1,200 CO#2). Should a second inspector not be required for the full 1,200 and the overall contract time get extended B&L anticipates transferring hours between staff to meet the project goals. Furthermore, it is agreed that B&L may reallocate fee to/from construction observation and construction administrative, depending upon the needs of the project.

5. Special Inspections (Time and Materials)

Due to the modification of the project several new concrete structures as well as a new building is required to support this project.

Many inspection tasks can be completed by the B&L construction observation staff under the B&L engineering license but other tasks require special inspections. A table outlining the various inspection requirements and associated testing costs received from testing agencies is attached to this supplement. Multiple third party quotes for these services were obtained in June 2022 to develop the most cost effective.

Outside third party inspections are required per the NYS Building Code to test the following items:

- Soils and Foundations : Foundation Excavation, Controlled Fill Placement, Helical Piles
- Cast in Place Concrete : Reinforcement Inspection, formwork, concrete placement, sampling and testing of concrete
- Masonry : Grouting Operation, Grout Strength

- Structural Steel : Special Inspection of Structural Steel Elements

Based on the original construction schedule proposed by Jersen a total special inspection budget of \$196,400 is estimated, or roughly 0.5% of the total project costs.

Special Inspections will be coordinated at the bi-monthly meetings to ensure B&L can cost effectively manage the outside inspection firm within the project estimate. Should contractor delays extend services requiring additional field trip by the special inspections firm costs associated with these will be discussed with SCSD and a determination of back charges can be established if desired by SCSD.

6. Funding Support Services:

The project was successful in securing three major grants to fund this project, namely.

- a. Empire State Development (ESD) Grant
- b. Water Quality Improvement Program (WQIP) Grant
- c. Water Infrastructure Improvement Act (WIIA) Grant

Each grant will require development of initial submissions as well as monthly/quarterly paperwork submissions for review and approval. The following tasks will be performed on an hourly basis to support SCSD with the program compliance requirements:

- a. M/WBE Work Plans for each funding agency
- b. Quarterly M/WBE Paperwork
- c. Project work Plan for WQIP program

We have assumed 40 hours for the initial set up with contractors and agencies and 8 hours per month for the submissions. Submissions are anticipated through June 2025.

7. Modifications to Design Drawings to Incorporate Rambol design changes to the existing South Aeration Basins:

Rambol is currently designing modification to the existing South Aeration Tanks. Based on discussions with Rambol in August 2022 it appears that modifications to the B&L design will be required to incorporate this work into the project.

The extent of the structural, process and site drainage requirements are not known until final documents are provided by Rambol.

This work will be completed on an hourly basis and it is assumed that 40 hours of structural work, 40 hours of process/PM work and 24 hours of site drainage work may be required. An additional 40 hours of CAD support is assumed to support production of the overall change order and 40 hours of Construction Manager effort for the change order negotiations and associated paperwork.

EFFORT HOURS FOR SERVICES

TASK DESCRIPTIONS	Principle	Sr Associate	Managing Eng	Project Engineer (process/structural)	Sr Designer	Sr. Engineer (Structural)	Sr Engineer (Electrical)	Electrical/Mech/Plumbing Eng - Eng II	Managing Engineer (Stormwater)	Sr Tech (Electrical and Process)	Construction Manager	Senior Construction Inspector	Senior Construction Inspector	Total Hours
Rebid of Plumbing Contract														
Contract Documents for Rebidding		16		16				40		16	12			100
Additional Bidding and Award														
Additional Requested Design for RAS Channel		18.5	32.5	37	16	28								132
Expanded Bidding Services for Expanded Project	6.5	40.5	36.25	52.25	34.5	23	10.5	21		32	24			281
Administration of Construction - Total														
Contract Management of Four Prime Contracts (24 months)											480			480
Shop Drawings/Field Changes	24	230	400	400		320	200	400	40	200	200			2414
RFIs		60	80		40	60	80				80			400
Progress Meetings (2x month)		192									192			384
Pay Applications (24 Months)		24									384			408
Phased Start-up and Troubleshooting		120	40				80				40			280
Substantial (Multiple) and Final Walkthrough		24									40			64
Record Drawings		40				16	40			264	40			400
Inspection														
Full Time Senior Inspector												4700		4700
Second Inspector													1200	1200
Funding Support Services														
Modifications to Design to Incorporate Rambol Plans	4	40		40	24	40			24		40			212
HOURS TOTAL	42.5	845	588.75	785.25	114.5	487	410.5	461	64	512	1572	4700	1200	11,783

FEE FOR SERVICES:

Barton & Loguidice, D.P.C. proposes to provide the scope of services described herein for a total fee of \$1,986,575 as outlined below.

Task	Fee
Rebidding Plumbing Contract	\$12,075
Re-appropriation of remaining Pilot Plant fee of \$12,075	<u>-\$12,075</u>
Supplement Required	\$0
Bidding Services (lump sum)	
Request RAS Channel Design Work (Add# 3)	\$23,600
Expanded Bidding Services	\$47,000
- Re-appropriation of InDense Design Fee	-\$62,100
- Original Bidding Authorization	<u>-\$8,500</u>
Supplement Required	\$0
Construction Administration Services (lump sum)	\$831,100
- Original Authorization	<u>-\$64,800</u>
Supplement Required	\$766,300
Construction Observation (hourly + travel exp)	
Senior Inspector 4700 hours (@ \$132/hr)	\$620,400
Second Inspector 1200 hours (@\$121/hr)	\$145,200
Mileage	\$18,000
- Original Authorization	<u>-\$65,500</u>
Supplement Required	\$718,100
Special Inspections (outside services, see attached)	\$196,400
Grant Funding Assistance (hourly)	\$54,600
Modifications to Design Drawings for Rambol's Structural Design (hourly)	\$38,200
Total Supplement	\$1,773,600

B&L previously had \$138,800 allocated for bidding, CA and CO. Additionally there is \$12,075 remaining in unspent effort from the pilot plant task and \$62,100 in unspent effort for the InDense design which will be re-appropriated to the rebidding of the plumbing contract and additional bidding services.

As such, a supplemental fee authorization of \$1,773,600 is proposed for the additional services described herein.

3/16/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 99 - 2021

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

AUTHORIZING A CHANGE ORDER TO THE AGREEMENT WITH BARTON & LOGUIDICE, D.P.C. FOR ADDITIONAL ENGINEERING SERVICES TO INCLUDE THE DESIGN, INSTALLATION AND MONITORING OF A PILOT INTEGRATED FIXED FILM ACTIVATED SLUDGE PLANT AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT, AND AMENDING THE 2021 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 266-2017, this Board authorized an agreement with Barton & Loguidice, D.P.C. to perform an Ammonia Capacity Analysis and to design necessary upgrades to Aeration Tanks 1-4 at Saratoga County Sewer District No.1's Wastewater Treatment Plant, at a cost not to exceed \$283,500; and

WHEREAS, pursuant to Resolution 210-2018, this Board authorized an amendment to the foregoing agreement with Barton & Loguidice, D.P.C. for the provision of additional engineering services required by the New York State Department of Environmental Conservation ("NYSDEC") to include the evaluation of alternative ammonia reduction technologies and the possible need for upgrades to Aeration Tanks 5-8 at the Sewer District's Wastewater Treatment Plant, at an additional cost of \$32,200, thereby increasing the total contract cost to \$315,700; and

WHEREAS, pursuant to Resolution 136-2019, this Board authorized a second amendment to the foregoing agreement with Barton & Loguidice, D.P.C. for the provision of additional engineering services required by the NYSDEC to include an in-depth investigation of other technologies that will be included in the Basis of Design Report for upgrades to the Wastewater Treatment Plant for nutrient removal, a preliminary analysis of off-site treatment as well as a modified Basis of Design Report that evaluates the treatment capacity of the Plant in its entirety taking into account amended industrial loading projections and advanced treatment technologies, at an additional cost of \$90,600, thereby increasing the total contract to the not to exceed amount of \$406,300; and

WHEREAS, pursuant to Resolution 187-2019, this Board authorized a third amendment to the foregoing agreement with Barton & Loguidice, D.P.C. for the provision of additional engineering services to include the design, installation, and monitoring of a pilot Integrated Fixed Film Activated Sludge plant, analysis of the resulting data, and preparation of a final summary report, at an additional cost of \$153,200, thereby increasing the contract total to the not to exceed amount of \$559,500; and

WHEREAS, pursuant to Resolution 39-2020, this Board of Supervisors authorized the Chairman to execute an Administrative Order on Consent with the United States Environmental Protection Agency to address Saratoga County Sewer District No.1's ammonia exceedances; and

WHEREAS, Barton & Loguidice, D.P.C. has recommended that the Sewer District consider an Integrated Fixed Film Activated Sludge ("IFAS") system as a viable technical solution that would be able to consistently meet NYSDEC's proposed effluent limitations for ammonia-nitrogen; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal for a change order to its existing contract for provision of additional engineering services to include the final design, installation and maintenance of the pilot IFAS plant to handle increased ammonia loading from residential and commercial growth as well as industrial discharges, at a cost of \$1,468,300; and

WHEREAS, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the proposal of Barton & Loguidice, D.P.C. be accepted, and that a change order to the County's contract with Barton & Loguidice, D.P.C. be approved and executed authorizing the provision of said additional engineering services at a cost of \$1,468,300; and

WHEREAS, an amendment to the 2021 County Budget is needed to authorize the expenditure of these additional funds; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a change order to the agreement with Barton & Loguidice, D.P.C. of Albany, New York, for the provision of additional engineering services to include the final design, installation and maintenance of a pilot Integrated Fixed Film Activated Sludge plant, at an additional cost of \$1,468,300, thereby increasing the contract total to the not to exceed amount of \$2,027,800; and, be it further

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

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

SEWER DISTRICT No. 1

Appropriations:

Increase Acct.: #ES.81.813-7098 Professional Services for Capital Purposes \$968,300

Revenues:

Increase Acct.: #ES-0599.B Appropriated Fund Balance Budgetary \$968,300

BUDGET IMPACT STATEMENT: Currently, there is \$500,000 available in the 2021 budget related to this project. An amendment to the 2021 budget in the amount of \$968,300 will fund all remaining costs related to the change order.



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Sewer District #1

DATE: 1/31/23

COMMITTEE: Law & Finance

RE: Authorizing the Chairman to enter into an amended agreement with MJ Engineering and Land Surveying PC to include added inspection hours to ensure daily safety checks and job site security for the interceptor Phase VIIB rehabilitation project.

1. Is a Resolution Required:

Yes, Contract Amendment

2. Proposed Resolution Title:

Authorizing the Chairman to enter into an amended agreement with MJ Engineering and Land Surveying PC to include added inspection hours to ensure daily safety checks and job site security

3. Specific Details on what the resolution will authorize:

This resolution(s) will authorize the chairman to enter into an amended agreement with MJ Engineering and Land Surveying PC for 200 extra hours of inspection to ensure proper site safety. The hourly rate is \$115/hour which equates to a \$23,000 cost increase for the contract. The original contract amount is \$504,800, this brings the total contract amount to a not to exceed amount of \$527,800. This request stems from finding out a subcontractor with possible past safety issues from approximately 6 years ago is being used again by the general contractor. Due to the length of time, and perceived positive safety record to date given to the GC, it makes sense to move forward with the construction contract, but ensure SCSD's interests are protected via this amendment.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount
ES-0599.B	Appropriated Fund Balance	\$23,000

Expense

Account Number	Account Name	Amount
ES.81.812-7098	Prof Serv for Cap Purpose	\$23,000

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other
\$23,000			

5. Identify Budget Impact:

The budget will be amended to accept these funds and authorize the related expenses

- a. G/L line impacted ES.81.812-7098
- b. Budget year impacted 2023
- c. Details

We did not know this would be needed when awarding the engineers contract last year.

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term: n/a

f. Termination of contract date: N/A

g. Contract renewal and term: N/A

h. Contact information: See previous resolution attached for all required vendor information

i. Is the vendor/contractor an LLC, PLLC or partnership: P.C.

j. State of vendor/contractor organization: NY

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Already under contract with vendor - this resolution just amends the existing contract.

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other Previous resolution for original contract

10. Remarks:

7/19/22



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 255 - 2022

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

AUTHORIZING AN AGREEMENT WITH M.J. ENGINEERING AND LAND SURVEYING, P.C. FOR PROFESSIONAL CONSTRUCTION INSPECTION AND ADMINISTRATION SERVICES RELATING TO SARATOGA COUNTY SEWER DISTRICT NO. 1'S INTERCEPTOR REHABILITATION PROJECT AND AMENDING THE 2022 COUNTY BUDGET IN RELATION THERETO

WHEREAS, by proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the Board of Supervisors of Saratoga County, New York (the "Board of Supervisors"), established a county sewer district designated and known as Saratoga County Sewer District No. 1, in said County (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 report prepared by M.J. Engineering & Land Surveying, P.C. dated January 2020; and

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

WHEREAS, M.J. Engineering and Land Surveying, P.C., has submitted a proposal to provide professional construction inspection and construction administration services required for the Project at a cost of \$504,800.00; and

WHEREAS, the Saratoga County Sewer District No. 1 Sewer Commission and the Executive Director of the Sewer District have recommended that the proposal of M.J. Engineering and Land Surveying, P.C. represents the best value based on the combination of bid price, project knowledge, and project scale; and

WHEREAS, due to the cost of the services to be provided, an amendment of the 2022 County budget is required; 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 professional construction inspection and construction administration services associated with Saratoga County Sewer District No. 1's Interceptor Rehabilitation and Improvement Project to M.J. Engineering and Land Surveying, P.C., at a cost of \$504,800; now, therefore be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with M.J. Engineering and Land Surveying, P.C., of Clifton Park, New York, for professional construction inspection and construction administration services associated with Saratoga County Sewer District No. 1's Interceptor Rehabilitation and Improvement Project, at a cost not to exceed \$504,800.00; and it is further

RESOLVED, that the form and content of the 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 SEWER DISTRICT

<u>Increase Appropriations</u> Acct. ES-81.012-098	Professional Services for Capital Purposes	<u>\$504,800</u>
<u>Increase Revenues</u> Acct. ES-0599.B	Appropriated Fund Balance	<u>\$504,800</u>

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: Funding this agreement will require an appropriation of \$504,800 from the Sewer District fund balance.

July 19, 2027 Regular Meeting

Motion to Adopt by Supervisor Schopf, Seconded by Supervisor Butler

AYES (2104.5): Eric Connolly (11831), Philip C. Barrett (19014.5), Jonathon Schopf (19014.5), Eric Butler (8000), Diana Edwards (819), Jean Raymond (1333), Kevin Veitch (8004), Arthur M. Wright (1776), Kevin Tollisen (25662), Mark Hammond (17130), Thomas Richardson (5163), Scott Ostrander (18800), Theodore Kusnierz (16202), Willard H. Peck (5242), Sandra Winney (2075), Thomas N. Wood, III (5808), Tara N. Gaston (14245.5), Matthew E. Veitch (14245.5), John Lant (17361).

NOES (0):

ABSENT (2.003): Joseph Grasso (4328), Michael Smith (3525), Edward D. Kinowski (9022), John Lawler (8008)

Abstain:

Absent:

January 10, 2023

Mr. Dan Rourke, P.E.
Executive Director
Saratoga County Sewer District No. 1
P.O. Box 550
Mechanicville, NY 12118

Re: Proposal for Supplemental Engineering Services
Interceptor Rehabilitation Phase VII
MJ Project No. 1062.04

Dear Mr. Rourke:

M. J. Engineering and Land Surveying, P.C. (MJ) is pleased to provide the Saratoga County Sewer District No. 1 (SCSD) this proposal for supplemental engineering services associated with Phase VII B of the rehabilitation of the sewer interceptor in Saratoga County, New York. Based on previous discussions regarding the need for secondary construction inspection for site security monitoring, MJ offers the following Scope of Services.

Please note the tasks outlined below correlate to previously proposed or authorized efforts.

SCOPE OF SERVICES

Task 4 – Construction Observation Services

MJ will provide up to 200 hours of additional construction observation by a NICET Level III inspector to monitor site security during construction. It is noted that the level of construction observation will be dependent upon the contractor's specific work schedule in specific work areas. MJ will provide construction observation on an hourly rate basis such that only the hours spent will be billed, which may result in cost savings to the SCSD depending on the contractor's schedule.

SCHEDULE

MJ is prepared to complete the work identified in this proposal in accordance with the project schedule. As certain aspects of the project are outside of MJ's control (e.g., review agency schedules, actions, and approvals), MJ cannot guarantee completion of the project within the proposed schedule.

FEE

MJ proposes to complete the requested services for a lump sum fee of \$23,000, which accounts for 200 hours of secondary construction observation at \$115/hour.

MJ will invoice on a monthly basis based upon a percentage of work completed in that period. The fee assumes there are no significant changes resulting from decisions, conditions and/or events beyond MJ's control.



Daniel Rourke, Executive Director
January 10, 2023
Page 2 of 2

SUMMARY

Thank you for the opportunity to submit this proposal and we look forward to continuing our work with the SCSD on this project. If you have any questions, please feel free to contact Carrie Dooley at (518) 371-0799 or by email at carriedooley@mjels.com.

Sincerely,

Michael D. Panichelli, P.E.
President

MDP/cld



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Sewer District #1

DATE: 1/31/23

COMMITTEE: Law & Finance

RE: Authorizing the Chairman to enter into an agreement with the two low bidders of SCSD's HVAC Upgrade project at the WWTP. T. Lemme Mechanical Inc of Albany won the Mechanical Contract and J. McBain Inc. of Troy won the Electrical Contract.

1. Is a Resolution Required:

Yes, Contract Approval

2. Proposed Resolution Title:

Authorizing the chairman to enter into two contracts with the apparent low bidders for work related to the HVAC upgrade at SCSD No 1's WWTP

3. Specific Details on what the resolution will authorize:

This resolution(s) will authorize the chairman to enter into an agreement with T. Lemme Mechanical, the low bidder, for an amount equal to \$1,273,000. The heating and ventilating units at the plant are original from the plants inception, and other AHU's and condensers have reached the end of their useful life and replacement is required.

This resolution will also authorize a contract with J. McBain Inc, the low bidder for the electrical contract in an amount equal to \$149,100. This work is related to the needed electrical install for the new HVAC units being installed at the WWTP.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

Reappropriation from previous budget year

- a. G/L line impacted **ES.81.813-7095**
- b. Budget year impacted **2023**
- c. Details

Funds for these contracts are being reappropriated from the 2022 budget to the 2023 budget in a separate resolution.

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation **BID**

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term: **TBD**

f. Termination of contract date: **N/A**

g. Contract renewal and term: **N/A**

h. Contact information: **67 Erie Blvd Albany NY 12204. Phone 518-463-2903
Richard Fermin Vice President**

i. Is the vendor/contractor an LLC, PLLC or partnership: **Inc. LLC**

j. State of vendor/contractor organization: **NY**

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Low bid contractor. 3 bids received.

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other Copy of Engineers Bid recommendation and bid tab

10. Remarks:

This work consists of replacing 4 HV units, 2 AHU units, re-programming and balancing the system and installing new duct work.

Memorandum

To: Dan Rourke
From: Greg Barron
Subject: Saratoga WWTF #1 HVAC Upgrades Bid Award Recommendation [E]
Date: 1/26/2023
CC: N/A

Good Afternoon,

After our review of the bid packages received from bidders on *January 17th, 2023*, GPI recommends *Saratoga County (the County)* award the bid provided by *J. McBain Inc. of Troy, NY*.

Our review of the documents found that *J. McBain Inc.* submitted the necessary bond amounts and information stated in the Instructions to bidders.

J. McBain Inc. was the low bidder with a bid breakdown as follows:

<i>Electrical (Excluding Allowances):</i>	<i>\$132,600.00</i>
<i>Add Alternate #1:</i>	<i>\$6,500.00</i>
<i>Electrical Field Change Allowance:</i>	<i>\$10,000.00</i>
<i>Total Bid:</i>	<i>\$149,100.00</i>

Should the County have any questions or would like to discuss the matter further, please contact Greg Barron. We appreciate the opportunity to assist you with this project.

Memorandum

To: Dan Rourke
From: Greg Barron
Subject: Saratoga WWTF #1 HVAC Upgrades Bid Award Recommendation [H]
Date: 1/26/2023
CC: N/A

Good Afternoon,

After our review of the bid packages received from bidders on *January 17th, 2023*, GPI recommends *Saratoga County (the County)* award the bid provided by *T. Lemme Mechanical Inc. of Albany, NY*.

Our review of the documents found that *T. Lemme Mechanical Inc.* submitted the necessary bond amounts and information stated in the Instructions to bidders*.

T. Lemme Mechanical Inc. was the low bidder with a bid breakdown as follows:

<i>Mechanical (Excluding Allowances):</i>	<i>\$1,023,000.00</i>
<i>Add Alternate #1:</i>	<i>\$180,000.00</i>
<i>Mechanical Field Change Allowance</i>	<i>\$60,000.00</i>
<i>General Work Field Change Allowance:</i>	<i>\$10,000.00</i>
<i>Total Bid:</i>	<i>\$1,273,000.00</i>

*Note: *T. Lemme Mechanical Inc.* filled in the *form of bid, corporate bid resolution, and bid bond form* on the [E] contract paperwork and has provided Saratoga County with clarification through a written narrative that the wrong form was submitted, but the bid is still the same.

Should the County have any questions or would like to discuss the matter further, please contact Greg Barron. We appreciate the opportunity to assist you with this project.

Electrical

SARATOGA COUNTY BID TABULATION AND SIGN IN SHEET

BID INFORMATION:

Opening Date: 1.17.23	11:00am	Bid Name: HVAC Upgrades for the Saratoga County Sewer District #1 - Electrical	Specification: 23-SDHVACU-1(E) Electrical
Company: J. McBean Inc	Signature: <i>J. McBean</i>	Signature: <i>J. McBean</i>	Bid: \$142,600.00 ALT #1: 180,500.00
Company: STILSINS electric	Signature: <i>Andy Crane</i>	Signature: <i>Andy Crane</i>	Bid: 180,500.00
Company: Flex Electric	Signature: <i>Stacy</i>	Signature: <i>Stacy</i>	Bid: Electrical ALT #1: 198,000.00
Company:	Signature:	Signature:	Bid:
Company:	Signature:	Signature:	Bid:
Company:	Signature:	Signature:	Bid:
Company:	Signature:	Signature:	Bid:
Company:	Signature:	Signature:	Bid:
Company:	Signature:	Signature:	Bid:
Company:	Signature:	Signature:	Bid:
Saratoga County Employee(s)	Signature:	Signature:	Signature:

HVAC

SARATOGA COUNTY BID TABULATION AND SIGN IN SHEET

BID INFORMATION:

Opening Date: 1.17.23	11:00am	Bid Name: HVAC Upgrades for the Saratoga County Sewer District #1 - HVAC	Specification: 23-SDHVACU-1(H) HVAC
Company: TCM	Signature: <i>[Signature]</i>	Bid: HVAC 1,273,000.00 Inc. Add'l: 180,000.00	
Company: T. McEligott Inc.	Signature: <i>[Signature]</i>	Bid: HVAC 1,290,000 ADD'l: 185,000	
Company: JWD	Signature: <i>[Signature]</i>	Bid: HVAC \$1,529,000.00	
Company:	Signature:	Bid:	
Company:	Signature:	Bid:	
Company:	Signature:	Bid:	
Company:	Signature:	Bid:	
Company:	Signature:	Bid:	
Company:	Signature:	Bid:	
Company:	Signature:	Bid:	
Saratoga County Employee(s)	Signature:	Signature:	



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Sewer District #1

DATE: 2/3/23

COMMITTEE: Law & Finance

RE: Authorizing the Chairman to enter into an agreement Bellamy Construction Company Inc for work related to the County Forcemain Connection Bid for a cost of \$1,750,500. The work consists of a portion of a new FM being installed that will eventually accept flows from the Town of Moreau.

1. Is a Resolution Required:

Yes, Contract Approval

2. Proposed Resolution Title:

Authorizing the Chairman to enter into an agreement Bellamy Construction Company Inc for work related to the County Forcemain Connection Bid for a cost of \$1,750,500.

3. Specific Details on what the resolution will authorize:

This resolution(s) will authorize the chairman to enter into an agreement with Bellamy Construction Company Inc for a cost of \$1,750,000 for installation of a new FM in the Town of Wilton. This project is being paid for by ARPA proceeds. It will allow the town to discharge wastewater to the Saratoga County Sewer District. It consists of approx. 16,100 LF of 10" HDPE pipe and associated appurtenances.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office Consulted <input checked="" type="checkbox"/>
--

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

Reappropriation from previous budget year

- a. G/L line impacted **ES.81.812-7092**
- b. Budget year impacted **2023**
- c. Details

Funds for these contracts are being re-appropriated from the 2022 budget to the 2023 budget in a separate resolution. ARPA fund appropriations for revenue will also need to occur.

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation **BID**

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term: **TBD**

f. Termination of contract date: **N/A**

g. Contract renewal and term: **N/A**

h. Contact information: **Tanya Bellamy President
6684 Amsterdam Rd
Scotia NY 12302 518-214-4082**

i. Is the vendor/contractor an LLC, PLLC or partnership: **Inc.**

j. State of vendor/contractor organization: **NY**

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Low bid contractor. 5 bids received.

Human Resources Consulted

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other _____

10. Remarks:

Bid tab is attached.

SARATOGA COUNTY BID TABULATION AND SIGN IN SHEET

BID INFORMATION:

Opening Date: 1.19.23 10:00am	Bid Name: Saratoga County Sewer District #1 County Forcemain Connection Project – Contract 1	Specification: 23-SDMFC-1
Company: Bellamy Construction	Signature: <i>Stephanie Bugaj</i>	Bid: 1,750,500.00
Company: NEW CASTLE PAVING	Signature: <i>[Signature]</i>	Bid: 2,618,840.00
Company: W.M. J. KELLER + SONS CONST.	Signature: <i>[Signature]</i>	Bid: 2,535,869.00
Company: Larerge Group	Signature: <i>[Signature]</i>	Bid: -
Company: SAT Construction	Signature: <i>[Signature]</i>	Bid: 1,988,500
Company: Tech Industries	Signature: <i>[Signature]</i>	Bid: 2,486,100.00
Company: F.W. WEBB WATERWORKS	Signature: <i>[Signature]</i>	Bid:
Company:	Signature:	Bid:
Company:	Signature:	Bid:
Company:	Signature:	Bid:
Saratoga County Employee(s)	Signature:	Signature:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Sewer District #1

DATE: 2/3/23

COMMITTEE: Law & Finance

RE: Authorizing the chairman to enter into a contract with Raftelis Financial Consultants Inc. for work associated with performing a complete appraisal of the Heritage Spring Sewer Works system.

1. Is a Resolution Required:

Yes, Contract Approval

2. Proposed Resolution Title:

Authorizing the chairman to enter into a contract with Raftelis Financial Consultants Inc. for work associated with performing a complete appraisal of the Heritage Spring Sewer Works system.

3. Specific Details on what the resolution will authorize:

This resolution will authorize the chairman to enter into an agreement with Raftelis Financial Consultants Inc. for an amount not to exceed \$45,000 for work relating to a full appraisal of the Heritage Springs Sewer works with subsequent reports. In previous correspondence and meetings it was insinuated the Heritage Springs sewer system would be taken over by SCSD. Tis analysis and appraisal is the first step to determining what the system may be worth, and that is a key part if SCSD were to ever take ownership of the system.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount
ES-0599.B	Appropriated Fund Balance	\$45,000

Expense

Account Number	Account Name	Amount
ES.81.812-7098	Prof Services for Cap purp	\$45,000

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other
45,000			

5. Identify Budget Impact:

The budget will be amended to accept these funds and authorize the related expenses

- a. G/L line impacted ES.81.812-7098
- b. Budget year impacted 2023
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation Professional Service

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term: TBD

f. Termination of contract date: N/A

g. Contract renewal and term: N/A

h. Contact information: John Mastracchio
40 British American Boulevard Latham, NY 12110
518-391-8944

i. Is the vendor/contractor an LLC, PLLC or partnership: Inc

j. State of vendor/contractor organization: NY

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

This is a profession service potentially reacted to future or current legal proceedings, which is one reason why it is deemed a professional service.

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other None

10. Remarks:

The proposal letter is not being provided as it is marked privileged and confidential due to the potential of being used for future legal proceedings.



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Board of Elections

DATE: 02/01/2023

COMMITTEE: Law & Finance

RE: Renewal of Agreement with NTS Data Services, LLC

1. Is a Resolution Required:

Yes, Contract Approval

2. Proposed Resolution Title:

2023 Renewal of NTS Agreement

3. Specific Details on what the resolution will authorize:

NTS is the software supplier for the registration data base maintained by the board of elections. This is the annual renewal of the software support agreement for 2023.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office Consulted <input checked="" type="checkbox"/>
--

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

No Budget Impact. Funds are included in the Department Budget

- a. G/L line impacted A.22.000-8160
- b. Budget year impacted 2023
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation **Sole Source**

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term: **01/01/2023**

f. Termination of contract date: **12/31/2023**

g. Contract renewal and term: **No renewal provision and one year term**

h. Contact information: **NTS will provide continued support and maintenance for existing modules for voter registration, signature digitization, signature digitization, interface messaging and election management.**

i. Is the vendor/contractor an LLC, PLLC or partnership: **LLC**

j. State of vendor/contractor organization: **New York**

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

NTS has provided these services to the county since our records were first digitized. NTS will also modify the software to keep pace with changes to the NYS Election Law as they occur. As the software creator, it is the only outlet for these necessary services.

Human Resources Consulted

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

- a. Source of grant funding:
- b. Agency granting funds:
- c. Amount of grant:
- d. Purpose grant will be used for:
- e. Equipment and/or services being purchased with the grant:
- f. Time period grant covers:
- g. Amount of county matching funds:
- h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other _____

10. Remarks:

**VOTER REGISTRATION,
MAINTENANCE AND SUPPORT
AGREEMENT**

THIS Agreement (“Agreement”) is made and entered into this _____ day of _____, 20_____, by the COUNTY OF SARATOGA, acting by and through its Saratoga County Board of Elections, with offices at 40 McMaster Street, Ballston Spa, NY 12020 hereinafter referred to as the COUNTY, and NTS DATA SERVICES, LLC, a New York Limited Liability Company, with office and principal place of business at 2079 Sawyer Dr, Niagara Falls, NY 14304, hereinafter referred to as NTS.

WHEREAS, the COUNTY desires to continue support and maintenance services related to voter registration, signature digitization, interface messaging, full document imaging, and election management, and

WHEREAS, the COUNTY in evaluating prospective suppliers of systems and services has selected NTS as best suited to their requirements.

NOW THEREFORE, in consideration of the mutual covenants contained herein, it is mutually agreed as follows:

1. TERM

The Term of this Agreement is January 1, 2023, to December 31, 2023.

2. HARDWARE & OPERATING SYSTEM SOFTWARE

COUNTY has opted to provide the PC hardware, hardware maintenance, NTS recommended supporting software and all operating system software required to support all workstations and servers of the licensed systems.

Prior to the purchase of hardware, supporting software and operating system, and continuing for the Term of this Agreement, NTS shall review and approve all purchases related to the implementation of the NTS application software. If the NTS approved hardware and software implementation is deviated from and operational problems develop, the time spent by NTS to resolve the problems will not be within the scope of this Agreement. As of the writing of this agreement, the hardware in place at the County is compliant with NTS software requirements.

In addition, if in the resolution of an operational problem, it is ultimately shown to be a hardware, network operating system or any other non application software related problem, the NTS time required to resolve the problem will not be within the scope of this Agreement.

COUNTY is solely responsible for:

- a. Hardware installation and maintenance
- b. Operating system maintenance, patches and upgrades on server(s) and workstations,

- c. Backup of all data and images
- d. SQL upgrades and patches on the database server
- e. Maintaining all server and workstation-based security including antivirus and firewalls
- f. Networking between the server(s) and workstations

3. SOFTWARE MAINTENANCE

NTS' Voter Registration, Signature Digitization, Interface Messaging, Full Document Imaging, PACETS Election Management software applications are currently installed at the COUNTY. Subsequent upgraded versions of the software systems will be installed as they are developed, tested and released at the discretion of NTS. Errors in the software that are detected after installation and acceptance will be corrected at no charge to the COUNTY.

For the Term of this Agreement, Voter Registration, Signature Digitization, Interface Messaging, Full Document Imaging, PACETS Election Management software maintenance is included in the pricing set forth in this Agreement. This maintenance shall include periodic upgrades and new releases of the licensed software.

Maintenance for the TERACS system is specifically excluded from this Agreement.

4. HOTLINE SUPPORT

Hotline Support may include general PRODUCT application questions/issues, election operation issues and any and all other areas that the COUNTY may wish to utilize the NTS Support Center. Hotline support for Voter Registration, Signature Digitization, Interface Messaging, Full Document Imaging and Election Management, not to exceed eight (8) hours in any one month, shall be provided by NTS at no charge to the COUNTY for the Term of this Agreement. Hotline support shall be available between the hours of 9:00 AM and 5:00 PM, Monday through Friday, exclusive of holidays. Hotline support over and above the monthly maximum will be billed at a rate of \$175.00 per hour.

Support for the TERACS system is specifically excluded from this Agreement.

5. APPLICATION SOFTWARE INSTALLATION AND CONFIGURATION

COUNTY shall provide means for authorized remote access into the COUNTY system by NTS to facilitate application software installation. This remote access ~~may be via Virtual Private Network~~ ^{will be} ~~or any other~~ mutually acceptable connection method. NTS shall complete application software installation remotely and perform software testing through this connection. For the Term of this Agreement, remote access and security rights shall be provided to NTS in order to facilitate installation of application software updates for the COUNTY.

6. PRICING/PAYMENT SCHEDULE

Pricing for Voter Registration, Signature Digitization, Interface Messaging, Full Document Imaging and Election Management support and maintenance services is detailed below.

NTS will mail to COUNTY an invoice and duly executed County voucher for payment on or before each due date.

On January 15, 2023, the COUNTY shall make a payment of \$66,381.00 to NTS.

It is understood and agreed by and between both parties that the COUNTY is a tax-exempt entity, and therefore shall not be charged any tax on this transaction.

Within 30 days of each of the above due dates the COUNTY shall make the payment indicated.

7. ORIGINAL AGREEMENT

All provisions of the Full-Service Voter Registration, Election Management and Signature Digitization Software System Purchase and Installation Agreement executed on February 11, 2001 and the Addendum A - NTS Supplemental Software License Agreement executed on February 11, 2001 remain in effect unless specifically superseded by this Agreement.

IN WITNESS THEREOF, the parties have executed this Agreement as of the day and year first above written.

ACCEPTED FOR:

COUNTY OF SARATOGA,
Acting by and through its
Saratoga County Board of Elections

NTS DATA SERVICES, LLC

By: _____
Chairman, Saratoga County
Board of Supervisors

By: _____
Vice President, Technical Services

Date: _____

Date: _____

Approved as to Form and Content:

By: _____
County Attorney

12/15/21



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION ~~278~~³ - 2021

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

AUTHORIZING A RENEWAL AGREEMENT WITH NTS DATA SERVICES, INC. FOR THE MAINTENANCE AND SUPPORT OF THE BOARD OF ELECTIONS VOTER DATABASE SOFTWARE

WHEREAS, pursuant to Resolution 278-2016, this Board authorized an agreement with NTS Data Services, LLC for the provision of maintenance and support services for the Saratoga County Board of Elections' voter database software for a term of five years; and

WHEREAS, said agreement was renewed for a period of one year by Res. 344.2021, and
WHEREAS, said agreement is due to expire on December 31, 2021; and

WHEREAS, the Board of Elections and the Law and Finance Committee have recommended that NTS Data Services, Inc.'s agreement to maintain and support the County's voter database software be renewed for an additional term of one year at a cost of ~~\$62,624~~; now, ~~\$62,624~~ ^{\$66,391}; therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with NTS Data Services, LLC of Niagara Falls, New York for the maintenance and support of the Saratoga County Board of Elections' voter database software for a term of one year commencing on January 1, 2023 and terminating on December 31, 2023, at a cost not to exceed ~~\$62,624~~; and, ~~\$62,624~~ ^{\$66,391}; be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Costs associated with this agreement are included in the 2022 budget.



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Board of Elections

DATE: 02/03/2023

COMMITTEE: Law & Finance

RE: Renewal of support and maintenance agreement with Clear Ballot Group, Inc

1. Is a Resolution Required:

Yes, Contract Approval

2. Proposed Resolution Title:

Renewal of support and maintenance agreement with Clear Ballot Group, Inc

3. Specific Details on what the resolution will authorize:

Clear Ballot is the supplier of the central count system used by the board of elections to perform essential functions required by the Election Law including canvassing absentee ballots and audit precinct voting machines. The Clear Ballot system has been in use since 2018. The purchase agreement included five years of support and maintenance which has now come to an end.

This column must be completed prior to submission of the request.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

No Budget Impact. Funds are included in the Department Budget

- a. G/L line impacted **A.22.000-8160**
- b. Budget year impacted **2023**
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term: 12/01/2022

f. Termination of contract date: 11/20/2027

g. Contract renewal and term: No renewal provision and 5 year term

h. Contact information: See Item 3. This is the renewal of the support and maintenance services for the Clear Ballot central count system used by the board of elections to canvass ballots, audit precinct voting machines and other functions.

i. Is the vendor/contractor an LLC, PLLC or partnership: No

j. State of vendor/contractor organization: Massachusetts

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Clear Ballot has been a provided very good support for its system and has a system upgrade under review by the state board of elections which will be provided to us under this agreement. They have been very responsive whenever we requested assistance.

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office
Consulted

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other _____

10. Remarks:

Clear Ballot is widely used in this area nad throughout New York State. Under current regulations, a central count system is a practical necessity for counties our size.

CLEAR BALLOT GROUP, INC. ORDER

This Order ("Order") is entered into by and between Saratoga County, NY ("Customer") and Clear Ballot Group, Inc. ("Clear Ballot") effective the ___ day of _____ 2022 (the "Effective Date"). This Order is subject to and governed by the terms and conditions of that certain Clear Ballot Group Software License and Services Agreement executed by and between the parties dated October 23, 2017 (the "Agreement"). Capitalized terms used and not otherwise defined in this Order shall have the meaning set forth in the Agreement. Each of Customer and Clear Ballot is referred to in this Order individually as a "party", collectively the "parties".

Clear Ballot and Customer previously entered into the Clear Ballot Group Statement of Work dated September 27, 2017 (the "SOW") pursuant to the Agreement which is attached thereto and incorporated therein. The parties desire to supersede and replace the terms and conditions of the SOWs with the terms and conditions of this Order. As of the Effective Date the SOWs shall terminate and be of no force and effect.

The following exhibits are attached to this Order and are hereby incorporated herein by reference:

EXHIBIT A: Statement of Work ("SOW")

EXHIBIT B: Service Level Agreement ("SLA")

Scope of Use: Customer is authorized to use ClearCount and ClearAudit Software to digitally scan, tabulate, and adjudicate paper ballots, as well as provide tabulation reports for both absentee ballots and post-election audit purposes.

Designated Jurisdiction: Saratoga County, NY

1. Support Services

Support Services includes 12 months of technical support and Licensed Software maintenance with an effective start date of December 1, 2022. Listed below is the total cost for five years of these Support Services. These Support Services are an extension of the ClearCount and ClearAudit software defined in the SOW. In the event of a conflict between the terms and conditions of the SOW and the Agreement, the terms of the Agreement shall govern. Customer is required to purchase Support Services for each year that it continues to use the Licensed Software.

Item	Quantity	Unit Cost	Annual Total
Years 6-10			
Year 6 Support Services (12/1/2022 – 11/30/2023)	1.0 Units	\$15,312	\$15,312
Year 7 Support Services (12/1/2023 – 11/30/2024)	1.0 Units	\$15,312	\$15,312
Year 8 Support Services (12/1/2024 – 11/30/2025)	1.0 Units	\$15,312	\$15,312
Year 9 Support Services (12/1/2025 – 11/30/2026)	1.0 Units	\$15,312	\$15,312
Year 10 Support Services (12/1/2026 – 11/30/2027)	1.0 Units	\$15,312	\$15,312
Total			\$76,560

2. Optional Services:

Clear Ballot shall provide onsite support services, on request and as available. Professional Services are

provided in accordance with the SOW attached hereto as Exhibit A. Pricing is subject to change annually.

Item	Quantity	Unit Cost
Election Programming Support, per Election Event	1 Units	\$1,700
Daily Rate for Onsite Support/Services (inclusive of travel and expenses)	1 Units	\$1,700
Annual Fujitsu Maintenance & Cleaning	1 Units	\$2,250 per year

3. Payment Schedule

As part of this SOW, the Customer agrees to the following payment terms and milestones. Clear Ballot's Customer Success team will work closely with Customer's designated project team to ensure Support Services and Professional Services are delivered in accordance with this Order.

Clear Ballot Products	Due Date
All Support Services and Optional Services identified in Sections 1 and 2 above	Support Services will be billed annually in advance of the support service period. Optional services will be billed as incurred. Payments are due in line with invoice terms.

The parties have reviewed this Order and all exhibits attached hereto and authorize the project to move forward in accordance with the Agreement.

CUSTOMER

CLEAR BALLOT GROUP, INC.

BY: _____ BY: _____

(PRINTED NAME) (PRINTED NAME)

(TITLE) (TITLE)

(DATE) (DATE)

EXHIBIT A STATEMENT OF WORK

This Statement of Work ("SOW") details the effort necessary for Clear Ballot to deliver the Support Services and Professional Services set forth in the Order in accordance with the functional and technical requirements as stated herein.

1.0 INTRODUCTION

1.1 Scope of Work

The scope of work to be delivered is to provide ongoing technical support and Licensed Software maintenance for Customer's continued use of Clear Ballot's ClearCount and ClearAudit Software, as well as provide Professional Services on a per election basis, as identified in the Order, which includes:

- Clear Ballot will provide the Support Services specified in the Order which Customer may use digitally scan, tabulate, and adjudicate paper ballots, as well as provide tabulation reports for both absentee ballots and post-election audit purposes.
- Election programming support will be provided to the designated Authorized Users within the Customer's organization for a maximum of 10 elections, and no more than 2 elections per year.

1.2 Location

All Support Services and Professional Services identified in the Order will be delivered to the named person and address noted below:

Edward Kinowski, Chairman Board of Supervisors
Saratoga County Municipal Center
40 McMaster Street
Ballston Spa, NY 12020

2.0 PROJECT TEAM RESPONSIBILITIES

The successful completion of this project requires teamwork and collaboration between Clear Ballot and Customer. High level project responsibilities are broken down as follows:

2.1 Clear Ballot Responsibilities

- Clear Ballot shall have primary project management responsibilities

2.2 Customer Responsibilities

- Customer shall ensure that Authorized Users include a bi-partisan team of election personnel. Without limitation, if Clear Ballot is providing assistance installing software, Customer shall ensure that such installation shall be done by a bi-partisan team of election personnel.
- Customer shall have in place, the certified hardware as specified by Clear Ballot.
- Customer shall ensure work schedules of Authorized Users are mutually agreed upon with Clear Ballot staff.
- Customer shall ensure an appropriate workspace, including, without limitation any necessary furniture, electrical outlets, and secure storage are in place prior to commencement of the Support Services and Professional Services.

EXHIBIT B SERVICE LEVEL AGREEMENT

Mission

It is the mission of Clear Ballot Group ("CBG") to provide exceptional support for our products and maintain the highest levels of customer trust and satisfaction as a part of the partnership established in selecting Clear Ballot Group's election technology.

Overview

The purpose of this Service Level Agreement is to outline the agreed-upon services to be provided to the customer in support of the successful use and operation of the Clear Ballot system and components procured. The Customer Success Team of CBG is responsible for providing comprehensive support of all software and hardware products purchased under this agreement.

Customer Success Manager

As part of this SLA, a Customer Success Manager ("CSM") will be assigned to your account. The CSM will serve as your advocate to insure your successful and prolonged use of CBG solutions. The CSM holds annual user group meetings for CBG customers to exchange knowledge, network with colleagues, and expand their understanding of CBG solutions. The CSM also coordinates and schedules CBG upgrades when needed, conducts customer satisfaction surveys and promotes your product change requests to CBG Product Management for their consideration when planning future CBG releases.

Helpdesk

The CBG Helpdesk is in operation Monday through Friday from 8:00AM until 5:30 PM ET. Customers may contact the Helpdesk at (857) 250-4961 or submit email requests to support@clearballot.com. Requests for technical support via telephone are handled on a first-in, first-respond basis, however callers may leave a message and all messages will be responded to by telephone within 24 hours. Requests via email will typically be responded to in the same day, and always within 24 hours. Customers requiring immediate assistance or response outside of these hours may contact their CSM with issues and concerns, who will facilitate the proper response.

During Normal Election Cycles, defined herein as the period starting two weeks before scheduled State or Federal Election Days until five days after Election Day, the Helpdesk will operate from 7:00AM until 11:00PM in the Customer's time zone. Clear Ballot's service level for response time during Elections Cycles is 2 hours. Extended technical support during Election Cycles is available at no additional cost at the customer's request. Contact your CSM to establish times and availability of support personnel to assist you during your election cycle.

Online Support

CBG offers several online resources for provision of online Customer Support. Our Helpdesk is a secure web portal that provides customers the ability to submit issues, research past issues, find solutions and identify best practices. Technical information on our products is available via our Support Portal on demand. This portal is accessible at <https://clearballot.com/support>.

Clear Ballot's Customer Success Organization works closely with our training and documentation staff to ensure that all materials are accurate, comprehensive, and up to date. If support on a procedural or non-proprietary matter is required, Clear Ballot's Customer Success Representative may arrange a web conference or demonstration to assist in the resolution of the issue promptly.

Software Upgrades

As part of this agreement, CBG will make certified software upgrades available to all customers of record for use at their discretion. As determined by each Customer's protocols for installing software, the software may be provided directly to the Customer for installation or a request to the Voting System Testing Laboratory ("VSTL") may be initiated by CBG for a release of a trusted build copy of the software from the lab directly to the customer. Additionally, CBG will provide hash values to the customer for proper authentication of the software installation. At the Customer's request, CBG will schedule a technical Specialist at the prevailing rates to arrive onsite to assist or install and test the software upgrade.



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 344 - 2021

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

CLEAR BALLOT GROUP, INC
AUTHORIZING A RENEWAL AGREEMENT WITH ~~NTS DATA SERVICES, INC.~~ FOR THE MAINTENANCE AND SUPPORT OF THE BOARD OF ELECTIONS ~~VOTER DATABASE SOFTWARE~~

CLEAR BALLOT GROUP, INC.

~~CENTRAL COUNT SYSTEM~~
031-2017

WHEREAS, pursuant to Resolution ~~278-2016~~, this Board authorized an agreement with ~~NTS Data Services, LLC~~ for the provision of maintenance and support services for the Saratoga County Board of Elections' ~~voter database~~ software for a term of five years; and
CENTRAL COUNT SYSTEM

WHEREAS, said agreement is ~~due to expire~~ on December ~~31~~, 2021; and
1

WHEREAS, the Board of Elections and the Law and Finance Committee have recommended that ~~NTS Data Services, Inc.'s~~ agreement to maintain and support the County's ~~voter database software~~ be renewed for an additional term of ~~one~~ *five* years at a cost of \$62,624; now, therefore, be it

CENTRAL COUNT SYSTEM

RESOLVED, that the Chair of the Board is authorized to execute an agreement with NTS Data Services, LLC of Niagara Falls, New York for the maintenance and support of the Saratoga County Board of Elections' voter database software for a term of one year commencing on January 1, 2022 and terminating on December 31, 2022, at a cost ~~not to exceed \$62,624~~; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. Costs associated with this agreement are included in the 2022 budget.

\$15,312 per year plus additional charges as for additional services as provided in the agreement.



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: County Attorney

DATE: 02/07/2023

COMMITTEE: Law & Finance

RE: Opioid litigation settlements



This column must be completed prior to submission of the request.

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

See below

3. Specific Details on what the resolution will authorize:

Authorizing A Settlement With CVS, Walgreens, Walmart, Teva And Allergan Named In An Action To recover Damages In Combating And Treating Opioid Abuse

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

- a. G/L line impacted
- b. Budget year impacted
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term:

f. Termination of contract date:

g. Contract renewal and term:

h. Contact information:

i. Is the vendor/contractor an LLC, PLLC or partnership:

j. State of vendor/contractor organization:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Human Resources Consulted

Purchasing Office Consulted

County Administrator's Office
Consulted

8. Is a grant being accepted: YES or NO

- a. Source of grant funding:
- b. Agency granting funds:
- c. Amount of grant:
- d. Purpose grant will be used for:
- e. Equipment and/or services being purchased with the grant:
- f. Time period grant covers:
- g. Amount of county matching funds:
- h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other Proposed resolution

10. Remarks:



2/23/23

SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION xx - 2023

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

AUTHORIZING A SETTLEMENT WITH CVS, WALGREENS, WALMART, TEVA AND ALLERGAN NAMED IN AN ACTION TO RECOVER DAMAGES IN COMBATting AND TREATING OPIOID ABUSE

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

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

WHEREAS, an action was commenced against defendants CVS, Walgreens, Walmart, Teva, and Allergan and all of their respective past and present direct or indirect parents, subsidiaries, division affiliates, joint ventures, predecessors, successors, and assigns, based on claims that defendants contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold and by falsely promoting the increased use of opioids directly and through various 'front groups' and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its product, all of which contributed to a public health crisis; and

WHEREAS, CVS, Walgreens, Walmart, Teva, and Allergan will pay up to \$20 billion dollars depending on the level of participation by eligible states and eligible subdivisions, and specific amounts to be paid to 'direct share subdivisions' will be subject to various scenarios; and

WHEREAS, the cornerstone of the proposed settlement is a full resolution of all governmental claims filed in the State against CVS, Walgreens, Walmart, Teva, and Allergan which will maximize the recovery and incentive scenarios which are built into the agreement to secure and achieve a full \$20 billion value of the settlement; and

WHEREAS, to join the proposed settlement, this Board needs to authorize the County becoming a party to the CVS, Walgreens, Walmart, Teva, and Allergan Settlement Term Sheets and the New York Opioid Settlement Sharing Agreement and become a “direct share subdivision”; and

WHEREAS, pursuant to the terms of the proposed settlement, all counsel fees, costs and expenses will be paid directly by CVS, Walgreens, Walmart, Teva and Allergan from a separate fund; and

WHEREAS, Napoli Shkolnik, PLLC and the County Attorney have recommended settlement of the lawsuit against CVS, Walgreens, Walmart, Teva and Allergan as recommended to avoid protracted litigation and to maximize the recovery of damages for the County; now, therefore, be it

RESOLVED, that it is in the best interests of the County to resolve and settle the litigation against CVS, Walgreens, Walmart, Teva and Allergan in the manner proposed by Napoli Shkolnik, PLLC, and this Board authorizes settlement of all claims and demands made by the County of Saratoga against CVS, Walgreens, Walmart, Teva and Allergan in the manner proposed by Napoli Shkolnik, PLLC; and it is further

RESOLVED, that the Chair of the Board and/or special counsel Napoli Shkolnik, PLLC, and/or the County Attorney are hereby authorized to execute the CVS, Walgreens, Walmart, Teva and Allergan New York Sharing Agreements and the New York CVS, Walgreens, Walmart, Teva and Allergan Term Sheets/Participation Forms and any other releases or documents necessary to settle and conclude the litigation commenced by the County of Saratoga against CVS, Walgreens, Walmart, Teva and Allergan; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

February 23, 2023 Regular Meeting

Motion to Adopt: Supervisor(s):

Second: Supervisor(s)

Ayes:

Noes:

Abstain:

Absent:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
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Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: County Administrator



DATE: 2/2/23

COMMITTEE: Law & Finance



RE: Accepting LATCF Funding

This column must be completed prior to submission of the request.

1. Is a Resolution Required:

Yes, Grant Acceptance

2. Proposed Resolution Title:

See Section 3

3. Specific Details on what the resolution will authorize:

"Authorizing the acceptance Local Assistance and Tribal Consistency Fund monies from the U.S. Department of the Treasury and amending the 2023 budget in relation thereto."

The American Rescue Plan appropriated \$2 billion to Treasury across fiscal years 2022 and 2023 to provide payments to eligible revenue sharing counties and eligible Tribal governments. Saratoga County was awarded \$100,000 through this program.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount
A.14-4089	Federal Aid - Other	\$100,000

Expense

Account Number	Account Name	Amount
A.14.000-8190	Professional Services	\$100,000

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other
		\$100,000	

5. Identify Budget Impact:

The budget will be amended to accept these funds and authorize the related expenses

- a. G/L line impacted **A.14.000-8190**
- b. Budget year impacted **2023**
- c. Details

The first tranche of \$50,000 has already been sent to the County. The second tranche of \$50,000 will be sent on a date to be determined in 2023.

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term:

f. Termination of contract date:

g. Contract renewal and term:

h. Contact information:

i. Is the vendor/contractor an LLC, PLLC or partnership:

j. State of vendor/contractor organization:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Human Resources Consulted

Purchasing Office Consulted

County Administrator's Office
Consulted

8. Is a grant being accepted: YES or NO

a. Source of grant funding:

Federal

b. Agency granting funds:

U.S. Department of the Treasury

c. Amount of grant:

\$100,000 (Two seperate \$50,000 tranches)

d. Purpose grant will be used for:

Expanding recruitment and rentention efforts among the County workforce

e. Equipment and/or services being purchased with the grant:

Services related to recruitment and/or retention

f. Time period grant covers:

Indefinite - "All funds are available to recipients until expended or returned to Treasury."

g. Amount of county matching funds:

None

h. Administrative fee to County:

N/A

9. Supporting Documentation:

Marked-up previous resolution

No Markup, per consultation with County Attorney

Program information summary

Copy of proposal or estimate

Copy of grant award notification and information

Other _____

10. Remarks:

GUIDANCE FOR THE LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND

**U.S. Department of the Treasury
July 2022**

INTRODUCTION

The U.S. Department of the Treasury (Treasury) is issuing this guidance regarding the Local Assistance and Tribal Consistency Fund (LATCF), established by Section 605 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 (American Rescue Plan). This guidance provides a summary of the structure and terms of the program, including information about eligible uses of funds, program administration, and other requirements under the LATCF program. This guidance may be updated, revised, or modified, and Treasury may waive these standards to the extent permitted by law.

The American Rescue Plan appropriated \$2 billion to Treasury across fiscal years 2022 and 2023 to provide payments to eligible revenue sharing counties and eligible Tribal governments for use on any governmental purpose except for a lobbying activity. Eligible recipients must submit a request for funding in the Treasury Submission Portal to receive their payments, and further instructions can be found on the Treasury website. There is no pre-approval process for projects funded by the program. Recipients must submit periodic reports to Treasury on their expenditures.

The purpose of the LATCF program is to serve as a general revenue enhancement program. Many eligible revenue sharing counties and eligible Tribal governments have historically experienced fluctuations in their revenues, and this program is designed, in part, to supplement existing federal programs that augment and stabilize revenues for these communities. In providing support to these communities, allocations under this program consider the economic conditions of recipients.

Under this program, recipients have broad discretion on uses of funds, similar to the ways in which they may use funds generated from their own local revenue sources. Specifically, recipients may use these funds on any governmental purpose other than a lobbying activity. Recipients may maintain or expand public services – such as health, educational, housing, and public safety services – to their communities with these funds. Recipients may also invest in infrastructure – from roads and bridges to water infrastructure – to facilitate economic development, improve health outcomes, or transition their communities to clean energy. Recipients may also invest in restoring and bolstering government capacity, such as increasing the size of their government workforce or investing in improvements in service delivery, like technology infrastructure and data analysis resources, that will improve delivery of services to their communities for years to come.

I. PROGRAMMATIC TERMS OF THE ASSISTANCE

This section describes the programmatic terms of the program, including key information on eligible applicants, allocations, eligible and ineligible uses of funds, eligible and ineligible costs, and the availability of funds. Recipients are subject to the terms of the award agreement that they must enter into in order to receive funding.

A. ELIGIBLE APPLICANTS

The American Rescue Plan identifies eligible revenue sharing counties and eligible Tribal governments as the governments eligible to request payment of their allocation of the program and defines eligibility as follows:

- An *eligible revenue sharing county* is a county, parish, or borough that is independent of any other unit of local government; and that, as determined by the Secretary of the Treasury, is the principal provider of government services for the area within its jurisdiction; and for which, as determined by the Secretary, there is a negative revenue impact due to implementation of a Federal program or changes to such program. In addition, the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the United States Virgin Islands are eligible revenue sharing counties.
- An *eligible Tribal government* is the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of the American Rescue Plan pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 1531).

B. ALLOCATIONS

Section 605(b) provides for a total of \$2 billion for Treasury to make payments to eligible revenue sharing counties and eligible Tribal governments over fiscal years 2022 and 2023. The provision directs the Secretary to reserve \$750 million to allocate and pay to eligible revenue sharing counties for each of fiscal years 2022 and 2023, taking into account economic conditions of each eligible revenue sharing county, using measurements of poverty rates, household income, land values, and unemployment rates, as well as other economic indicators, over the 20-year period ending with September 30, 2021. Separately, the provision directs the Secretary to reserve \$250 million to allocate and pay to eligible Tribal governments for each of fiscal years 2022 and 2023, taking into account economic conditions of each eligible Tribe.

Eligible Tribal governments may log in to the Treasury Submission Portal to review their specific allocations under the program. Eligible revenue sharing counties may review their allocations on the Treasury website once the \$1.5 billion Local Assistance Fund for eligible revenue sharing counties has been launched.

C. ELIGIBLE AND INELIGIBLE USES OF FUNDS

a) Eligible Uses

Section 605(c) provides flexible support for eligible revenue sharing counties and eligible Tribal governments to meet their jurisdictions' needs. Specifically, the statute directs that recipients may use funds for any governmental purpose other than a lobbying activity.

As a general matter, recipients may treat these funds in a similar manner to how they treat funds generated from their own local revenue. Programs, services, and capital expenditures that are traditionally undertaken by a government are considered to fulfill a "governmental purpose." For Tribal governments, investing in activities undertaken by Tribal enterprises, such as operating or capital expenditures for businesses that are owned or controlled by a Tribal government, are considered a governmental purpose. However, the LATCF funds may not be used for lobbying activities.

A non-exhaustive list of example activities that fulfill a governmental purpose include, but are not limited to:

- Provision of health services, educational services, court services, police, fire, emergency medical, and other public safety services, utilities or sanitation services, and direct assistance to households (including cash assistance);
- Capital expenditures on core facilities and equipment, including in housing and community development (e.g., schools, hospitals, childcare facilities, and parks and recreation facilities), public safety facilities and equipment (e.g., police vehicles), and government administration buildings;
- Infrastructure investments, including roads, bridges, water and sewer systems, utility systems, airports, public transit, and technology infrastructure;
- Long-term economic development activities, including affordable housing development, workforce development and other programs to strengthen local communities undergoing economic transitions;
- General government operations, such as general government administration, personnel costs, administrative facilities, record keeping, tax assessments, or election administration; and
- Meeting another federal program's non-federal match or cost-sharing requirements, unless barred by statute or other applicable law (as detailed further in this guidance).

Federal Davis-Bacon Act prevailing wage rate requirements do not apply to projects funded solely by the LATCF except for LATCF-funded construction projects undertaken by the District of Columbia.¹ Further, generally, receipt of LATCF funding does not trigger the National

¹ Neither the Davis-Bacon Act nor Davis-Bacon Act related provisions requirements apply to projects funded solely with award funds from the LATCF, except for LATCF-funded construction projects undertaken by the District of Columbia. The Davis-Bacon Act specifically applies to the District of Columbia when it uses federal funds to enter into contracts over \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Recipients may be subject to the requirements of the Davis-Bacon Act, when LATCF funds are used on a construction project in conjunction with funds from another federal program that requires enforcement of

Environmental Policy Act (NEPA),² although recipients must ensure compliance with all applicable federal environmental laws.

b) Ineligible Uses

Recipients may not use federal funds to directly or indirectly pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation. Amounts that are used in violation of the lobbying restriction set forth in this guidance may be subject to recoupment.

c) Compliance with financial management, procurement, and conflicts of interest standards

Recipients must expend and account for the LATCF funds in accordance with the financial management, procurement, and conflicts of interest standards, laws, policies, and procedures applicable to their expenditure of and accounting for their own funds. Treasury will monitor violations of this requirement through reporting and other sources. Recipients should also review the Buy America domestic content procurement preference requirements, below.

D. ELIGIBLE AND INELIGIBLE COSTS

As a general matter, recipients may use funds to cover costs incurred on any eligible use, including costs incurred from March 15, 2021. Recipients may use funds to cover costs of administering the LATCF program, including costs of consultants to support effective management and oversight as well as compliance with legal, regulatory, and other requirements.

E. TRANSFERS

Recipients may transfer to and pool LATCF funds with other entities for projects, provided that recipients are able to track use of the funds in line with the reporting and compliance requirements of the LATCF. As an example, neighboring counties may pool funds in order to invest in a regional infrastructure project. Further, recipients may fund a project with both LATCF funds and other sources of funding, provided that the project is an eligible use under each source program and recipients are compliant with all other related statutory and regulatory requirements and policies.

Transfers under this program do not give rise to subrecipient relationships given the purpose of the award. As a result, recipients do not need to comply with subrecipient monitoring or oversight requirements outlined in the Uniform Guidance at 2 C.F.R. § 200.331 through § 200.332. Further, no subrecipient reporting under 2 C.F.R. Part 170 will be required for this program, although

the Davis-Bacon Act. Additionally, corollary state prevailing-wage-in-construction laws (commonly known as “baby Davis-Bacon Acts”) may apply to projects.

² Projects supported with payments from LATCF may still be subject to NEPA review if they are also funded by or otherwise involve actions from other federal programs or agencies.

recipients meeting the applicable thresholds will still be required to report on executive compensation pursuant to 2 C.F.R. Part 170.

F. NON-FEDERAL MATCH OR COST-SHARE REQUIREMENTS

As a general principle, federal funds that constitute revenue sharing to state and local governments may generally be used to meet the non-federal match or cost-share requirements of another program.³

Given the LATCF's purpose as a general revenue enhancement program and the broad eligible uses of LATCF funds, Treasury has determined that funds available under the LATCF program constitute revenue sharing. Therefore, funds under the program may be used to meet the non-federal cost-share or matching requirements of other federal programs. Pursuant to 2 C.F.R. § 200.306(b), if funds are legally available to meet the match or cost-share requirements of an agency's federal program, such awarding agency is required to accept such funds for the purpose of that program's match or cost-share requirements except in the circumstances enumerated in that section. If a recipient seeks to use LATCF funds to satisfy match or cost-share requirements for a federal grant program, it should first confirm with the relevant awarding agency that no waiver has been granted for that program, that no other circumstances enumerated under 2 C.F.R. § 200.306(b) would limit the use of LATCF funds to meet the match or cost-share requirement, and that there is no other statutory or regulatory impediment to using the LATCF funds for the match or cost-share requirement. Additional guidance specific to Medicaid and CHIP is forthcoming.

Recipients using LATCF funds to meet non-federal match or cost-share requirements of another federal program must ensure that the costs are eligible costs under the other federal program and are compliant with the statutory, regulatory, and program requirements of the LATCF and the other federal program.

G. AVAILABILITY OF FUNDS

All funds are available to recipients until expended or returned to Treasury.

³ See U.S. Government Accountability Office, *Principles of Federal Appropriations Law, Third Edition, Volume II*, p. 10-99, GAO-06-382SP (February 2006), <https://www.gao.gov/assets/gao-06-382sp.pdf>

II. OPERATIONAL TERMS OF THE ASSISTANCE

This section provides a summary of operational terms of the program, including payments, reporting, and compliance. Treasury expects to release reporting and compliance guidance for the LATCF program at a later date.

A. PAYMENTS

Recipients may request payment of their allocation through the Treasury Submission Portal by following the instructions on Treasury's website. Eligible applicants will be required to complete payment information and sign an award agreement. Tribal governments will be required to complete a certification regarding economic conditions.

B. REPORTING

All recipients will be responsible for submitting an annual Project and Expenditure report to Treasury, which is expected to require data on obligations and expenditures by category of use and certification that funds have not been used to fund lobbying activities. Treasury will release detailed reporting guidance soon.

Information provided through annual reporting will be used to facilitate Treasury's compliance review for uses of funds that do not comply with program requirements, as well as to reduce the risk of waste, fraud, and abuse. Any eligible revenue sharing county that is determined to have failed to submit a report may be required to repay to Treasury an amount up to 5 percent of its total allocation, as authorized by Sections 605(d) and (e).

C. OVERSIGHT

Recipients will be subject to audit or review by the Treasury Inspector General and Government Accountability Office. Recipients are subject to the Single Audit Act and its implementing regulations at 2 C.F.R. Part 200 Subpart F.

D. COMPLIANCE

a) General

Treasury may recoup funds from any recipient in cases of misuse of LATCF funds. Separately, in case of a failure to report, Section 605(c) provides specifically that Treasury may also recoup funds from an eligible revenue sharing county of an amount that the Secretary determines appropriate but that does not exceed 5 percent of the recipient's total allocation.

Any amounts that Treasury has determined to recoup would be subject to generally applicable federal debt collection laws and procedures, including the provisions set forth in Chapter 37 of title 31 of the United States Code and the Federal Claims Collection Standards at 31 C.F.R. Parts 900 through 904.

Treasury expects to work with recipients to support the use of LATCF funds and the timely filing of annual reports to Treasury. Treasury may, for example, request additional information and work

with recipients to remedy the failure to timely file a report before initiating the recoupment process. Treasury may pursue additional remedies for noncompliance with applicable law or program requirements in conjunction with, or as an alternative to, recoupment, including imposing conditions on the receipt of additional LATCF funds by the recipient and/or terminating further payments from the LATCF.

b) Recoupment Process

Treasury will monitor recipients' compliance with legislative and program requirements through evaluation of information submitted by recipients through annual reporting as well as other sources. If Treasury identifies an instance of potential non-compliance, Treasury expects to provide the recipient with a notice of the proposed non-compliance. Treasury expects the notice of proposed non-compliance to set forth a process consistent with the award terms and conditions and applicable law. Recipients that receive a final determination of non-compliance from Treasury will be required to repay any amounts in accordance with the process set forth in the final determination of non-compliance.

Treasury retains the discretion to provide additional guidance on the process set forth above in accordance with and as permitted by Chapter 37 of title 31 of the United States Code and the Federal Claims Collection Standards at 31 C.F.R. Part 900.

E. APPLICATION OF FEDERAL FINANCIAL ASSISTANCE REQUIREMENTS

The LATCF is considered federal financial assistance and recipients are generally subject to laws and regulations applicable to federal financial assistance.

a) Financial Assistance Award Management Requirements

LATCF recipients are subject to the following provisions of 2 C.F.R. Part 200 (the Uniform Guidance):

- 2 C.F.R. Subpart A (Acronyms);
- 2 C.F.R. 200.100-110 (certain General Provisions);
- 2 C.F.R. 200.203 (public notice of Federal financial assistance programs);
- 2 C.F.R. 200.303 (internal controls); and
- Single Audit Act and its implementing regulations at 2 C.F.R. Part 200 Subpart F.

Per 2 C.F.R. § 200.101(b), the program is not subject to other Uniform Guidance provisions beyond those detailed above, such as the provisions regarding program income, interest advances, equipment and real property management, procurement requirements, or subrecipient monitoring and reporting requirements. Therefore, capital assets acquired using LATCF funds are not subject to the Uniform Guidance's use and disposition instructions, and program income is income to the recipient government and not subject to program restrictions.

No subrecipient reporting under 2 C.F.R. Part 170 (implementing the Federal Funding Accountability and Transparency Act of 2006) will be required for this program, although recipients meeting the applicable thresholds will still be required to report on executive

compensation pursuant to 2 C.F.R. Part 170. Treasury’s regulations at 31 C.F.R. Part 19 (implementing OMB’s Guidelines to Agencies on Governmentwide Debarment and Suspension at 2 C.F.R. Part 180) are applicable to the program. Recipients are required to comply with the System for Award Management (SAM) requirements in 2 C.F.R. Part 25.⁴

There are no matching, level of effort, or earmarking compliance responsibilities associated with the LATCF program.

b) Buy America Domestic Content Procurement Preference

The Build America, Buy America Act establishes domestic content procurement preference requirements for federal financial assistance programs for infrastructure.⁵ These requirements apply to the LATCF. As such, expenditures for iron, steel, manufactured products, and construction materials used in an infrastructure project funded using a LATCF award generally must be produced in the United States. These requirements do not apply to non-infrastructure projects or to infrastructure projects undertaken in response to the COVID-19 public health emergency.

Recipients should review the details of these domestic content procurement requirements as provided in the terms and conditions of the LATCF award, which follow the guidance provided by the Office of Management and Budget (OMB).⁶ The definition of infrastructure as provided by the Build America, Buy America Act and OMB guidance is broad and includes the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. An infrastructure project includes the construction, alteration, maintenance, or repair of infrastructure.

Treasury plans to propose a waiver from the Build America, Buy America Act requirements for awards made under the LATCF program. Treasury will post the proposed waiver and its terms, including its duration, on the Treasury website, and will also provide an update after the public comment period has closed. Should a waiver be issued, infrastructure projects undertaken under awards issued after the waiver is effective will not be subject to Build America, Buy America Act requirements.

An eligible Tribal government may request funding and receive an award before a waiver is issued and becomes effective. However, typically, only awards issued after the waiver is issued and becomes effective are excluded from the requirements of the Buy America, Build America Act. If

⁴ 2 C.F.R. Part 25, Subpart C, is inapplicable to this program as transfers under this program do not give rise to subrecipient relationships.

⁵ See section 70914(a) of the Infrastructure Investment and Jobs Act, Pub. L. No. 117-58 (IIJA). The Buy America, Build America Act was included as sections 70901-27 of the IIJA.

⁶ OMB’s guidance is provided in OMB Memorandum M-22-11, “Initial Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure” (April 18, 2022), *available at* <https://www.whitehouse.gov/wp-content/uploads/2022/04/M-22-11.pdf>.

a Tribal government receives an award prior to the date any waiver becomes effective, then the award may still be subject to the requirements of the Buy America, Build America Act. Treasury will provide more details on the waiver’s effective date on its website.

The Buy America, Build America Act requirements do not apply to expenditures using LATCF funds for infrastructure projects undertaken in response to the COVID-19 public health emergency or in response to or anticipation of other major disasters or emergencies declared by the President under the Stafford Act.⁷ Treasury recognizes that the public health emergency is impacting recipients in different ways and that recipients are impacted by a broad range of other types of major disasters and emergencies declared under the Stafford Act. Accordingly, recipients should make their own determinations as to what infrastructure projects they need to undertake to respond to the COVID-19 public health emergency or other Stafford Act disaster or emergency.

F. COMPLIANCE WITH OTHER APPLICABLE LAWS

Recipients are responsible for complying with all other applicable laws in the course of using the funds from their award, including all applicable environmental laws and all laws applicable to federal financial assistance (unless stated otherwise in this guidance or the award agreement). Applicable laws include but are not limited to those listed in the award agreement.

Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 8, 1997) re: Increasing Seat Belt Use, Treasury encourages recipients to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles. Recipients should also encourage their contractors to adopt and enforce such policies.

Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 1, 2009), re: Reducing Text Messaging While Driving, Treasury encourages recipients to encourage their employees and contractors to adopt and enforce policies that ban text messaging while driving, and recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

⁷ More specifically, as provided in OMB’s guidance, the requirements of the Buy America, Build America Act do not apply to expenditures made in anticipation of or in response to an event or events that qualify as an “emergency” or “major disaster” within the meaning of the Stafford Act, 42 U.S.C. § 5122(1), (2). *See* OMB Memorandum M-22-11 at 3-4.

III. CONTACT INFORMATION

E-mail correspondence is preferred. Correspondence by mail may be subject to significant delays.

LATCF@treasury.gov

U.S. Department of the Treasury
Attn: **Local Assistance and Tribal Consistency Fund**
1500 Pennsylvania Ave NW
Washington, DC 20220

treasury.gov/LATCF



SARATOGA COUNTY BOARD OF SUPERVISORS

DRAFT

RESOLUTION xx - 2023

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

AUTHORIZING THE ACCEPTANCE OF \$100,000 IN FEDERAL AID UNDER THE LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND (LATCF) AND AMENDING THE 2023 BUDGET IN RELATION THERETO

WHEREAS, on March 11, 2021, the Federal Government passed the American Rescue Plan Act of 2021 (“ARPA”), which was a \$11.9 Trillion economic stimulus package intended to assist the United States recovery from the economic and health effects of the COVID-19 Pandemic and the ongoing recession; and

WHEREAS, ARPA having appropriated \$2 billion to the U.S. Department of Treasury across fiscal years 2022 and 2023, and the Local Assistance and Tribal Consistency Fund (LATCF) having been established by Section 605 of the Social Security Act, as added by Section 9901 of ARPA of 2021; and

WHEREAS, the purpose of LATCF is to serve as a general revenue enhancement program, and guidance for the use of LATCF funds having been issued by the U.S. Department of Treasury, and local governments having been given broad discretion to apply these funds to support governmental programs, services and capital expenditures traditionally undertaken by a government, except for any lobbying activity; and

WHEREAS, Saratoga County was awarded \$100,000 under LACTF; and now, therefore be it

RESOLVED, that the County Treasurer and Director of Finance are authorized to recognize acceptance of these funds; and it is further

RESOLVED, that the 2023 Saratoga County Budget is hereby amended as follows:

COUNTY ADMINISTRATOR:

Increase Appropriations

Acct. #:A.14.000-8190 – Other Professional Services \$100,000

Increase Revenues

Acct. #:A.14-4089 – Federal Aid \$100,000

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

February 23, 2023 Regular Meeting

Motion to Adopt:

Second:

AYES

NAYES

ABSENT



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: County Administrator



DATE: 2/9/2023

COMMITTEE: Law & Finance



RE: Reappropriating unspent funds into the 2023 budget

This column must be completed prior to submission of the request.

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

Amending the 2023 Budget to reappropriate unspent funds related to various projects and/or programs throughout multiple departments

3. Specific Details on what the resolution will authorize:

This resolution will authorize a budget amendment for the 2023 budget to fund projects that were not completed in 2022.

Resolution will also authorize that \$753,652 in unused ARPA funds approved for additional roadway rehabilitation projects via Resolution 176-2022 shall be allocated to fund the CR67 highway reconstruction project in 2023.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

- Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

Reappropriation from previous budget year

- a. G/L line impacted See attachment
- b. Budget year impacted 2022 and 2023
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term:

f. Termination of contract date:

g. Contract renewal and term:

h. Contact information:

i. Is the vendor/contractor an LLC, PLLC or partnership:

j. State of vendor/contractor organization:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Human Resources Consulted

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input type="checkbox"/>

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other _____

10. Remarks:



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION xx - 2023

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

AMENDING THE 2023 BUDGET TO REAPPROPRIATE UNSPENT FUNDS FOR VARIOUS DEPARTMENTS FROM 2022

WHEREAS, unexpended 2022 funds in the amount of \$39,535,370.83 authorized for various Departments throughout the County need to be reappropriated to the 2023 County budget; now, therefore, be it

RESOLVED, that the 2023 Saratoga County Budget is amended as follows:

Department of Social Services

Appropriations

Increase	A.60.601-7020	Office Equipment	\$2,805.83
Increase	A.60.601-7033	Personal Computers	\$2,886.22
Increase	A.60.601-7080	Other Equipment	\$5,033.34
Increase	A.60.601-8533	Telephone	\$900.00
	A.60.601-		
Increase	7601.ERAP	BICS Payments ERAP	\$17,892.02
Increase	A.60.610-7601	BICS Payments	\$1,179.00
Increase	A.60.610-7020	Office Equipment	\$4,371.00
Increase	A.60.610-7601	BICS Payments	\$93,411.00
Increase	A.60.610-8261	Homemaker Supplies	\$3,000.00
Increase	A.60.610-8512	Training	\$6,000.00
Increase	A.60.610-8550	Office Supplies	\$4,372.00
Increase	A.60.609-7601	BICS Payments	\$76,848.00
Increase	A.60.601-7601	BICS Payments	<u>\$291,830.15</u>
			\$510,528.56

Revenues:

Increase	A.60-4612	ERAP	\$29,517.41
Increase	A.60-4610	AP Covid-19 Grant	\$1,179.00
Increase	A.60-4610	ARPA1 &2	\$111,154.00
Increase	A.60-4641	HEAP	\$76,848.00
Increase	A.60-3646	Rent Supplement	<u>\$291,830.15</u>
			\$510,528.56

Sewer

Appropriations

Increase	ES.81.812-7092	Infrastructure	\$3,310,118.56
Increase	ES.81.812-7098	Professional Svcs for Cap Purposes	\$742,048.00
Increase	ES.81.813-7095	Capital Equipment	\$10,731,254.00
Increase	ES.81.813-7098	Professional Svcs for Cap Purposes	<u>\$3,406,706.00</u>
			\$18,190,126.56

Revenues:

Increase	ES.81-4089	Federal Aid - Other (ARPA)	\$4,000,000.00
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Appropriated Fund Balance Budgetary

Decrease	ES-0599.B	Appropriated Fund Balance Budgetary	<u>\$14,190,126.56</u>
			\$18,190,126.56

Information Technology

Appropriations

Increase	A.23.000-7051	Communications Equipment	\$103,965.25
Increase	A.23.000-8200	Departmental Supplies	\$1,856.22
Increase	A.23.000-8221	Building Materials	\$1,000.00
Increase	A.23.000-8520	Software	\$15,983.10
Increase	A.23.000-8190	Other Professional Services	<u>\$14,156.00</u>
			\$136,960.57

Appropriated Fund Balance Budgetary

Decrease	A-0599.B	Appropriated Fund Balance Budgetary	\$136,960.57
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Planning and Economic Development

Appropriations

Increase	A.80.000-8463.FOR	Property Maintenance/Repair Forest Land	\$25,000.00
Increase	A.80.000-8513	Meeting Expense	<u>\$36,472.18</u>
			\$61,472.18

Appropriated Fund Balance Budgetary

Decrease	A-0599.B	Appropriated Fund Balance Budgetary	\$61,472.18
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Emergency Services

Appropriations

Increase	A.36.366-7051	Communication Equipment	\$895,866.88
Increase	A.36.366-8293	Equipment Maintenance	\$662,002.56
Increase	A.36.366-8520	Software	\$47,019.96
Increase	A.36.366-8200	Departmental Supplies	\$3,884.17
Increase	A.36.000-7051	Communication Equipment	\$3,051,842.74
Increase	A.36.000-7093	Bldg - Construction Cost	\$87,862.56
Increase	A.36.366-8150	Training Services	\$1,551.60
Increase	A.36.366-8519	Personal Safety Supplies	\$2,757.90
Increase	A.36.366-7033	Personal Computers	\$76,472.77

Increase	A.36.366-7053	Medical Equipment	\$12,770.00
Increase	A.36.366-7080	Other Equipment	\$218,690.77
Increase	A.36.366-8190	Other Professional Services	\$104,396.00
Increase	A.36.366-8200	Departmental Supplies (20SHSP)	\$23,000.00
Increase	A.36.366.8533	Telephone	\$10,238.12
Increase	A.36.366-8543	Office Equipment Rental	\$1,615.00
Increase	A.36.366-8544	Minor Communications Equipment (21SHSP)	<u>\$19,748.35</u>
			\$5,219,719.38

Revenues:

Increase	A.36-3306	Homeland Security (SI21 Grant)	\$1,426,723.00
Increase	A.36-3306	Homeland Security (HE20)	\$5,172.00
Increase	A.90-4089	Federal Aid Other (ARPA-Communication System)	\$3,051,842.74
Increase	A.90-4089	Federal Aid Other (ARPA-PPE Storage)	\$87,862.56
Increase	A.36-3306	Homeland Security (18 SHSP Grant)	\$30,649.89
Increase	A.36-3306	Homeland Security (19 SHSP Grant)	\$148,303.87
Increase	A.36-3306	Homeland Security (20 SHSP Grant)	\$186,870.67
Increase	A.36-3306	Homeland Security (21 SHSP Grant)	\$134,228.47

Appropriated Fund Balance Budgetary

Decrease	A-0599.B	Appropriated Fund Balance Budgetary	<u>\$148,066.18</u>
			\$5,219,719.38

Department of Mental Health

Appropriations

Increase	A.43.441-8726.014	Transitional Services CSS	\$2,802.00
Increase	A.43.441-8726.034	Transitional Services ICM	\$2,150.00
Increase	A.43.441-8726.039	Transitional Services Rehab	\$1,346.00
Increase	A.43.441-8726.078	Transitional Services SH	\$68,496.00
Increase	A.43.441-8726.200	Transitional Services RF	\$64,126.00
Increase	A.43.441-8726.570	TSA Health Homes	\$18,263.00
Increase	A.43.441-8726.965	TSA Salary COLA	\$7,579.00
Increase	A.43.441-8727.014	Unlimited Possibilities CSS	\$110,092.41
Increase	A.43.441-8727.037	Unlimited Possibilities ISE	\$24,815.15
Increase	A.43.441-8727.039	Unlimited Possibilities PR	\$34,168.93
Increase	A.43.441-8727.040	Unlimited Possibilities IJR	\$30,116.00
Increase	A.43.441-2727.200	Unlimited Possibilities RF	\$19,850.10
Increase	A.43.441-8727.965	Unlimited Possibilities Salary COLA	\$3,754.90
Increase	A.43.441-8728.046	Community Human Services	\$18,212.00
Increase	A.43.441-8728.200	Community Human Services RIV	\$13,857.00
Increase	A.43.441-8728.965	CHS Salary COLA	\$14.00
Increase	A.43.441-8729.001	Mechanicville Srv LA	\$9,746.00
Increase	A.43.441-8729.014	Mechanicville Srv CSS	\$417.00
Increase	A.43.441-8729.965	Mechanicville Srv Salary COLA	\$318.00
Increase	A.43.441-8730.200	Community Workshop RF	\$8,996.00
Increase	A.43.441-8731.001	Sar Center For Family LA	\$7,929.00
Increase	A.43.441-8731.965	Sar Center For Family CS	\$9.00

Increase	A.43.441-8732.078	Rehabilitation Support Services SH	\$17,465.50
Increase	A.43.441-8732.200	Rehabilitation Support Services SH RIV	\$7,415.00
Increase	A.43.441-8733.037	Assn of Ret Citizens LSE	\$2,445.00
Increase	A.43.441-8734.034	Shelters of Saratoga Inc LCM	\$30,297.00
Increase	A.43.441-8749.037	Northeast Career Planning (UHT)	\$12,426.19
Increase	A.43.443-8650	Catholic Schools - 013	\$1,128.00
Increase	A.43.443-8726.013	Transitional Services ASA	<u>\$8,756.00</u>
			\$526,990.18

Revenues:

Increase	A.43-3469	MH Reinvestment	\$114,244.10
Increase	A.43-3470	MH - Health Homes	\$18,263.00
Increase	A.43-3474	Family Support	\$18,212.00
Increase	A.43-3475	Inovative Job Reh.	\$30,116.00
Increase	A.43-3476	SA Special Employment	\$75,201.27
Increase	A.43-3479	COLA MH	\$11,674.90
Increase	A.43-3488	AlbDioSchBrd	\$1,128.00
Increase	A.43-3489	State Aid - OASAS Rise	\$8,756.00
Increase	A.43-3491	MH - Supported Housing	\$85,961.50
Increase	A.43-3494	CSS	\$113,311.41
Increase	A.43-3495	Intensive Case Mgt	\$32,447.00
Increase	A.43-3497	Local Assist Agency	<u>\$17,675.00</u>
			\$526,990.18

County Administrator

Appropriations

Increase	A.14.114-8713	Saratoga Economic Dev Group	\$62,785.67
Increase	A.14.114-7112	250 th Revolution Anniversary	20,000.00

Revenues:

	A.14-4089	Federal Aid – Other	20,000.00
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Appropriated Fund Balance Budgetary

Decrease	A-0599.B	Appropriated Fund Balance Budgetary	\$62,785.67
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Board of Supervisors/Clerk of the Board

Appropriations

Increase	A.10.000-8193	Photographer	\$800.00
Increase	A.10.000-8200	Departmental Supplies	\$3,000.00
Increase	A.11.112-8560	Printing	\$150.00
Increase	A.11.000-8560	Printing	<u>\$900.00</u>
			\$4,850.00

Appropriated Fund Balance Budgetary

Decrease	A-0599.B	Appropriated Fund Balance Budgetary	\$4,850.00
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County Treasurer

Appropriations

Increase A.16.000-8190 Other Professional Services \$43,800.00

Appropriated Fund Balance Budgetary

Decrease A-0599.B Appropriated Fund Balance Budgetary \$43,800.00

Department of Health

Appropriations

Increase A.40.415-8200 Departmental Supplies \$341,456.56

Revenue

Increase A.90-4089 Federal Aid Other (ARPA-Public Health Transition) \$341,456.56

County Clerk

Appropriations

Increase A.19.192-7099 Other Capital Expenses \$25,000.00

Increase A.19.192-8190 Other Professional Services \$20,000.00

Increase A.19.192-7080 Other Equipment \$36,666.00

Increase A.19.191-8293 Equipment Maintenance \$5,000.00

Increase A.19.111-7094 Bldg Components Realty \$2,810.00

\$89,476.00

Revenue

Increase A.90-4089 Federal Aid Other (ARPA-DMV Air purification) \$48,221.00

Appropriated Fund Balance Budgetary

Decrease A-0599.B Appropriated Fund Balance Budgetary \$41,255.00

\$89,476.00

Sheriff

Appropriations

Increase A.30.000-7033 Personal Computers \$32,749.00

Increase A.30.000-7041 Cars and Trucks \$42,162.00

Increase A.30.000-7080 Other Equipment (LE20) \$23,828.31

Increase A.30.000-7080 Other Equipment (LE21) \$20,000.00

Increase A.30.000-7080 Other Equipment (LE21) \$5,000.00

Increase A.30.000-7080 Other Equipment (LE21) \$4,231.61

Increase A.30.301-5072 Food Service Equipment \$3,000.00

Increase A.30.301-7093 Bldg Construction Costs \$1,205,239.25

Increase A.30.301-8221 Building Materials \$10,435.00

\$1,346,645.17

Revenue

Increase A.30-3306 Homeland Security (LE19) \$33,529.00

Increase A.30-3306 Homeland Security (LE20) \$24,395.00

Increase A.30-3306 Homeland Security (LE21) \$56,831.44

Increase A.30-3306 Homeland Security (LE22) \$99,000.00

Increase A.90-4089 Federal Aid Other (ARPA-Sheriff Emg Comm Equip) \$1,765,807.38

Appropriated Fund Balance Budgetary

Decrease A-0599.B Appropriated Fund Balance Budgetary \$1,132,889.73

\$3,112,452.55

DPW-General Fund

Appropriations

Increase	A.50.000-7093	Building - Construction Cost	\$100,000.00
Increase	A.50.000-7094	Building Components Realty	\$332,356.00
Increase	A.50.000-8190	Other Prof. Serv.	\$6,747.00
Increase	A.50.000-8627	Building Maint. Supplies	\$112,715.00
Increase	A.50.513-7093	Airport - Bldg. Construction Cost	\$3,262,333.00
Increase	A.50.513-7098	Airport - Prof Srv for Cap Purposes	\$2,103,581.00
Increase	A.50.513-8130	Airport - Architects/Engineers	<u>\$745,359.00</u>

\$6,663,091.00

Revenue

Increase	A.50-3592	State Airport	\$4,829,591.00
Increase	A.50-4592	Federal Airport	\$937,349.00
Increase	A.90-4089	Federal Aid Other (ARPA-Veterans Hall)	\$100,000.00
Increase	A.90-4089	Federal Aid Other (ARPA-Fire Training)	\$3,510.00

Appropriated Fund Balance Budgetary

Decrease	A-0599.B	Appropriated Fund Balance Budgetary	<u>\$792,641.00</u>
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\$6,663,091.00

DPW - County Road Fund

Appropriations

Increase	A.90.920-9900.D	Transfer to D Fund	\$5,332,653.00
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Revenue

Increase	A.90-4089	Federal Aid Other (ARPA-CDTC Projects)	\$3,233,867.00
Increase	A.90-4089	Federal Aid Other (ARPA-Additional Paving)	\$753,652.00

Appropriated Fund Balance Budgetary

Decrease	A-0599.B	Appropriated Fund Balance Budgetary	<u>\$1,345,134.00</u>
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\$5,332,653.00

Appropriations

Increase	D.50.510-7502	Contracted Highway Services	\$4,286,479.00
Increase	D.50.510-8130	Architects/Engineers	\$1,106,230.00
Increase	D.50.510-8190	Other Prof. Serv.	\$6,760.00
Increase	D.50.510-8251	Highway Supplies	<u>\$918,000.00</u>

\$6,317,469.00

Revenue

Increase	D.50-3590	State Aid - Trans.	\$760,210.00
Increase	D.50-4590	Federal Aid - Trans.	\$224,606.00
Increase	D-50-5031	Transfer from General Fund	<u>\$5,332,653.00</u>

\$6,317,469.00

RESOLVED, that \$753,652.09 in unused ARPA funds approved for additional roadway rehabilitation projects via Resolution 176-2022 shall be allocated to fund CR67 highway reconstruction project in 2023

; and, be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The unused funds from the 2022 budget for these projects will be reappropriated to the 2023 budget.

February 23, 2023 Regular Meeting

Motion to Adopt: Supervisor(s):

Second: Supervisors(s):

Ayes:

Noes:

Abstain:

Absent:



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Chairman's Item



DATE: 2/9/2023

COMMITTEE: Law & Finance



RE: Appointing members to the NYRA Local Advisory Board for Saratoga Racetrack

This column must be completed prior to submission of the request.

1. Is a Resolution Required:

2. Proposed Resolution Title:

Appointing members to the NYRA Local Advisory Board for Saratoga Racetrack

3. Specific Details on what the resolution will authorize:

Saratoga County Board of Supervisors can appoint five (5) members to the NYRA Local Advisory Board for Saratoga Racetrack. This board has a total of 15 members and each member serves a 2 year term.

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

No Budget Impact

- a. G/L line impacted
- b. Budget year impacted
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

Human Resources Consulted

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term:

f. Termination of contract date:

g. Contract renewal and term:

h. Contact information:

i. Is the vendor/contractor an LLC, PLLC or partnership:

j. State of vendor/contractor organization:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input checked="" type="checkbox"/>
--

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other _____

10. Remarks:



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION___-2023

Introduced by Chair of the Board

APPOINTING MEMBERS TO THE NYRA LOCAL ADVISORY BOARD FOR SARATOGA RACETRACK

WHEREAS, Section 212(6)(a) of the Racing, Wagering and Breeding Law of the State of New York established a Local Advisory Board to the New York Racing Association (NYRA) Franchise Oversight Board for Saratoga Racetrack comprised of fifteen (15) members serving for a term of two (2) years each, with five (5) members to be appointed by the Saratoga County Board of Supervisors; and

WHEREAS, Chapter 59, Part NN, of the Laws of the State of New York for 2017 continues the operation, duties and functions of the Local Advisory Board beyond the dissolution of the Franchise Oversight Board and the re-privatization of NYRA; and

WHEREAS, the terms of five members having expired; now, therefore, be it

RESOLVED, that the following officials are appointed as members of the NYRA Local Advisory Board for the stated terms:

<u>Appointment</u>	<u>Current Office Holder</u>	<u>Term Expires</u>
Chair of the Board of Supervisors	Theodore T. Kusnierz, Jr. 40 McMaster Street Ballston Spa, NY 12020	12/31/2024
County Administrator	Steven Bulger 40 McMaster Street Ballston Spa, NY 12020	12/31/2024
County Director of Planning and Economic Development	Jason Kemper 50 West High Street Ballston Spa, NY 12020	12/31/2024
County Historian	Lauren Roberts 40 McMaster Street Ballston Spa, NY 12020	12/31/2024

Chair's Appointment

Matthew Veitch
40 McMaster Street
Ballston Spa, NY 12020

12/31/2024

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.



SARATOGA COUNTY

AGENDA ITEM REQUEST FORM

TO: Steve Bulger, County Administrator
Ridge Harris, Deputy County Administrator
Michelle Granger, County Attorney
Therese Connolly, Clerk of the Board
Stephanie Hodgson, Director of Budget

CC: John Warmt, Director of Purchasing
Jason Kemper, Director of Planning and Economic Development
Bridget Rider, Deputy Clerk of the Board
Matt Rose, Management Analyst
Clare Giammusso, County Attorney's Office
Audra Hedden, County Administrator's Office

DEPARTMENT: Chairman's Item



DATE: 2/9/2023

COMMITTEE: Law & Finance



RE: Appointing Members to the Tourism Advisory Committee

This column must be completed prior to submission of the request.

1. Is a Resolution Required:

2. Proposed Resolution Title:

Appointing Members to the Tourism Advisory Committee

3. Specific Details on what the resolution will authorize:

Pursuant to Local Law No. 1 of 2016, nine (9) members of the Tourism Advisory Committee are appointed on an annual basis

County Attorney's Office
Consulted

4. Is a Budget Amendment needed: YES or NO
 If yes, budget lines and impact must be provided.
 Any budget amendments must have equal and offsetting entries.

County Administrator's Office
 Consulted

Please see attachments for impacted budget lines.
 (Use ONLY when more than four lines are impacted.)

Revenue

Account Number	Account Name	Amount

Expense

Account Number	Account Name	Amount

Source of Revenue

Fund Balance	State Aid	Federal Aid	Other

5. Identify Budget Impact:

--

- a. G/L line impacted
- b. Budget year impacted
- c. Details

6. Are there Amendments to the Compensation Schedule?

YES or NO (If yes, provide details)

a. Is a new position being created? Y N

Effective date

Salary and grade

b. Is a new employee being hired? Y N

Effective date of employment

Salary and grade

Appointed position:

Term

c. Is this a reclassification? Y N

Is this position currently vacant? Y N

Is this position in the current year compensation plan? Y N

7. Does this item require hiring a Vendors/Contractors: Y N

a. Were bids/proposals solicited: Y N

b. Type of Solicitation

c. Is the vendor/contractor a sole source: Y N

d. If a sole source, appropriate documentation has been submitted and approved by Purchasing Department? Y N N/A

e. Commencement date of contract term:

f. Termination of contract date:

g. Contract renewal and term:

h. Contact information:

i. Is the vendor/contractor an LLC, PLLC or partnership:

j. State of vendor/contractor organization:

k. Is this a renewal agreement: Y N

l. Vendor/Contractor comment/remarks:

Human Resources Consulted

Purchasing Office Consulted

8. Is a grant being accepted: YES or NO

County Administrator's Office Consulted <input checked="" type="checkbox"/>
--

a. Source of grant funding:

b. Agency granting funds:

c. Amount of grant:

d. Purpose grant will be used for:

e. Equipment and/or services being purchased with the grant:

f. Time period grant covers:

g. Amount of county matching funds:

h. Administrative fee to County:

9. Supporting Documentation:

- Marked-up previous resolution
- No Markup, per consultation with County Attorney
- Program information summary
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other _____

10. Remarks:



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION ___-2023

Introduced by Chair of the Board

APPOINTING MEMBERS TO THE TOURISM ADVISORY COMMITTEE

WHEREAS, Local Law No. 1 of 2016, as authorized by Tax Law §1202-g, establishes a nine member advisory committee to advise and recommend to this Board of Supervisors expenditures to be made for the promotion of tourism and conventions in Saratoga County using revenues derived from the collection of the County's occupancy tax; and

WHEREAS, Local Law No. 1 of 2016 provides that the Tourism Advisory Committee shall be comprised of the Chair of the Board of Supervisors, the Chair of the Board's Law and Finance Committee, the Chair of the Board's Economic Development Committee, one member of the Board of Supervisors who also serves as a director of the Saratoga County Prosperity Partnership, Inc., the Saratoga County Treasurer, and one representative from each of the Saratoga County Chamber of Commerce, the Chamber of Southern Saratoga County, the Saratoga Convention and Tourism Bureau, and the Saratoga Springs City Center Authority; all of whom shall be appointed by the Saratoga County Board of Supervisors; and

WHEREAS, pursuant to Local Law No. 1 of 2016 members of the Tourism Advisory Committee are appointed on an annual basis; now, therefore, be it

RESOLVED, that the following individuals are appointed members of the Tourism Advisory Committee for the stated terms:

<u>Appointment</u>	<u>Current Office Holder</u>	<u>Term Expires</u>
Chair, Board of Supervisors	Theodore T. Kusnierz, Jr. 40 McMaster Street Ballston Spa, NY 12020	12/31/2023
Chair, Law and Finance Committee	Jonathan G. Schopf 40 McMaster Street Ballston Spa, NY 12020	12/31/2023
Chair, Economic Development Committee	Mark Hammond 40 McMaster Street Ballston Spa, NY 12020	12/31/2023

Director, Saratoga County Prosperity Partnership, Inc.	Scott Ostrander 40 McMaster Street Saratoga Springs, NY 12866	12/31/2023
County Treasurer	Andrew Jarosh 40 McMaster Street Ballston Spa, NY 12065	12/31/2023
Saratoga County Chamber of Commerce	Amy Smith Saratoga Co. Chamber of Comm. 28 Clinton Street Saratoga Springs, NY 12866	12/31/2023
Chamber of Southern Saratoga County	Peter Bardunias Chamber of Southern Saratoga Co. 58 Clifton Country Rd., Ste. 102 Clifton Park, NY 12065	12/31/2023
Saratoga Convention and Tourism Bureau	Darryl Leggieri Saratoga Conv. & Tourism Bureau 60 Railroad Place, Ste. 301 Saratoga Springs, NY 12866	12/31/2023
Saratoga Springs City Center Authority	Ryan McMahan Saratoga Springs City Center Auth. 522 Broadway Saratoga Springs, NY 12866	12/31/2023

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.