



# Law & Finance Committee

April 12, 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 March 15, 2023

## REAL PROPERTY TAX

- Authorizing the conveyance of a tax-acquired parcel in the Town of Galway.  
(Anna Stanko, Director of Real Property)  
**BUDGET IMPACT:** No Budget Impact.
- Approving and confirming the auction sale of County-owned lands acquired for unpaid taxes.  
(Andrew Jarosh, County Treasurer)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.

## HEALTH & HUMAN SERVICES

- Authorizing a renewal agreement with James McGuinness & Associates Inc. for the provision of software system and support services for the processing of reimbursement claims to the State for pre-school education costs.  
(Daniel Kuhles, Commissioner of Health)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.
- Authorizing an agreement with Wladis Law Firm, PLLC for the provision of professional legal services.  
(Daniel Kuhles, Commissioner of Health)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.
- Authorizing mileage reimbursement for parents/guardians who provide transportation for children attending preschool and early intervention center-based programs.  
(Daniel Kuhles, Commissioner of Health)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.

- Amending resolution 296-2021, authorizing amendments to Mental Health contracts to include a state-funded full market rate stipend for supported housing beds, and amending the 2023 County budget in relation thereto.  
(Michael Prezioso, Commissioner of Mental Health & Addiction Services)  
**BUDGET IMPACT:** The budget will be amended to accept these funds and authorize the related expenses.
- Proclaiming May 2023 as “Older Americans Month” in Saratoga County.  
(Sandi Cross, Director of the Department of Aging & Youth Services)  
**BUDGET IMPACT:** No Budget Impact.

## **PUBLIC WORKS**

- Amending Resolution 324-2022 and authorizing an amended agreement with County Waste and Recycling Service, Inc.  
(Chad Cooke, Commissioner of Public Works)  
**BUDGET IMPACT:** No Budget Impact.

## **BUILDINGS & GROUNDS**

- Authorizing an amended agreement with CPL Architects, Engineers, Landscape Architect and Surveyor, DPC for the performance of a facilities assessment study and amending the 2023 County budget in relation thereto.  
(Chad Cooke, Commissioner of Public Works)  
**BUDGET IMPACT:** The budget will be amended to increase appropriations and decrease fund balance by \$55,000.

## **PUBLIC SAFETY**

- Authorizing participation in the 2023 State Stop-DWI Program and contracts with local agency participants.  
(Michael Zurlo, County Sheriff)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.
- Authorizing participation in the 2023 Stop-DWI High Visibility Engagement Campaign and Drug Recognition Expert Call Out Plan.  
(Michael Zurlo, County Sheriff)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.
- Authorizing the acceptance of a \$250,000 grant from the Dormitory Authority of the State of New York (DASNY) for the purchase of body-worn and in-car cameras for the Sheriff’s Department.  
(Michael Zurlo, County Sheriff)  
**BUDGET IMPACT:** The budget will be amended to accept these funds and increase fund balance by \$250,000.

- Authorizing a contract for specialized law enforcement services with the Town of Malta, amending the 2023 Compensation Schedule under the Sheriff's Department, 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 increase Fund Balance by \$185,169.71
- Proclaiming May 7-13, 2023 as "National Correctional Officers and Employees Week" in Saratoga County.  
(Michael Zurlo, County Sheriff)  
**BUDGET IMPACT:** No Budget Impact.
- Authorizing an agreement with Office Data Systems, Inc. to update, install, maintain, and provide training for digital video/audio recording system to record and prepare statements in criminal cases.  
(Karen Heggen, District Attorney)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.
- Authorizing an agreement with Axon Enterprise, Inc. to provide Evidence.com professional licenses.  
(Karen Heggen, District Attorney)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.
- Proclaiming April 23-29, 2023, as "Crime Victims' Rights Week in Saratoga County, this year's theme: "Survivor Voices: Elevate. Engage. Effect. Change.".  
(Karen Heggen, District Attorney)  
**BUDGET IMPACT:** No Budget Impact.
- Authorizing the acceptance of the Second Upstate Family Defense (Child Welfare) Quality Improvement and Caseload Reduction Grant, amending the 2023 Compensation Schedule, and amending the 2023 County budget in relation thereto.  
(Andrew Blumenberg, Public Defender)  
**BUDGET IMPACT:** The budget will be amended to accept these funds and authorize the related expenses.
- Authorizing an agreement with the New York State Division of Homeland Security and Emergency Services to accept a 2022 Homeland Security Program Grant and amending the 2023 County budget in relation thereto.  
(Andre Delvaux, Director of Emergency Management)  
**BUDGET IMPACT:** The budget will be amended to accept these funds and authorize the related expenses.
- Approving the Alternatives to Incarceration (ATI) Performance based services plan and authorizing the acceptance of a NYS Division of Criminal Justice Services Grant.  
(Susan Costanzo, Probation Director)  
**BUDGET IMPACT:** Transfer of associated budget between departments.

## **HUMAN RESOURCES & INSURANCE**

- Authorizing the County's Insurance coverages through May 8, 2024, and amending the 2023 County budget in relation thereto.  
(Steve Bulger, County Administrator)  
**BUDGET IMPACT:** The budget will be amended to adjust appropriations and decrease Fund balance by \$59,087.
- Amending the Policies and Procedures manual to revise the Administrative Benefits policy and process.  
(Scot Chamberlain, Director of Human Resources)  
**BUDGET IMPACT:** No Budget Impact.

## **ECONOMIC DEVELOPMENT**

- Authorizing the transfer of funds from the Economic Development Reserve Fund and amending the 2023 County budget in relation thereto.  
(Jason Kemper, Director of Planning & Economic Development)  
**BUDGET IMPACT:** The budget will be amended to increase appropriations and decrease the Economic Development Grant Reserve Fund by \$49,700.

## **TRAILS & OPEN SPACE**

- Authorizing the transfer of funds from the County Trails Development Reserve and amending the 2023 County budget in relation thereto.  
(Jason Kemper, Director of Planning & Economic Development)  
**BUDGET IMPACT:** The budget will be amended to increase appropriations and decrease the Trails Grant Reserve Fund by \$67,651.80

## **LAW & FINANCE**

- Setting a public hearing for input regarding increasing bonding capacity and project costs for the Saratoga County Sewer District No.1's Biosolids Digester Facility.  
(Dan Rourke, Executive Director of Sewer District)  
**BUDGET IMPACT:** No Budget Impact.
- Authorizing agreements with Jersen Construction Group LLC and Stilsing Electric Inc. for work related to the rehabilitation and replacement of secondary clarifiers and electrical equipment at the Saratoga County Sewer District No.1's Wastewater Treatment Plant and amending the 2023 County budget in relation thereto..  
(Dan Rourke, Executive Director of Sewer District)  
**BUDGET IMPACT:** The budget will be amended to increase appropriations and decrease Sewer fund balance by \$1,890.517.

- Authorizing an amendment to the agreement with S&L Roofing & Sheetmetal, Inc. for the replacement of the roof at Saratoga County Sewer District No. 1's Maintenance Facility.  
(Dan Rourke, Executive Director of Sewer District)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.
- Authorizing an agreement with WMJ Keller & Sons Construction Corporation, Spring Electric and John W Danforth for work associated with upgrading Saratoga County Sewer District No.1's D & R pump station located 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 the commencement of legal action as necessary to ensure completion of the Saratoga County Airport upgrades in accordance with the New York State and Federal Funding Grant deadlines and authorizing the retention of special counsel.  
(Michelle Granger, County Attorney)  
**BUDGET IMPACT:** No Budget Impact. Funds are included in the Department Budget.
- Requesting the Governor and Legislature of New York State to remove from the 2024 budget any executive budget reference or bill that would amend New York State Real Property Law that fundamentally alters the foreclosure process and auction of tax delinquent properties.  
(Andrew Jarosh, County Treasurer)  
**BUDGET IMPACT:** No Budget Impact.
- Authorizing an amendment to the County's Investment Policy to add authorized cooperative investment agreements and to update maximum bank deposit limits.  
(Andrew Jarosh, County Treasurer)  
**BUDGET IMPACT:** No Budget Impact.

### **CHAIRMAN'S ITEM**

- Appointing a Commissioner of Saratoga County Sewer District No. 1..  
**BUDGET IMPACT:** No Budget Impact.

### **OTHER BUSINESS**

- **Setting agenda for Board Meeting Scheduled For April 18, 2023**

Adjourn

To view the webcast live or once recorded, go to <https://www.saratogacountyny.gov/meetings/2023-meetings/>



# 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:** 4/4/23

**COMMITTEE:** Law & Finance

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

Resolution setting a public hearing for input regarding increasing bonding capacity and project costs for the Saratoga County Sewer District No 1's Biosolids Digester Facility

3. Specific Details on what the resolution will authorize:

EFC has informed SCSD that it sits above the subsidized financing line for this project this year. And if a final financing application can be submitted and approved by June 16th SCSD will be eligible for subsidized financing through EFC. This means the SCSD would pay 1/2 the market rate of the longterm financing for the life of the loan.

Because of this deadline - A new bond resolution and project resolution must be passed, the original project costs of \$51,900,000 was done in 2021, and new design considerations and project inflation has increased that total cost to \$68,550,000. A breakdown of the costs and changes are attached. This price includes engineering, which is already under contract to potentially roll those costs into long term financing and be reimbursed to pay for other current capital projects.

Taking this action now and getting in under subsidized financing has the potential to save the county \$20-\$30 million over 30 years (or more) depending upon interest rates at time of financing.

The public hearing would be prior to (or after) L&F in May, with the bond resolution and project resolution being brought to the L&F and the board that same month. It is my understanding that it is OK if estoppel notice timing has not run out prior to submitting for EFC financing.

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

County Attorney's Office  
Consulted Yes

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 **Yes**

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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Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

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 the awarding of a contract:  Y  N

a. Type of Solicitation

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department?  Y  N  N/A

d. Vendor information (including contact name):

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

f. State of vendor/contractor organization:

g. Commencement date of contract term:

h. Termination of contract date:

i. Contract renewal date and term:

k. Is this a renewal agreement:  Y  N

l. Vendor/Contractor comment/remarks:

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
- Information summary memo
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other Breakdown of increased cost and cost differential summary

10. Remarks:

Sewer Commission passed unanimously. Please note this cost includes a large contingency and construction escalator because of the bidding environment and project timing

Project Component		Construction Cost
Co-Thickening Improvements		\$910,000
Digesters/Flare		\$11,580,000
RNG/Interconnection		\$2,720,000
Dewatering		\$2,530,000
Thermal Dryer/Silo		\$14,980,000
<b>Construction Subtotal</b>		<b>\$32,720,000</b>
General Conditions	11%	\$3,599,000
Overhead and Profit	15%	\$4,908,000
<b>Construction Total</b>		<b>\$41,230,000</b>
Construction Contingency	25%	\$10,308,000
Legal	1%	\$412,000
Bonds	1%	\$412,000
Engineering - Design	10%	\$4,123,000
Engineering - Construction	10%	\$4,123,000
Financial Advisor	1%	\$412,000
Grant/Loan Administration	1%	\$412,000
Utility-Constructed Interconnection Station for RNG		\$750,000
<b>Project Subtotal</b>		<b>\$62,180,000</b>
Escalation to Construction Midpoint	2 years at 5% per year	\$6,373,000
<b>Point Estimate</b>		<b>\$68,550,000</b>

- Digesters were originally priced as steel tanks, changing to concrete digesters adds \$7.7M
- Removal of LYSIS - \$5.9M
- Removal of Sidestream Treatment \$5M
- Removal of secondary sludge holding tank - \$2M
- Belt Filter Presses adds \$4.75M
- Dryer costs Increased \$11.6M



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 238 - 2021**

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

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$51,900,000 BONDS OF THE COUNTY OF SARATOGA, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF CONSTRUCTION OF A BIOSOLIDS DIGESTER FACILITY BY SARATOGA COUNTY SEWER DISTRICT NO. 1; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$51,900,000, STATING THE PLAN OF FINANCING; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT BY SARATOGA COUNTY SEWER DISTRICT NO. 1 TO SAID COUNTY**

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly Resolution 237-2021 of this Board of Supervisors, an increase and improvement of facilities of Saratoga County Sewer District No. 1 (the District”), consisting of construction of a Biosolids Digester Facility by Saratoga County Sewer District No. 1 (the “Project”) has been approved at a total estimated maximum cost of \$51,900,000 to the County of Saratoga and the District; now therefore be it

RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SARATOGA, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. The County of Saratoga, New York (herein called “County”), is hereby authorized to undertake the reconstruction of the Saratoga County Sewer District No. 1 sewer system, including construction of a Biosolids Digester Facility, acquisition of land or rights in land and acquisition of original furnishings, equipment, machinery or apparatus required in connection therewith, at a maximum estimated cost of \$51,900,000. The plan of financing shall consist of the issuance of not to exceed \$51,900,000 aggregate principal amount of bonds of the County authorized to be issued pursuant to this resolution. Any federal or state grant funds received by the County for the specific objects or purposes described in this resolution shall be applied to pay the principal of and interest on the bonds or any bond anticipation notes issued in anticipation of the bonds or, to the extent obligations shall not have been issued under this resolution, to reduce the maximum principal amount to be borrowed for such specific objects or purposes.

Section 2. Bonds of the County in the principal amount of \$51,900,000, or so much thereof as may be necessary, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance the County's total estimated cost.

Section 3. The period of probable usefulness for the specific object or purpose for which said \$51,900,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 4 of the Law, is forty (40) years.

Section 4. Current funds are not required to be provided as a down payment prior to the issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d. 3. of said Law.

Section 5. The County intends to finance, and the County Treasurer is hereby authorized to advance such amounts as are necessary to pay the costs of said improvements, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the Board of Supervisors relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the County Treasurer, as the chief fiscal officer of the County.

Section 7. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Saratoga. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be assessed and levied upon the real property of users connected to the District's sewer system, in accordance with the District's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and as it will be amended and adopted on an annual basis, an amount sufficient to pay the principal of

and interest on such obligations as the same become due and payable, but if not paid from such source, all the taxable real property in the County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal and interest on such obligations when due.

Section 8. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 9. The Clerk of the Board of Supervisors is hereby directed to publish the foregoing bond resolution, in summary, in "*The Saratogian*," "*Saratoga Today*," "*The Post Star*," and in "*The Daily Gazette*", newspapers having a general circulation in said County and hereby designated the official newspapers of said County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 10. The County Board of Supervisors hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the Project authorized by this resolution.

Section 11. This Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: None. This project will be entirely underwritten by the Sewer District.



# 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:** 4/4/23

**COMMITTEE:** Law & Finance

1. Is a Resolution Required:

Yes, Contract Approval

2. Proposed Resolution Title:

Authorizing The Chairman to enter into agreements with Jersen Construction Group LLC and Stilsing Electric Inc. for work related to the rehabilitation and replacement of secondary clarifiers and electrical equipment at SCSD No 1's WWTP.

3. Specific Details on what the resolution will authorize:

This resolution will authorize the chairman to execute general, and electrical construction contracts as laid out below:

Jersen Construction Group - \$8,346,000  
Stilsing Electric - \$3,044,517  
Total - \$11,390,517

The WWTP has 8 secondary clarifiers - 1,2 and 3 are original from 1976 and will be replaced, after testing and CFD modeling Clarifiers 4-8 were shown to be highly inefficient and will be receiving new mid radius baffles and energy dissipating inlets on the center wells. This project came in under the engineers estimate.

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

County Attorney's Office  
Consulted Yes

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 Yes

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	\$1,890,517

Expense

Account Number	Account Name	Amount
ES.81.813-7095	Capital Equipment	\$1,890,517

Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Decrease ES-0599.B Appropriated Fund Balance-Budgetary Amount: \$1,890,517
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5. Identify Budget Impact (**Required**):

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

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

\$9,000,000 has been re appropriated from 2022 for this project. An additional \$500,000 will be utilized from another capital project that is not going to be completed this year - and the fund balance transfer will cover the rest of the costs of the project.

Remaining ES Fund balance will be approximately \$16.49M after this appropriation. This is an approximation due to 2022 revenue vs expenses still needing to be 100% confirmed.

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 the awarding of a contract:  Y  N

a. Type of Solicitation **BID**

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)  
**# 23-SDSCEU-1.**

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department?  Y  N  N/A

d. Vendor information (including contact name):

Kenneth J Jersen 6 Industry Drive Waterford NY 12188 (518) 233-0600  
Kathy Stilsing 500 South Street Rensselaer NY 12144 (518) 463-4451

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

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

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

h. Termination of contract date: **TBD**

i. Contract renewal date and term:

k. Is this a renewal agreement:  Y  N

l. Vendor/Contractor comment/remarks:

Purchasing Office Consulted  
**Yes**



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
- Information summary memo
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other Engineers Recommendation Letter

10. Remarks:  
Sewer Commission approved unanimously



Project Name/No.: **SCSD No.1 WWTP Secondary Clarifier and Electrical Upgrade**  
 Issuing Office: **Clifton Park Office**  
 6 Executive Park Drive, Suite B  
 Clifton Park, NY 12065

Bid Opening: **3/21/2023 11:00 AM**  
 Location: **50 W. High St. Ballston Spa NY 12020**  
 ENG/PM: **Kevin Hickey, PE**  
 Engineer's Estimate: **\$9,000,000**

Item	BID QUANTITIES			BIDDER'S NAME												
	Qty.	UNIT		Jersen Construction			CFI Construction			C.O. Falter			WM Shultz			
				UNIT AMT	BID		UNIT AMT	BID		UNIT AMT	BID	UNIT AMT	BID	UNIT AMT	BID	
<b>BASE BID</b>																
1		LS		\$8,346,000.00	\$	8,346,000.00	\$	11,632,000.00	\$	9,531,101.00	\$	9,531,101.00	\$	8,753,000.00	\$	-
2				\$			\$			\$		\$		\$		\$
3				\$			\$			\$		\$		\$		\$
4				\$			\$			\$		\$		\$		\$
5				\$			\$			\$		\$		\$		\$
6				\$			\$			\$		\$		\$		\$
7				\$			\$			\$		\$		\$		\$
8				\$			\$			\$		\$		\$		\$
9				\$			\$			\$		\$		\$		\$
10				\$			\$			\$		\$		\$		\$
				<b>TOTAL BASE BID AMOUNT ITEMS (1 THROUGH XX)</b>	<b>\$</b>	<b>8,346,000.00</b>	<b>\$</b>	<b>11,632,000.00</b>	<b>\$</b>	<b>9,531,101.00</b>	<b>\$</b>	<b>9,531,101.00</b>	<b>\$</b>	<b>8,753,000.00</b>	<b>\$</b>	<b>-</b>
<b>BID ALTERNATE A</b>																
1				\$			\$			\$		\$		\$		\$
2				\$			\$			\$		\$		\$		\$
3				\$			\$			\$		\$		\$		\$
4				\$			\$			\$		\$		\$		\$
5				\$			\$			\$		\$		\$		\$
6				\$			\$			\$		\$		\$		\$
7				\$			\$			\$		\$		\$		\$
8				\$			\$			\$		\$		\$		\$
9				\$			\$			\$		\$		\$		\$
10				\$			\$			\$		\$		\$		\$
				<b>TOTAL BID ALTERNATE A</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>-</b>
				<b>TOTAL BASE BID PLUS BID ALTERNATE A</b>	<b>\$</b>	<b>8,346,000.00</b>	<b>\$</b>	<b>11,632,000.00</b>	<b>\$</b>	<b>9,531,101.00</b>	<b>\$</b>	<b>9,531,101.00</b>	<b>\$</b>	<b>8,753,000.00</b>	<b>\$</b>	<b>-</b>

March 29, 2023

Dan Rourke, PE  
Executive Director  
Sanitary Sewer District #1  
P.O. Box 550  
Mechanicville NY 12118

**SUBJECT: SCSD No. 1 WWTP Secondary Clarifier and Electrical Upgrades Project  
Evaluation of Bids**

Dear Dan,

We have completed our review of the construction bids that were received for the subject project on March 21, 2023. This letter represents a summary of our findings.

This project is subdivided into two contracts for separate general construction and electrical construction. Four general contract bids and two electrical contract bids were received and reviewed. A tabulation of the bids received is enclosed.

Jersen Construction Group, LLC submitted the lowest Total Base Bid of \$8,346,000.00 for general construction. Jersen's bid is approximately 7% less than the engineer's estimate \$9,000,000 for the general construction of the project. The remaining three base bids were approximately 5%, 13%, and 33% higher than Jersen's base bid, respectively. These bids are evidence of competitive pricing and reasonable bids. In reviewing the four bid packages, no deficiencies were noted.

Stilsing Electric Inc. submitted the lowest Total Base Bid of \$3,044,517.00 for electrical construction. Stilsing's bid is approximately 39% lower than the engineer's estimate of \$5,000,000 for the electrical construction of the project. The second bid is approximately 5% higher than Stilsing's base bid.

Wright-Pierce employees have worked with Jersen Construction Group, LLC and Stilsing Electric Inc. on past projects with satisfactory results. As the County is aware, both contractors are currently under contract with the County to perform upgrades to the ammonia removal system at the SCSD No. 1 WWTP.

3/29/2023

Dan Rourke, PE

Page 2 of 2

Based on our experience with Jersen, Wright-Pierce is not aware of any reason why this general construction contract should not be awarded to Jersen Construction Group, LLC as the lowest responsible and responsive bidder. Further, based on our experience with Stilsing, Wright-Pierce is not aware of any reason why this electrical construction contract should not be awarded to Stilsing Electric Inc. as the lowest responsible and responsive bidder.

Sincerely,

**WRIGHT-PIERCE**



Kevin Hickey, PE, BCEE

Senior Project Manager

[kevin.hickey@wright-pierce.com](mailto:kevin.hickey@wright-pierce.com)

Enclosures

- Bid Tabulation



# 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:** 4/4/23

**COMMITTEE:** Law & Finance

1. Is a Resolution Required:

Yes, Contract Amendment

2. Proposed Resolution Title:

Authorizing additional costs for work related to the building 2 replacement at the Saratoga County Sewer District #1s maintenance facility

3. Specific Details on what the resolution will authorize:

While demolishing the roof under and existing bid, it was found that the sheathing, furring, and rafter tails were rotten. This was unknown at bid time. To ensure a proper repair of the asphalt roof, these items must be replaced. Total additional costs for this work equate to \$22,107. Things brings to the total contract amount to \$92,007.

Additional ply wood - \$12,000  
Rotten Rafter Tails - \$4,407  
Remove Furring - \$2,700

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

County Attorney's Office  
Consulted Yes

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 Yes

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
----------------	--------------	--------

Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

No Budget Impact. Funds are included in the Department Budget

a. G/L line impacted ES.81.813-7094

b. Budget year impacted 2023

c. Details

Unspent capital funds to be transferred to cover costs.

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 the awarding of a contract:  Y  N

a. Type of Solicitation

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department?  Y  N  N/A

d. Vendor information (including contact name):

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

f. State of vendor/contractor organization:

g. Commencement date of contract term:

h. Termination of contract date:

i. Contract renewal date and term:

k. Is this a renewal agreement:  Y  N

l. Vendor/Contractor comment/remarks:

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
- Information summary memo
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other \_\_\_\_\_

10. Remarks:

Sewer Commission passed unanimously



## S&L ROOFING & SHEETMETAL, INC.

---

5640 DEPOT ROAD

VOORHEESVILLE, NY 12186

PHONE 518-765-5088 \* FAX 518-765-5698 \* FAX 518-765-5090

11/16/2022

Saratoga County Sewer District 1

Saratoga County Sewer District Maintenance Facility - Building 2

### Unit Price for Plywood Deck Removal & Replacement:

**\$200.00 per 4' x 8' sheet**

3,500 S.F. - Total Roof Deck Removal & Replacement

3,500 S.F. / 32 S.F. per 4x8 Sheet = 110 Sheets

110 Sheets x \$200 per Sheet = \$22,000.00

Allowance Amount: \$10,000.00 (50 Sheets @ \$200.00 Each)

Change Order Amount: \$12,000.00 (60 Sheets @ \$200.00 Each)



## S&L ROOFING & SHEETMETAL, INC.

5640 DEPOT ROAD

VOORHEESVILLE, NY 12186

PHONE 518-765-5088 \* FAX 518-765-5698 \* FAX 518-765-5090

[www.sandlroofingsheetmetal.com](http://www.sandlroofingsheetmetal.com)

3/28/23

Dan Rourke  
Saratoga County Sewer District #1 – Maintenance Facility  
Building #2 – Shingle Roof Replacement

**Additional cost to remove 1,800 l.f. of existing rotten 1" x 8" furring strip & fasteners to allow for attachment of new 3/4" plywood roof deck directly to roof rafters.**

**Labor:**

2 men x 14 hrs.	= 28 hours
28 hours x \$76.85/hr.	= \$2,151.80
<b>Total Labor:</b>	<b>= \$2,151.80</b>

Insurance	\$196.00
Labor	<u>\$2,151.80</u>
Sub-Total	\$2,347.80
15% OHP	<u>\$352.17</u>
<b>Total:</b>	<b>\$2,700.00</b>

Signature \_\_\_\_\_ Date \_\_\_\_\_

Thank you,  
Mike Thompson (518-365-2551)



## S&L ROOFING & SHEETMETAL, INC.

5640 DEPOT ROAD

VOORHEESVILLE, NY 12186

PHONE 518-765-5088 \* FAX 518-765-5698 \* FAX 518-765-5090

[www.sandlroofingsheetmetal.com](http://www.sandlroofingsheetmetal.com)

3/27/23

Dan Rourke  
Saratoga County Sewer District #1 – Maintenance Facility  
Building #2 – Shingle Roof Replacement

**Additional cost to repair approx. (32) rotten rafter tails, install 200 l.f. fascia board & 200 l.f. plywood soffit:**

**Material:**

20 – Ea. – P.T. 5/4" x 6" x 10'	\$200.00
7 – Ea. – P.T. 2" x 10" x 10'	\$140.00
6 – Ea. – P.T. 1/2" Plywood	\$258.00
1 – Ea. – Framing Nails	<u>\$92.00</u>
<b>Total Material:</b>	<b>\$690.00</b>

**Labor:**

4 men x 17hrs.	= 68 hours
68 hours x \$76.85/hr.	= \$5,225.80
<b>Total Labor:</b>	<b>= \$5,225.80</b>

Insurance	\$525.00
Material	\$690.00
Labor	<u>\$5225.80</u>
Sub-Total	\$6,440.80
15% OHP	<u>\$966.12</u>
<b>Total:</b>	<b>\$7,407.00</b>

Signature \_\_\_\_\_ Date \_\_\_\_\_

Thank you,  
Mike Thompson (518-365-2551)

CONTRACTOR NAME: **S&L ROOFING & SHEETMETAL, INC.** DATE: **3/27/23**  
 2706 New Scotland Road  
 Voorheesville, New York 12186 PROJECT NO.  
 TELEPHONE: 518-765-5088 OFFICE  
 518-765-5090 FAX COUNTY: **Saratoga**

LABOR RATE BREAKDOWN TRADE: **Carpenter**  
 EMPLOYEE'S INCLUDED:

A. WAGE RATE PER HOUR BASE RATE **\$34.00**

BENEFITS	*	% PER HOUR	\$ PER HOUR
VACATION & HOLIDAY			
HEALTH & WELFARE			
PENSION			
ANNUITY			
EDUCATION/APPRENTICE TRAINING			
SUPPLEMENTAL UNEMPLOYMENT			
SECURITY FUND			
SUPPLEMENT	*		\$23.47

B. TOTAL BENEFITS PER HOUR: **\$23.47** **\$23.47**

PAYROLL TAXES AND INSURANCE

F.I.C.A. & SOCIAL SECURITY (UP TO THE MAXIMUM REQUIRED BY LAW)	6.20%
LIABILITY	1.45%
FEDERAL UNEMPLOYMENT (UP TO THE MAXIMUM OF \$18.00 PER EMPLOYEE PER YEAR)	0.80%
STATE UNEMPLOYMENT (UP TO 1ST \$8,500. OF BASE SALARY PAID PER EMPLOYEE PER YEAR)	8.23%
WORKMANS COMPENSATION <b>5403</b>	16.89%
DISABILITY	0.16%

C. TOTAL TAXES AND INSURANCE PER HOUR

( ) ALL BENEFITS ARE PAID DIRECTLY TO EMPLOYEE  
 ( ) ONLY BENEFITS IDENTIFIED BY \* ABOVE ARE PAID TO EMPLOYEE  
**\$57.47** **33.73%** **\$19.38**

D. TOTAL LABOR RATE (A + B + C) **\$76.85**

E. CONTRACTOR'S CERTIFICATION

I CERTIFY THAT THE LABOR RATES, INSURANCE ENUMERATIONS, LABOR FRINGE ENUMERATIONS AND EXPENSES ARE CORRECT AND IN ACCORDANCE WITH ACTUAL AND TRUE COST INCURRED.

\_\_\_\_\_  
 SIGNATURE

Sworn before me this \_\_\_\_\_ day

\_\_\_\_\_  
 PRINT NAME OF AUTHORIZED REPRESENTATIVE

of \_\_\_\_\_, 2001

\_\_\_\_\_  
 TITLE

NOTARY PUBLIC

**JOB DESCRIPTION** Carpenter - Building

**DISTRICT 2**

**ENTIRE COUNTIES**

Albany, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie

**WAGES**

Per hour:	07/01/2022	07/01/2023 Additional	07/01/2024 Additional	07/01/2025 Additional
Carpenter	\$ 34.00	\$ 1.25	\$ 1.25	\$ 1.25
Floor Coverer	34.00	1.25	1.25	1.25
Carpet Layer	34.00	1.25	1.25	1.25
Dry-Wall	34.00	1.25	1.25	1.25
Diver-Wet Day	61.25	0.00	0.00	0.00
Diver-Dry Day	35.00	1.25	1.25	1.25
Diver Tender	35.00	1.25	1.25	1.25

NOTE ADDITIONAL AMOUNTS PAID FOR THE FOLLOWING WORK LISTED BELOW (per hour worked):

- Pile Drivers/Dock Builders shall receive \$0.25 per hour over the journeyman's rate of pay when performing piledriving/dock building work.
- Certified welders shall receive \$1.00 per hour over the journeyman's rate of pay when the employee is required to be certified and performs DOT or ABS specified welding work
- When an employee performs work within a contaminated area on a State and/or Federally designated hazardous waste site, and where relevant State and/or Federal regulations require employees to be furnished and use or wear required forms of personal protection, then the employee shall receive his regular hourly rate plus \$1.50 per hour.
- Depth pay for Divers based upon deepest depth on the day of the dive (per diem payment):
  - 0' to 80' no additional fee
  - 81' to 100' additional \$.50 per foot
  - 101' to 150' additional \$.75 per foot
  - 151' and deeper additional \$1.25 per foot
- Penetration pay for Divers based upon deepest penetration on the day of the dive (per diem payment):
  - 0' to 50' no additional fee
  - 51' to 100' additional \$.75 per foot
  - 101' and deeper additional \$1.00 per foot
- Diver rates applies to all hours worked on dive day.

Four (4), ten (10) hour days may be worked at straight time during a week, Monday thru Thursday. Friday may be used as a make-up day.

NOTE - In order to use the '4 Day/10 Hour Work schedule', as your normal schedule, you must submit an 'Employer Registration for Use of 4 Day/10 Hour Work Schedule,' form PW30.1; and there must be a dispensation of hours in place on the project. If the PW30.1 is not submitted you may be liable for overtime payments for work over 8 hours per day.

**SUPPLEMENTAL BENEFITS**

Per hour:

Journeyman \$ 23.47

**OVERTIME PAY**

See (B, E, \*E2, Q) on OVERTIME PAGE

\* Note - Saturday is also payable at straight time if the employee misses work, except where a doctor's or hospital verification of illness is produced Monday through Friday when work was available to the employee.

**HOLIDAY**

Paid: See (1) on HOLIDAY PAGE

Overtime: See (5, 6) on HOLIDAY PAGE

Note: Any holiday which occurs on Sunday shall be observed the following Monday. If Christmas falls on a Saturday, it shall be observed on the prior Friday.

**REGISTERED APPRENTICES**

**CARPENTER APPRENTICES**

Wages per hour (1040 hour terms at the following percentage of journeyman's base wage):

1st	2nd	3rd	4th	5th
55%	60%	65%	70%	80%
Supplemental Benefits per hour:				
\$ 12.31	\$ 12.31	\$ 14.96	\$ 14.96	\$ 14.96

**PILEDRIIVER/DOCK BUILDER APPRENTICES**

Wages per hour (1300 hour terms at the following percentage of journeyman's base wage):

1st	2nd	3rd	4th
55%*	60%*	70%*	80%*
*Pile Driver/Dock Builder apprentices shall receive an additional \$0.25 per hour worked when performing piledriving/dock building work.			
Supplemental Benefits per hour:			

\$ 12.31      \$ 12.31      \$ 14.96      \$ 14.96

LINOLEUM, RESILIENT TILE, AND CARPET LAYER APPRENTICES

Wages per hour (1300 hour terms at the following percentage of journeyman's base wage):

1st	2nd	3rd	4th
55%	60%	70%	80%

Supplemental Benefits per hour:

\$ 12.31      \$ 12.31      \$ 14.96      \$ 14.96

ADDITIONAL AMOUNTS PAID PER HOUR WORKED TO APPRENTICES FOR SPECIFIC TYPES OF WORK PERFORMED:

- Certified welders shall receive \$1.00 per hour over the apprentices rate of pay when the apprentice is required to be certified and performs DOT or ABS specified welding work
- When an apprentice performs work within a contaminated area on a State and/or Federally designated hazardous waste site, and where relevant State and/or Federal regulations require the apprentice to be furnished and use or wear required forms of personal protection, then the apprentice shall receive his regular hourly rate plus \$1.50 per hour.

2-291B-Alb

12/20/22



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 390 - 2022**

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

#### **AUTHORIZING AN AGREEMENT WITH S&L ROOFING & SHEETMETAL, INC. FOR THE REPLACEMENT OF THE ROOF AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S MAINTENANCE FACILITY**

**WHEREAS**, the roof on Building 2 at the Saratoga County Sewer District No. 1's Maintenance Facility located at 523 South Main Street, Halfmoon New York is failing and is in need of replacement; and

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

**WHEREAS**, our Law and Finance Committee, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the low bid submitted by S&L Roofing & Sheetmetal, Inc., in the amount of \$69,900, be accepted; now, therefore, be it

**RESOLVED**, that the Chair of the Board is authorized to execute an agreement with S&L Roofing & Sheetmetal, Inc., of Voorheesville, New York, for the demolition and replacement of the roof on Building 2 at Saratoga County Sewer District No. 1's Maintenance Facility located at 523 South Main Street, Halfmoon New York, at a cost not to exceed \$69,900; and it is further

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

**RESOLVED**, that this Resolution shall take effect immediately.

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

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:** 4/4/23

**COMMITTEE:** Law & Finance

1. Is a Resolution Required:

Yes, Contract Approval

2. Proposed Resolution Title:

Authorizing The Chairman to enter into agreements with WM J Keller & Sons CONstruction Corp, Spring Electric and John W Danforth for work associated with upgrading SCSD #1's D&R pump station located in the Town of Halfmoon

3. Specific Details on what the resolution will authorize:

This resolution will authorize the chairman to execute general, electrical and HVAC construction constructions in the following amounts:

WMJ Keller & Sons - \$468,679  
Spring Electric - \$125,000  
John W. Danforth Company - \$35,300

D&R pump station has not been upgraded in over 20 years, and the equipment has reached the end of its useful life.

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

County Attorney's Office  
Consulted Yes

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

Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

No Budget Impact. Funds are included in the Department Budget

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

Unspent capital funds of other projects to be transfered to cover costs.

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 the awarding of a contract:  Y  N

a. Type of Solicitation BID

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)  
23-SDDRPSU-1 (GC,E,HVAC)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department?  Y  N  N/A

d. Vendor information (including contact name):

GC -1435 US-9, Castleton-On-Hudson, NY 12033 (518) 732-7782

EC - Pat/Vicki Spring - 93 Blue Factor Rd Averil Park 12018 (518) 369-3426

HVAC - Ray - Tonowanda NY - (518) 400-1600 (Office in CP, but contracts through Tonowanda)

e. Is the vendor/contractor an LLC, PLLC, or partnership: GC -Corp Spring Inc - JHVAC -Inc

f. State of vendor/contractor organization: All NY

g. Commencement date of contract term: TBD

h. Termination of contract date: TBD

i. Contract renewal date and term:

k. Is this a renewal agreement:  Y  N

l. Vendor/Contractor comment/remarks:

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
- Information summary memo
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other Engineers Recommendation Letter

10. Remarks:  
Sewer Commission approved unanimously



# DELAWARE ENGINEERING, D.P.C.

28 Madison Avenue Extension  
Albany, New York 12203

Tel: 518.452.1290  
Fax: 518.452.1335

March 24, 2023

Dan Rourke, P.E.  
Executive Director  
Saratoga County Sewer District #1  
P.O. Box 550  
Mechanicville, New York, 12118

RE: SCSD #1 D&R Pump Station Upgrades  
Recommendation to Award

Dear Mr. Rourke:

On March 22, 2023, Saratoga County Sewer District received bids for D&R Pump Station Upgrades. The bid results from General, Electrical, and HVAC construction were below the construction cost estimates. The bid results are as follows:

<b>Contract #</b>	<b>Contractor</b>	<b>Bid Price</b>
<i>Contract #23-SDDRPSU-1 (GC)</i>	<i>Wm J Keller &amp; Sons Construction Corp.</i>	<i>\$468,679.00</i>
<i>Contract #23-SDDRPSU-1 (E)</i>	<i>Spring Electric, Inc.</i>	<i>\$125,000.00</i>
<i>Contract #23-SDDRPSU-1 (HVAC)</i>	<i>John W. Danforth</i>	<i>\$35,300.00</i>
<b>Contract Totals</b>		<b>\$628,979.00</b>

### **Contract #23-SDDRPSU-1 (GC) – General Construction**

The bid results for Contract #23-SDDRPSU-1 (GC) are as follows:

<b>Contractor</b>	<b>Bid Price</b>
<i>Wm J Keller &amp; Sons Construction Corp.</i>	<i>\$468,679.00</i>
<i>Flach Industries, Inc.</i>	<i>\$545,000.00</i>
<i>CFI Contracting, Inc.</i>	<i>\$547,000.00</i>
<i>Trinity Construction, Inc.</i>	<i>\$548,963.00</i>
<i>J Squared Construction Corp.</i>	<i>\$559,000.00</i>
<i>Rozell East, Inc.</i>	<i>\$642,500.00</i>

**DELAWARE ENGINEERING, D.P.C.**

The low bidder for Contract #23-SDDRPSU-1 (GC) is Wm J Keller & Sons Construction Corp. with a bid price of \$468,679.00. Based on the bid results received and a review of the low bidder's qualifications, Delaware Engineering is recommending that the SCSD award Contract #23SDDRPSU-1 (GC) to Wm J Keller & Sons Construction Corp. for \$468,679.00.

**Contract #23-SDDRPSU-1 (E) – Electrical Construction**

The bid results for Contract #23-SDDRPSU-1 (E) are as follows:

<b>Contractor</b>	<b>Bid Price</b>
<i>Spring Electric, Inc.</i>	<i>\$125,000.00</i>
<i>Stilsing Electric, Inc.</i>	<i>\$195,500.00</i>
<i>DLC Electric Inc., Inc.</i>	<i>\$200,980.00</i>
<i>Harold R. Clune, Inc.</i>	<i>\$243,600.00</i>

The low bidder for Contract #23-SDDRPSU-1 (E) is Spring Electric, Inc. with a bid price of \$125,000.00. Based on the bid results received and a review of the low bidder's qualifications, Delaware Engineering is recommending that the SCSD award Contract #23SDDRPSU-1 (E) to Spring Electric, Inc. for \$125,000.00.

**Contract #23-SDDRPSU-1 (HVAC) – HVAC Construction**

The bid results for Contract #23-SDDRPSU-1 (HVAC) are as follows:

<b>Contractor</b>	<b>Bid Price</b>
<i>John W. Danforth Company</i>	<i>\$35,300.00</i>

The low bidder for Contract #23-SDDRPSU-1 (HVAC) is John W. Danforth Company with a bid price of \$35,300.00. Based on the bid results received and a review of the low bidder's qualifications, Delaware Engineering is recommending that the SCSD award Contract #23SDDRPSU-1 (HVAC) to John W. Danforth Company. for \$35,300.00.

If you have any questions regarding the bid results, bidding process or any other project issues, please to contact me at (518) 452-1290.

Sincerely,



Jake Fogarty, P.E.

ec: Brock Juusola, P.E, Delaware Engineering



# 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  
Tracy Goodson, County Attorney's Office  
Audra Hedden, County Administrator's Office

**DEPARTMENT:** County Attorney



**DATE:** 4/7/2023

**COMMITTEE:** Law & Finance



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

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

Authorizing the commencement of legal action as necessary to ensure completion of the Saratoga County Airport Upgrades in accordance with the NYS and Federal Funding Grant deadlines and authorizing the retention of special counsel

3. Specific Details on what the resolution will authorize:

The airport upgrades must be completed by February 23, 2025 avoid jeopardizing grant funding. The resolution will allow for the timely commencement of litigation, should it become necessary, to avoid any negative impact on the airport completion schedule.

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 Yes

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

Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

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

Litigation services will be paid for out of the County Attorney Counsel fees fund. Damages sought to be recovered by the County in the litigation will include the expenses of the litigation and attorneys' fees.

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 the awarding of a contract:  Y  N

a. Type of Solicitation

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department?  Y  N  N/A

d. Vendor information (including contact name):

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

f. State of vendor/contractor organization:

g. Commencement date of contract term:

h. Termination of contract date:

i. Contract renewal date and term:

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

Information summary memo

Copy of proposal or estimate

Copy of grant award notification and information

Other \_\_\_\_\_

10. Remarks:



# 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  
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**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  
Tracy Goodson, County Attorney's Office  
Audra Hedden, County Administrator's Office

**DEPARTMENT:** County Treasurer



**DATE:** 4/6/2023

**COMMITTEE:** Law & Finance



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

1. Is a Resolution Required:

2. Proposed Resolution Title:

CALLING ON THE GOVERNOR OF NEW YORK STATE TO REMOVE FROM THE 2024 EXECUTIVE BUDGET PART M OF THE ARTICLE VII REVENUE BILLS

3. Specific Details on what the resolution will authorize:

For reasons set forth in, and by the attached resolution, the Saratoga County Board of Supervisors calls on the Governor of New York State to remove from the FY 2024 Executive Budget Part M of the Revenue Bills, and also calls on the New York State Assembly to vote in opposition to A.5606 as it is currently worded and proposed. This resolution authorizes the Clerk of the Board to forward this resolution to the Governor of New York State and other appropriate state officials and representatives.

County Attorney's Office  
Consulted Yes

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 Yes

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
----------------	--------------	--------

Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

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 the awarding of a contract:  Y  N

a. Type of Solicitation

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department?  Y  N  N/A

d. Vendor information (including contact name):

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

f. State of vendor/contractor organization:

g. Commencement date of contract term:

h. Termination of contract date:

i. Contract renewal date and term:

k. Is this a renewal agreement:  Y  N

l. Vendor/Contractor comment/remarks:

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
- Information summary memo
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other NYSAC Opp. A.5607; Proposed resolution (pending changes by County Attorney)

10. Remarks:

County opposes legislation on a variety of policy, fiscal, and liability concerns. In its current form, the proposed legislation contains significant drafting errors, and ambiguous and vague descriptions, all with serious implications in application. It also fails to address the County's liability in adjudicating liens, and in responding to potential suits from former owners or lienholders who assert that the County has breached its fiduciary duty to such parties by failing to maximize the sale value of foreclosure properties. With the U.S. Supreme Court case on the issue of surplus funds in tax foreclosure sales still pending, there is adequate time to develop a new statutory framework that corrects drafting errors and reduces unintended consequences of the proposed legislation in light of the final decision by the Supreme Court.



**NYSAC**  
— NEW YORK STATE —  
ASSOCIATION OF COUNTIES

New York State Association of Counties  
540 Broadway  
Albany, NY 12207

[www.nysac.org](http://www.nysac.org)

Stephen J. Acquario, Esq., *Executive Director*

Ryan M. Gregoire, *Legislative Director*

## ***Memorandum in Opposition***

### **A.5607 (Williams)**

*AN ACT to amend the real property tax law, in relation to distribution of surplus in tax enforcement proceedings*

The New York State Association of Counties (NYSAC) has reviewed the above referenced legislation and opposes the enactment of this bill into law.

This legislation mirrors a proposal in the Governor's proposed SFY 2024 budget that would amend NYS Real Property Law that fundamentally alters the foreclosure process and misrepresents the reasons counties foreclose on and auction tax delinquent properties. The proposal requires counties to return excess funds received from auction to the prior property owner after covering delinquent taxes and administrative costs incurred by the enforcing officer, in addition to paying all other lienholders and claims against the property.

Counties strongly oppose this legislation for a variety of policy, fiscal and liability concerns. Additionally, there are drafting errors, ambiguous terms and vague language that needs to be more fully defined. Finally, the proposed legislation ignores other state and federal laws related to contesting a tax foreclosure sale and the fiscal ramifications for county taxpayers who are forced to cover these additional costs through higher property taxes, potentially years after the sale occurs.

Our primary concerns with this legislation include the following.

- **Timing** – There is U.S. Supreme Court case pending on the issue of surplus funds in tax foreclosure sales with oral arguments scheduled for April 26, 2023. A final decision from the Court is expected this summer. There is plenty of time to develop a new statutory framework that corrects drafting errors and reduces most of the unintended consequences of this proposed legislation (and the Governor's budget proposal), which can be more fully informed by the final Supreme Court decision.
- **The State Must Provide Financial Support for this Change** – Many tax enforcement officers agree the intended policy of returning excess funds to the prior property owner, after necessary administrative costs are accounted for, is proper and the U.S. Supreme Court may ultimately rule that way.

Currently, under NYS law, counties must hold towns and school districts harmless (and potentially others) for any delinquent property taxes that might be owed to these jurisdictions during the entire delinquency process, which can take years to complete. Counties carry this fiscal burden of hundreds of millions of dollars annually, but the proposed legislation provides no funding to offset new costs that will be imposed on counties. Our counties believe that any legislation that amends the current foreclosure process should eliminate this costly requirement. If the state wants to change this process, then the state should be making these taxing jurisdictions whole.

Additionally, there will be new costs for counties for expanding existing staff to implement this proposal, and counties will incur losses because the bill requires surpluses achieved in some sales cannot be used to offset losses from sales that do not cover the taxes owed. In addition, counties also



hold many parcels that are tax delinquent that can't be sold because there is no willing buyer. Counties are forced to hold these parcels for years or decades, all the while paying the delinquent taxes to hold other taxing jurisdictions harmless for the taxes they are owed by the property owner.

- **Administratively Unworkable**
  - Administrative costs are largely undefined under the proposal,
  - Various sections of the proposed amendment conflict and create multiple requirements and restrictions that are at odds,
  - Instances of vague language and seemingly different uses of the same terms creates the need for counties to best interpret the law on their own, and
  - Logistics envisioned under the draft would require a huge increase in local staffing, with a strong expectation that litigation costs will grow dramatically under this proposal.
- **Liability** – the proposal would increase liabilities for counties significantly.
  - Prior property owners and lienholders will now have standing to file suit against counties they feel have not represented or maximized their interests,
  - Any distribution of funds insufficient to pay all the liens and provide the prior owner with their full equity will likely be met with lawsuits,
  - The bill envisions paying prior owners immediately upon final sale by the county even though prior owner(s) have the ability to file bankruptcy under federal law more than a year after the sale, and
  - All lienholders also have the ability to object in court to the sale for up to two years after the sale, and
  - Any liens deemed invalid may be met with lawsuits.
- **Burdens the Court System**
  - Under the proposal, adjudicating liens will be a requirement of counties that have never had the right, authority, or means to do so, and
  - All liens and claims will have to be submitted and reviewed by the courts.
- **Enriches the Private Sector**
  - The proposal would mandate that the county, (who has a preferred action) pay the lender, (who has a statutorily inferior lien), to the detriment of county taxpayers.
  - This contradicts decades of case law and some would say this demonstrates that the banking industry would be unjustly enriched under this proposal because they may have an incentive to not protect their lien rights because the county taxpayer will be required to fund that operation for the banks.

It is for the abovementioned reasons that NYSAC opposes the enactment of this legislation.

TO: All Members of the Assembly, Assembly Ways and Means, All Members of the Senate

*The New York State Association of Counties is a bipartisan municipal association serving all the counties of New York. Organized in 1925, NYSAC's mission is to represent, educate, advocate for and serve our member*

*counties and the thousands of elected and appointed county officials who serve the public. For more information, visit [www.nysac.org](http://www.nysac.org).*

DAL 3.29.23

4/18/2023



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION XX - 2023**

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

#### **CALLING ON THE GOVERNOR OF NEW YORK STATE TO REMOVE FROM THE 2024 EXECUTIVE BUDGET PART M OF THE ARTICLE VII REVENUE BILLS**

**WHEREAS**, On February 1, 2023, the Governor of New York State announced New York State's Fiscal Year 2024 Executive Budget (the "Budget"); and

**WHEREAS**, The Budget includes Article VII Revenue Bills; and

**WHEREAS**, Article VII Revenue Bills includes Part M adding a new section 989 of the Real Property Tax Law titled "Distribution of surplus in tax enforcement proceedings" ("Proposed Budget Legislation"); and

**WHEREAS**, the Proposed Budget Legislation seeks to require municipalities governed by Article 11 of the Real Property Tax Law ("RPTL") to give excess money to a prior owner of real property sold by the municipality after taking title pursuant to Article 11 of the RPTL; and

**WHEREAS**, the New York State Assembly is currently reviewing proposed Assembly Bill A.5607 (Williams), "An Act to amend the real property tax law, in relation to the distribution of surplus in tax enforcement proceedings", which mirrors the Governor's Budget Article VII Revenue Bills Part M; and

**WHEREAS**, it is the opinion of the Saratoga County Treasurer that this Board of Supervisors should officially state its opposition to the Governor's proposed Budget Article VII Revenue Bills Part M and to Assembly bill A.5607, for the following reasons:

- The New York State Association of Counties ("NYSAC") strongly opposes this legislation for a variety of policy, fiscal and liability concerns including: drafting errors, ambiguous terms and vague language that needs to be more fully defined. NYSAC posits that the proposed legislation ignores other state and federal laws related to contesting a tax foreclosure sale and the fiscal ramifications for county taxpayers who are forced to cover these additional costs through higher property taxes, potentially years after the sale occurs.
- There is U.S. Supreme Court case pending on the issue of surplus funds in tax foreclosure sales with oral arguments scheduled for April 26, 2023, with a final US Supreme Court decision expected in summer 2023. There remains sufficient time for policymakers and

county representatives to develop new statutory framework that corrects drafting errors and reduces most of the unintended consequences of the proposed legislation, which can be more fully informed by the final Supreme Court decision.

- The legislation as proposed burdens counties with a new unfunded mandate. The proposed legislation provides no funding to offset new costs that will be imposed on counties. Any legislation that amends the current foreclosure process should eliminate costly requirements. There will be new costs for counties for expanding existing staff to implement this proposal, and counties will incur losses because the bill requires surpluses achieved in some sales cannot be used to offset losses from sales that do not cover the taxes owed.
- The proposal as currently worded and structured is entirely administratively unworkable. “Administrative costs” are largely undefined under the proposal, Various sections of the proposed amendment conflict and create multiple requirements and restrictions that are at odds, instances of vague language and seemingly different uses of the same terms creates the need for counties to best interpret the law on their own, and logistics envisioned under the draft would require a huge increase in local staffing, with a strong expectation that litigation costs will grow dramatically under this proposal.
- The proposal would increase liabilities for counties significantly. Prior property owners and lienholders will now have standing to file suit against counties they feel have not represented or maximized their interests; any distribution of funds insufficient to pay all the liens and provide the prior owner with their full equity will likely be met with lawsuits; the bill envisions paying prior owners immediately upon final sale by the county even though prior owner(s) have the ability to file bankruptcy under federal law more than a year after the sale; all lienholders also have the ability to object in court to the sale for up to two years after the sale; and any liens deemed invalid may be met with lawsuits.
- Under the proposal, adjudicating liens will be a requirement of counties that have never had the right, authority, or means to do so. All liens and claims should have to be submitted and reviewed by the courts, which is not required by the proposed legislation.
- The proposal would mandate that the county, (who has a preferred action) pay the lender, (who has a statutorily inferior lien), to the detriment of county taxpayers. This contradicts decades of case law and some would say this demonstrates that the banking industry would be unjustly enriched under this proposal because they may have an incentive to not protect their lien rights because the county taxpayer will be required to fund that operation for the banks; now, therefore, be it

**RESOLVED**, That the Saratoga County Board of Supervisors hereby calls on the Governor of New York State to remove from the FY 2024 Executive Budget Part M of the Revenue Bills; and further, be it

**RESOLVED**, that the Saratoga County Board of Supervisors hereby call on the New York State Assembly to vote in opposition to A.5606 as it is currently worded and proposed; and further be it

**RESOLVED**, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator James N. Tedisco, Assemblyman Matthew Simpson, Assemblywoman Carrie Woerner, Assemblywoman Marybeth Walsh, and Assemblyman John T. McDonald.

BUDGET IMPACT STATEMENT: None.

April 18, 2023 Regular Meeting

Motion to Adopt: Supervisor

Second: Supervisor

AYES ( ):

NOES ( ):

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  
Tracy Goodson, County Attorney's Office  
Audra Hedden, County Administrator's Office

**DEPARTMENT:** County Treasurer



**DATE:** 4/6/2023

**COMMITTEE:** Law & Finance



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

1. Is a Resolution Required:

2. Proposed Resolution Title:

AMENDING THE COUNTY INVESTMENT POLICY TO ADD AUTHORIZED COOPERATIVE INVESTMENT AGREEMENTS AND TO UPDATE MAXIMUM BANK DEPOSIT LIMITS

3. Specific Details on what the resolution will authorize:

Authorization to increase the County's investments in short-term highly liquid investment funds designed specifically for the public sector that are carefully selected to maximize safety and liquidity while generating a competitive yield, thereby reducing the County's deposits at banking institutions given the recent and foreseen challenges facing the U.S. banking sector.

AND, updating bank deposit limits to a) include only uninsured deposits, and b) increase the deposit limit at The Adirondack Trust Company so fallcitate the Treasurer's Accounts Payable operations.

County Attorney's Office  
Consulted Yes

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 Yes

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
----------------	--------------	--------

Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

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 the awarding of a contract:  Y  N

a. Type of Solicitation

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department?  Y  N  N/A

d. Vendor information (including contact name):

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

f. State of vendor/contractor organization:

g. Commencement date of contract term:

h. Termination of contract date:

i. Contract renewal date and term:

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 Yes <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

Information summary memo

Copy of proposal or estimate

Copy of grant award notification and information

Other Proposed resolution; investment policy resolutions from 2018 and 2019

10. Remarks:

10/16/18



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 237 - 2018**

**Introduced by Supervisors Tollisen, Allen, DeLucia, Pemrick, Raymond, Szczepaniak, and Wright**

#### **AMENDING AND RESTATING THE SARATOGA COUNTY INVESTMENT POLICY**

WHEREAS, Resolution 118-2014 last amended and restated the Comprehensive Investment Policy of the County of Saratoga (“Saratoga County Investment Policy”); and

WHEREAS, our County Treasurer has proposed numerous revisions to the Saratoga County Investment Policy, which revisions if adopted by this Board would make a restatement of the Policy appropriate; and

WHEREAS, the revisions proposed by the County Treasurer include, but are not limited to: the addition of objectives of the Investment Policy; updating the criteria for “qualified banks” where County funds may be deposited; reducing the collateralization rate for banks securing County deposits to eliminate the need for banks to create specialized collateralization programs to accept County funds at increased costs which are passed on to the County; increasing the maximum total deposit amount that may be deposited with qualified banks; and removed from the list of qualified banks First Niagara Bank which was acquired by Key Bank in 2016 and NBT Bank which no longer accepts county municipal deposits; and

WHEREAS, copies of the proposed amendments to, and restatement of, the Saratoga County Investment Policy have been provided to all members of this Board; and

WHEREAS, our Law and Finance Committee has recommended the adoption of the proposed amendments to, and restatement of, the Saratoga County Investment Policy; now, therefore, be it

RESOLVED, that pursuant to General Municipal Law §39, the Board of Supervisors of the County of Saratoga hereby approves the amendments proposed by the Saratoga County Treasurer to the Saratoga County Investment Policy, and as amended, hereby approves and adopts the following restatement of the Comprehensive Investment Policy of the County of Saratoga:

# **COMPREHENSIVE INVESTMENT POLICY OF THE COUNTY OF SARATOGA**

While the Saratoga County Treasurer, the County's chief fiscal officer, has the principal responsibility for safeguarding the financial assets of the County of the Saratoga (hereinafter referred to as "Saratoga County" or "County") and for obtaining a reasonable return on the investment of those assets, the Board of Supervisors also shares the responsibility for protecting County funds. Moreover, the Board has an obligation, under New York State Law, to define and limit those instruments, which it regards as acceptable for the investment of Saratoga County funds. Therefore, both to comply with applicable statutes and regulations and to offer appropriate guidance to the Saratoga County Treasurer, the Board of Supervisors establishes this investment policy.

## **SECTION I – OBJECTIVES**

The Treasurer may hold county funds in qualified investments (per Section III) or in deposits with qualified banks (per Section II). The Treasurer shall make such investments and/or deposits while pursuing the following objectives, in order of priority:

- A. Ensuring funds are available to pay the County's expenses and meet cash demands as they arise,
- B. Minimizing the risk of loss of invested capital,
- C. Maximizing net interest earnings on cash not needed to meet expenses or cash demands in the short-term or that is not needed for any short-term County purpose,
- D. Minimizing the fees incurred through the conducting of business with banks and financial institutions.

## **SECTION II – DEPOSITS WITH BANKS**

The Treasurer may deposit county funds in qualified banks in accordance with the limitations set forth by this Section.

### **A. QUALIFIED BANKS**

To qualify as, and to remain qualified as, a qualified bank, a bank must:

- i. Be a financial institution chartered as a commercial bank by the U.S. Treasury, Federal Reserve, and/or the State of New York, and a member of the Federal Deposit Insurance Corporation (FDIC),
- ii. Maintain a primary office, branch office, or other physical presence within Saratoga County,
- iii. Be rated by a nationally-recognized rating agency – including but not limited to Standard & Poor's Financial Services, Moody's Investors Service, Fitch Ratings, or Bauer Financial - and maintain a second-best or better rating from at least one such rating agency for three out of the four most recent consecutive fiscal quarters,
- iv. Execute a depository undertaking and an assignment-of-collateral agreement with the Treasurer,
- v. Be proposed by the Treasurer to the Board of Supervisors to be a depository of county funds and be so approved by the Board of Supervisors.

With respect to any bank which is a subsidiary of another bank, the foregoing criteria will be applied to the parent bank.

The Treasurer shall periodically review each qualified bank's ratings and operations to determine its continued compliance with this Section. Should a bank fail to maintain these qualification criteria, it will cease to be a qualified bank.

If a previously qualified bank ceases to maintain qualified status, the Treasurer shall take prudent action to discontinue depositing county funds at that bank or maintaining deposits in excess of FDIC insurance coverage limits, and begin transferring the county's banking business toward other qualified banks while minimizing disruption to the Treasurer's day-to-day banking duties and activities.

Should the Treasurer believe a bank's failure to meet or maintain qualified status is temporary or extraordinary, that the circumstances causing such qualification failure do not present the county with an increased risk of the loss of capital, and that depositing funds into that bank or otherwise conducting business with that bank is in the county's best interests, the Treasurer may present to the Board his rationale for issuing or maintaining the bank's qualified status in exception to this Section and the Board may elect to approve such exception thereby establishing or re-establishing the bank's qualified status. The Board may elect to remove such exception at any time.

#### B. COLLATERALIZATION OF DEPOSITS

Each qualified bank must continually secure Saratoga County's deposits that have cleared the Federal Reserve banking system and that are held therein. To secure the County's deposits, the bank must hold collateral designated for securing those county deposits not already insured by the Federal Deposit Insurance Corporation (FDIC). Should a bank fail to secure any portion of Saratoga County's deposits held therein by the end of the business day on which the deposits were made or held, the Treasurer shall, as soon as reasonably and logistically possible, withdrawal deposits that are unsecured and place them in some other secured deposit or investment.

Collateral must consist of either:

- i. securities acceptable to the County as detailed in Exhibit B with an aggregate market value of one hundred two per cent (102%) of those deposits for which it is designated to secure,
- ii. a letter of credit defined in General Municipal Law Section 10(1)(h) for a term not to exceed ninety (90) days payable to Saratoga County as security for the payment of one hundred forty per cent (140%) of the aggregate amount of county funds deposited with the bank, or
- iii. an irrevocable letter of credit issued in favor of and payable to Saratoga County by a federal home loan bank, whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least on nationally recognized statistical rating organization, as security for the payment of one hundred percent (100%) of the aggregate amount of county funds deposited with the bank and the amount of agreed upon interest, if any,

or a combination thereof.

Collateral in the form of securities must be held by a third party, in trust for, in safekeeping, in a restrained account, or otherwise specifically segregated as collateral for the public funds of Saratoga County. That third party shall be a financial institution of the qualified bank's choice, subject to the approval of the Treasurer, which has entered into an

escrow/custodian agreement with the qualified bank and the Treasurer. Under that collateral agreement, the bank will have the right to the income from the collateral and the right to substitute alternative, acceptable collateral. The Treasurer shall be notified of any substitution or reduction of collateral and will have an undisputed right of delivery of the collateral in the event of default by the bank. The third-party custodian need not have physical possession of the collateral but may hold the collateral in book entry form acceptable to the Treasurer.

Collateral in the form of a letter of credit or an irrevocable letter of credit shall be in place and received by the Treasurer either prior to or at the time of the County's making, renewing, or continuing its deposit or deposits with the bank and must be approved by the Treasurer as to its form and content.

#### C. REDEPOSIT PROGRAMS

The Treasurer shall also have the option of depositing county funds with any qualified bank to arrange for the redeposit of the county's funds in one or more banking institutions, as defined in section 9(r) of the Banking Law of the State of New York, for the account of Saratoga County, through a deposit placement program that meets all of the following conditions:

- i. On or after the date that Saratoga County's funds are received, the designated bank or trust company a) arranges for the redeposit of such funds into deposit accounts in one or more banking institutions and b) serves as custodian for Saratoga County with respect to the funds redeposited into such accounts.
- ii. Saratoga County funds deposited in a designated bank or trust company in accordance with this paragraph and held in the designated bank or trust company in excess of the amount insured by FDIC pending redeposit of the funds pursuant to this paragraph shall be secured in accordance with subdivision three of General Municipal Law Section 10 of the State of New York.
- iii. The full amount of Saratoga County funds redeposited by the designated bank or trust company into deposit accounts in banking institutions, pursuant to this paragraph (plus accrued interest, if any), shall be insured by the FDIC.
- iv. At the same time that the money of Saratoga County is redeposited pursuant to this paragraph, the selected depository receives an amount of deposits from customers of other financial institutions pursuant to the deposit placement program that are at least equal to the amount of Saratoga County's funds redeposited by the designated bank or trust company.

#### D. MAXIMUM TOTAL DEPOSIT AMOUNT

For the purpose of this Section, "Primary Capital" is defined as the sum of common stock, perpetual preferred stock, capital surplus, undivided profits, reserves for contingencies and other capital reserves, mandatory convertible instruments, the allowance for possible loan and lease losses, and any minority interest in the equity accounts of consolidated subsidiaries.

Saratoga County's deposits in any qualified bank are limited in aggregate amount to the lesser of seventy five per cent (75%) of the bank's Primary Capital or the bank's "maximum total deposit amount" set forth in Exhibit A.

### **SECTION III – INVESTMENTS**

The Treasurer may invest County funds not immediately needed for county purposes by purchasing securities and/or obligations permitted by Section 11 of the General Municipal Law of the State of New York and authorized by the Board of Supervisors as set forth in Exhibit B. Such investments must be made in accordance with Section I of this Investment Policy. To maintain liquidity and ensure the county's ability to meet cash demands, at any given time the amount of county funds invested in securities shall not exceed sixty per cent (60%) of the county's total funds.

### **SECTION IV – REPORTING**

The Treasurer shall provide a Cash and Investment report monthly to the Board's Law & Finance Committee summarizing the status of all county deposits and investments. Such report shall include, but is not limited to, deposit balances at each bank and investment values of each investment type. Such report shall also include the amount of county funds held by the Treasurer on behalf of each of the county's accounting funds (e.g., the General Fund, the County Roads Fund, the Sewer Fund, the Trust & Agency Fund, etc.). The Law & Finance Committee may alter the required form and content of the Treasurer's Cash and Investment report at any time by notifying the Treasurer of its altered requirements in writing.

# EXHIBIT A

## QUALIFIED BANKS AND MAXIMUM TOTAL DEPOSIT AMOUNTS

BE IT RESOLVED, that pursuant to Section 10 of the General Municipal Law of the State of New York, the following commercial banks have qualified as, and will remain so long as they maintain adherence to the qualification criteria detailed in Section II(A) of the Saratoga County Investment Policy as amended and restated on October 16, 2018, qualified depositories for all monies received by the County Treasurer, and that the maximum total deposit amount for each bank, in accordance with Section II(D) of the Saratoga County Investment Policy as amended and restated on October 16, 2018, is as follows:

<b><u>Company</u></b>	<b><u>Maximum Total Deposit Amount</u></b>
The Adirondack Trust Company	\$ 50,000,000
Ballston Spa National Bank	\$ 40,000,000
Bank of America	\$ 40,000,000
Capital Bank, a division of Chemung Canal Trust Company	\$ 40,000,000
Glens Falls National Bank and Trust Company	\$ 40,000,000
KeyBank, N.A.	\$ 40,000,000
M&T Bank	\$ 40,000,000
Saratoga National Bank and Trust Company	\$ 40,000,000

# EXHIBIT B

## AUTHORIZED SECURITIES

The below list of securities shall be acceptable to Saratoga County both for the purpose of collateralizing county bank deposits not already secured by FDIC insurance in accordance with Section II(B)(i) of the Saratoga County Investment Policy and for direct investment by the Treasurer per Section III of the Saratoga County Investment Policy.

- 1) Obligations issued by the United States of America, an agency thereof of a United States sponsored corporation or obligation fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof of a United States government sponsored corporation.
- 2) Obligations partially insured or fully guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represent the amount of the insurance or guaranty.
- 3) Obligations issued or fully insured or guaranteed by the State of New York, and, except for obligations issued by or fully or partially insured or guaranteed by the County of Saratoga, obligations by a municipal corporation, school district, or district corporation of the State of New York, or obligations of any public benefit corporation, which under a specific state statute may be accepted as security of deposit of public monies.
- 4) Zero-coupon obligations of the United States Government marketed as “Treasury Strips”.

BUDGET IMPACT STATEMENT: No budget impact.





## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION 134 - 2019**

**Introduced by Supervisors Allen, Kinowski, Ostrander, Pemrick, Schopf, Szczepaniak and Wright**

#### **AMENDING THE COUNTY INVESTMENT POLICY TO AUTHORIZE THE COUNTY TREASURER TO INVEST IN COOPERATIVE INVESTMENT AGREEMENTS AND TO ADD THE NEW YORK COOPERATIVE LIQUID ASSET SECURITIES SYSTEM ("NYCLASS") AS AN AUTHORIZED COOPERATIVE INVESTMENT AGREEMENT**

WHEREAS, Resolution 237-2018 last amended and restated the Comprehensive Investment Policy of the County of Saratoga ("Saratoga County Investment Policy"); and

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o, empowers municipal corporations (defined in Article 5-G, Section 119-n, to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts) to enter into, amend, cancel, and terminate agreements for the performance amongst themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis; and

WHEREAS, "cooperative investment agreements" are defined by General Municipal Law §42(1) as "the temporary investment of moneys by more than one municipal corporation pursuant to a municipal cooperation agreement entered into in accordance with the provisions of Articles 5-G and 3-A of the General Municipal Law; and

WHEREAS, the New York Cooperative Liquid Assets Securities System ("NYCLASS") is a short-term highly liquid investment fund designed specifically for the public sector, and provides the opportunity to invest municipal funds on a cooperative basis in short-term investments that are carefully selected to maximize safety and liquidity while generating a competitive yield; and

WHEREAS, NYCLASS is rated "AAAm" by S&P Global Ratings, which rating demonstrates extremely strong capacity to maintain principal stability and to limit exposure to principal losses due to credit risk, and is the highest principal stability fund rating assigned by S&P Global Ratings; and

WHEREAS, the County of Saratoga wishes to assure the safety and liquidity of its funds; and

WHEREAS, the Saratoga County Treasurer has recommended that the County of Saratoga invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019 so as to better take advantage of an increasing interest rate investment environment; and

WHEREAS, our Law and Finance Committee and the County Treasurer have recommended that the Saratoga County Investment Policy be amended to: 1) add cooperative investment agreements to the list of investments in which the County Treasurer is authorized to invest County funds; and 2) add the New York Cooperative Liquid Asset Securities System (“NYCLASS”) as an authorized cooperative investment agreement that the County Treasurer may invest County funds in; now, therefore, be it

RESOLVED, that the Saratoga County Investment Policy is hereby amended to: 1) add cooperative investment agreements to the list of investments in which the County Treasurer is authorized to invest County funds; and 2) add the New York Cooperative Liquid Asset Securities System (“NYCLASS”) as an authorized cooperative investment agreement that the County Treasurer may invest County funds in; and be it further

RESOLVED, that “Section III – Investments” of the Saratoga County Investment Policy is hereby amended to state as follows:

### **SECTION III – INVESTMENTS**

The Treasurer may invest County funds not immediately needed for county purposes in qualified investments as defined by EXHIBIT B and in accordance with Section 11 of the General Municipal Law of the State of New York. Any such investments made by the Treasurer must be in accordance with Section I of this Investment Policy.

#### **A. INVESTMENT LIMIT**

To maintain liquidity and ensure the county’s ability to meet cash demands, at any given time the amount of county funds invested in securities shall not exceed sixty per cent (60%) of the county’s total funds.

#### **B. DIRECT INVESTMENT**

The Treasurer may invest county funds by directly purchasing qualified securities and/or obligations through an authorized, certified, and licensed broker-dealer located in the State of New York.

#### **C. COOPERATIVE INVESTMENT**

The Treasurer may invest county funds via participation in Cooperative Investment Agreements as defined by General Municipal Law Sections 42-45 only after the specific Cooperative Investment Agreement has been authorized by the Board of Supervisors and thereby is so listed in EXHIBIT C. The Treasurer, from time-to-time, may present to the Board his recommendation to participate in a specific Cooperative Investment Agreement and the Board may authorize such participation via resolution, which may be rescinded or withdrawn by the Board by subsequent resolution.

and, be it further

RESOLVED, that the Saratoga County Investment Policy is hereby amended to add an “EXHIBIT C” stating as follows:

# EXHIBIT C

## AUTHORIZED COOPERATIVE INVESTMENT AGREEMENTS

The Treasurer may participate in the following Cooperative Investment Agreements which have been proposed by the Treasurer to the Board of Supervisors and approved by the Board of Supervisors pursuant to Section III of the Saratoga County Investment Policy.

### **Cooperative Investment Agreement**

NYCLASS – New York Cooperative Liquid Asset Securities System

and, be it further

RESOLVED, that the Saratoga County Treasurer is hereby designated as Key Contact and authorized to execute and deliver the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019 in the name of and on behalf of the County of Saratoga.

**BUDGET IMPACT STATEMENT:** No budget impact.

4/18/2023



## **SARATOGA COUNTY BOARD OF SUPERVISORS**

### **RESOLUTION XX - 2023**

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

#### **AMENDING THE COUNTY INVESTMENT POLICY TO ADD AUTHORIZED COOPERATIVE INVESTMENT AGREEMENTS**

**WHEREAS**, Resolution 134 – 2019 amended the County Investment Policy to authorize the County Treasurer to invest in cooperative investment agreements; and

**WHEREAS**, given the recent and foreseen challenges facing the U.S. banking sector, the County Treasurer desires to reduce the county's deposits at banking institutions and increase its investments in short-term highly liquid investment funds designed specifically for the public sector that are carefully selected to maximize safety and liquidity while generating a competitive yield; and,

**WHEREAS**, the New York Liquid Asset Fund ("NYLAF") manages and administers a short-term highly liquid investment fund designed specifically for the public sector, and provides the opportunity to invest municipal funds on a cooperative basis in short-term investments that are carefully selected to maximize safety and liquidity while generating a competitive yield; and,

**WHEREAS**, NYLAF's multiple Series funds have maintained Standard and Poor's highest credit rating of AAAM since inception; and,

**WHEREAS**, the NY MuniTrust Local Government Investment Pool ("NY MuniTrust") manages and administers short-term highly liquid investment funds designed specifically for the public sector, and provides the opportunity to invest municipal funds on a cooperative basis in short-term investments that are carefully selected to maximize safety and liquidity while generating a competitive yield; and,

**WHEREAS**, NY MuniTrust's funds have maintained Standard and Poor's highest credit rating of AAAM since inception; and,

**WHEREAS**, our Law and Finance Committee and the County Treasurer have recommended that the Saratoga County Investment Policy be amended to add the New York Liquid Asset Fund ("NYLAF") and the NY MuniTrust Local Government Investment Pool as authorized cooperative investment agreements that the County Treasurer may invest County funds in; now, therefore, be it

**RESOLVED**, that the Saratoga County Investment Policy is hereby amended to add the New York Liquid Asset Fund (“NYLAF”) and the NY MuniTrust Local Government Investment Pool as authorized cooperative investment agreements that the County Treasurer may invest County funds in; and be it further

**RESOLVED**, that the Saratoga County Investment Policy Section III – Investment A. Investment Limit is hereby amended to read, “To maintain liquidity and ensure the county’s ability to meet cash demands, at any given time the amount of county funds invested in securities shall not exceed seventy five per cent (75%) of the county’s total funds.”; and be it further **RESOLVED**, that the Saratoga County Investment Policy Section II – Deposits With Banks D. Maximum Total Deposit Amount is amended to read:

For the purpose of this Section, “Primary Capital” is defined as the sum of common stock, perpetual preferred stock, capital surplus, undivided profits, reserves for contingencies and other capital reserves, mandatory convertible instruments, the allowance for possible loan and lease losses, and any minority interest in the equity accounts of consolidated subsidiaries.

Saratoga County’s **uninsured** deposits in any qualified bank are limited in aggregate amount to the lesser of seventy five per cent (75%) of the bank’s Primary Capital or the bank’s “maximum total deposit amount” set forth in Exhibit A.

;and be it further

**RESOLVED**, that the Saratoga County Investment Policy Exhibit A Qualified Banks and Maximum Total Deposit Amounts is amended to read:

BE IT RESOLVED, that pursuant to Section 10 of the General Municipal Law of the State of new York, the following commercial banks have qualified as, and will remain so long as they maintain adherence to the qualification criteria detailed in Section II(A) of the Saratoga County Investment Policy amended September 2018, qualified depositories for all monies received by the County Treasurer, and that the maximum total **uninsured** deposit amount for each bank, in accordance with Section II(D) of the Saratoga County Investment Policy amended September 2018, is as follows:

<u>Company</u>	<u>Maximum Total UNINSURED Deposit Amount</u>
The Adirondack Trust Company	\$ 60,000,000
Ballston Spa National Bank	\$ 40,000,000
Bank of America	\$ 40,000,000
Capital Bank, a division of Chemung Canal Trust Company	\$ 40,000,000
Glens Falls National Bank and Trust Company	\$ 40,000,000
KeyBank, N.A.	\$ 40,000,000
M&T Bank	\$ 40,000,000
Saratoga National Bank and Trust Company	\$ 40,000,000

**RESOLVED**, that the Saratoga County Investment Policy Exhibit C Authorized Cooperative Investment Agreements be amended to read:

**EXHIBIT C**

**AUTHORIZED COOPERATIVE INVESTMENT AGREEMENTS**

The Treasurer may participate in the following Cooperative Investment Agreements which have been proposed by the Treasurer to the Board of Supervisors and approved by the Board of Supervisors pursuant to Section III of the Saratoga County Investment Policy.

**Cooperative Investment Agreement**

NYCLASS – New York Cooperative Liquid Asset Securities System

NYLAF – New York Liquid Asset Fund

NY MuniTrust Local Government Investment Pool

; and be it further

**RESOLVED**, that the Saratoga County Treasurer is hereby designated as Key Contact and authorized to execute and deliver the Municipal Cooperation Agreements with the herein authorized Cooperative Investment Agreements in the name of and on behalf of the County of Saratoga.

BUDGET IMPACT STATEMENT: None.

April 18, 2023 Regular Meeting

Motion to Adopt: Supervisor

Second: Supervisor

AYES ( ):

NOES ( ):

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:** 3/23/2023

**COMMITTEE:** Law & Finance

1. Is a Resolution Required:

Yes, Other

2. Proposed Resolution Title:

Appointing commissioner of Saratoga County  
Sewer District No.1

3. Specific Details on what the resolution will authorize:

Resolution 230-71, as amended by 127-72 established the nine member Commission for the Saratoga County Sewer District No. 1 with a 3 year term for each Commissioner. This person fills a vacancy on the board.

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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Fund Balance (if applicable): (Increase = additional revenue, Decrease = additional expenses)

Amount:

5. Identify Budget Impact (**Required**):

- 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 the awarding of a contract:  Y  N

a. Type of Solicitation

b. Specification # (BID/RFP/RFQ/OTHER CONTRACT #)

c. If a sole source, appropriate documentation, including an updated letter, has been submitted and approved by Purchasing Department?  Y  N  N/A

d. Vendor information (including contact name):

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

f. State of vendor/contractor organization:

g. Commencement date of contract term:

h. Termination of contract date:

i. Contract renewal date and term:

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
- Information summary memo
- Copy of proposal or estimate
- Copy of grant award notification and information
- Other \_\_\_\_\_

10. Remarks:



date

**SARATOGA COUNTY BOARD OF SUPERVISORS**

**RESOLUTION XX-2023**

**Introduced by Chair of the Board**

**APPOINTING COMMISSIONER OF  
SARATOGA COUNTY SEWER DISTRICT NO. 1**

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

**WHEREAS**, the terms of one Commissioner has expired; now, therefore, be it

**RESOLVED**, that the following individual is appointed as Commissioners of Saratoga County Sewer District No. 1, for the stated term:

<u>NAME</u>	<u>MUNICIPALITY</u>	<u>Term Expires</u>
Anthony Scirocco, Jr. 16 Orenda Spring Dr Saratoga Springs, NY 12866	City of Saratoga Springs	12/31/2025

; and it is further

**RESOLVED**, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No budget impact.