

REGULAR MEETING  
TUESDAY, May 16, 2023  
AT 4:00 p.m., E.S.T.

Board called to order by Chairman Kusnierz.

Roll call was taken.

PRESENT – Eric Connolly (11831), Joseph Grasso (4328), Philip C. Barrett (19014.5), Jonathon Schopf (19014.5), Diana Edwards (819), Kevin Veitch (8004), Arthur M. Wright (1976), Mark Hammond (17130), Thomas Richardson (5163), Scott Ostrander (18800), Theodore Kusnierz (16202), Sandra Winney (2075), Tara N. Gaston (14245.5), Matthew E. Veitch (14245.5), Edward D. Kinowski (9022), John Lawler (8208), John Lant (17361) - 17.

ABSENT – Eric Butler (6500), Jean Raymond (1333), Michael Smith (3525), Kevin Tollisen (25662), Willard H. Peck (5242), Thomas N. Wood, III (5808) - 6.

The invocation was given by Craig Hayner, Chaplain.

Chairman Kusnierz recognized two County Department Heads that will be retiring in the next month. Tina Potter, Commissioner of Social Services and Penny Heritage, Director of the Animal Shelter.

On a motion by Mr. Hammond, seconded by Mr. Grasso, the minutes of the April 18, 2023 Board meeting was unanimously approved.

The Clerk presented the following:

#### CORRESPONDENCE

Saratoga County Capital Resource Corporation Annual Report Fiscal Year 2022

Received and Filed, Copy to all Supervisors

Letter from the Jonesville Fire Company thanking Saratoga County for passing the property tax credit.

Received and Filed

Thank you card from the Malta Rotary for the donation in memory of Supervisor Paul Sausville.

Received and Filed

#### REPORTS OF COMMITTEES

There were no reports of Committees.

#### REPORT

On a motion by Mr. Grasso, seconded by Mr. M. Veitch, Report No. 2 – Mortgage Tax Report was unanimously approved.

Saratoga County Treasurer Mortgage Tax Distribution as of March 31, 2023

CITIES/TOWNS/VILLAGES	10/01/2022 – 03/31/2023 AMOUNT TO BE DISTRIBUTED
BALLSTON	\$ 339,319.16
BALLSTON SPA (BALL)	\$ 10,435.19
MILTON	\$ 159,387.16
BALLSTON SPA (MILTON)	\$ 17,868.32
CHARLTON	\$ 55,953.65
CLIFTON PARK	\$ 702,012.35
CORINTH	\$ 47,597.52
CORINTH (VILLAGE)	\$ 13,299.52
DAY	\$ 24,872.69
EDINBURG	\$ 7,877.39
GALWAY	\$ 46,189.56
GALWAY (VILLAGE)	\$ 660.81
GREENFIELD	\$ 119,901.68
HADLEY	\$ 16,532.20
HALFMOON	\$ 392,777.72
MALTA	\$ 236,710.05
ROUND LAKE (VILLAGE)	\$ 6,096.95
MECHANICVILLE	\$ 40,047.35
MOREAU	\$ 125,572.59
SO. GLENS FALLS (VILLAGE)	\$ 13,453.87
NORTHUMBERLAND	\$ 65,460.53
PROVIDENCE	\$ 22,133.30
SARATOGA	\$ 74,196.55
SCHUYLERVILLE (VILLAGE)	\$ 5,173.18
VICTORY (VILLAGE)	\$ 1,820.67
SARATOGA SPRINGS	\$ 933,395.32
STILLWATER	\$ 130,949.22
STILLWATER (VILLAGE)	\$ 7,589.25
WATERFORD	\$ 85,160.26
WATERFORD (VILLAGE)	\$ 5,994.99
WILTON	\$ 315,480.20
 TOTAL	 \$4,023,919.20

On a motion by Mrs. Edwards, seconded by Mr. Hammond, Resolutions 125 through 150 with the exception of Resolution 127 were adopted by a unanimous vote.

RESOLUTION 125 - 2023

Introduced by Real Property Tax: Supervisors Ostrander, Barrett, Edwards, Lawler, and Wright

AUTHORIZING THE CONVEYANCE OF A TAX-ACQUIRED PARCEL IN THE TOWN OF DAY

WHEREAS, pursuant to Resolution 206-10, this Board, on the advice of the Tax Enforcement Officer, declared Tax Parcel 24.-2-26 in the Town of Day “worthless” in accordance with Real Property Tax Law (RPTL) § 1138 which resulted in all delinquent, current and prospective taxes being canceled on said tax parcel; and

WHEREAS, in accordance with RPTL § 1138(6) the Saratoga County Tax Enforcing Officer filed a Certificate of Prospective Cancellation on November 18, 2010 with the Saratoga County Clerk’s Office, the assessor of the assessing unit, and with the Director of Real Property Tax Services canceling all delinquent, current and prospective taxes on said tax parcel; and

WHEREAS, Mr. Leonard Allen of Hadley, New York has expressed a desire to purchase tax parcel 24.-2-26; and

WHEREAS, our Real Property Tax Committee has reviewed the status of Tax Parcel 24.-2-26 and deems it in the best interest of all taxing jurisdictions to sell the parcel to Mr. Allen and have it placed back on the tax rolls; and

WHEREAS, all proposed conveyances of County lands require the approval of this Board; now, therefore, be it

RESOLVED, that the Chair of the Board convey by quitclaim deed Tax Parcel 24.-2-26 in the Town of Day to Leonard Allen of Hadley, New York for the sum of Twenty-Five Dollars (\$25.00) and the cost of filling the deed in the Saratoga County Clerk’s Office; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact

#### RESOLUTION 126 - 2023

Introduced by Real Property Tax: Supervisors Ostrander, Barrett, Edwards, Lawler and Wright

#### CANCELLING TAXES IN THE TOWN OF BALLSTON

WHEREAS, Tax Parcel 257.10-2-55 is located at 814 Saratoga Road, Burnt Hills, New York 12027 (“Magnum Property”) that was previously used as a gas station and auto mechanic shop that had extensive environmental contamination; and

WHEREAS, there were risks for the County to acquire the Magnum Property within a tax foreclosure process due to liability associated with the costs to remediate the environmental contamination present at the site; and

WHEREAS, pursuant to Resolution 57-2022 this Board recognized those inherent risks when it authorized the County to enter into agreements with the New York Environmental Protection and Spill Compensation Fund (“Spill Fund”) and the Town of Ballston to facilitate the remediation of the environmental contamination on the Magnum Property; and

WHEREAS, said agreements allow the Town to acquire the Magnum Property in exchange for a payment of \$7,000 to the Spill Fund, and in turn the Spill Fund would release the County of Saratoga from potential claims for cleanup and removal costs incurred by the State at the Magnum Property; and

WHEREAS, the agreements will enable future public use of the site and provide a benefit to the County of Saratoga by the avoidance of incurring the high costs of remediating the site, but the agreements did not account for the payment of outstanding taxes currently due on the Magnum Property; and

WHEREAS, it is necessary for the County to cancel delinquent, current and prospective taxes on the subject property for the agreements to move forward;

WHEREAS, the Magnum Property has delinquent taxes for the years 2018 – 2023 totaling \$38,729.86; and

WHEREAS, pursuant to Real Property Tax Law § 1138[1][d], a taxing district may cancel a delinquent tax lien if the taxing district were to acquire the parcel, there is a significant risk that it might be exposed to a liability substantially in excess of the amount that could be recovered by enforcing the tax lien; and

WHEREAS, this Board’s Real Property Tax Committee and Saratoga County’s Tax Enforcing Officer recommend that the delinquent, current and prospective taxes on the Magnum Property be cancelled; now, therefore, be it

RESOLVED, that the following delinquent tax liens on the following parcel are hereby cancelled pursuant to Real Property Tax Law § 1138:

TOWN	PARCEL #	DELINQUENT OWNER	YEAR	TOTAL AMOUNT
Ballston	257.10-2-55	Sevinc & Nury, LLC	2018-2022	\$ 33,467.44
			2023	\$ 5,262.42

; and it is further

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

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 128 - 2023

Introduced by Legislative and Government Affairs: Supervisors Butler, Hammond, Lant, K. Veitch and Winney

AUTHORIZING AN AGREEMENT WITH GRANICUS, LLC FOR THE PROVISION OF AGENDA MANAGEMENT SOFTWARE

WHEREAS, the Legislative and Government Affairs committee, the Clerk of the Board of Supervisors and the Director of Information Technology have identified that the installation and use of agenda management software would enable the Clerk of the Board and Administration to more efficiently and effectively manage agenda item requests and the agenda process for committee meetings and board meetings; and

WHEREAS, competitive proposals were solicited to provide agenda management software; and

WHEREAS, members from the departments of the Clerk of the Board of Supervisors, County Administrator's Office, Information Technology Department, and County Attorney's Office reviewed the submitted proposals and have recommended that a contract be awarded to Granicus, LLC for agenda management software at a cost not to exceed \$54,209.50 for the first year, with two optional renewals at a cost not to exceed \$33,461.04 for the second year and at a cost not to exceed \$35,803.31 for the third year; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Granicus, LLC for agenda management software at a cost not to exceed \$54,209.50 for the first year, with two optional renewals at a cost not to exceed \$33,461.04 for the second year and at a cost not to exceed \$35,803.31 for the third year; and it is further

RESOLVED, that the form and content of said agreement is subject to the approval of the County Attorney.

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

#### RESOLUTION 129 - 2023

Introduced by Public Safety: Supervisors Lant, Butler, Grasso, Hammond, Raymond, Tollisen, and K. Veitch

#### AUTHORIZING ACCEPTANCE OF A STATE AID GRANT FOR REIMBURSEMENT OF EXPENSES RELATED TO THE IGNITION INTERLOCK DEVICE NON-INSTALLER ENFORCEMENT PROGRAM FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES

WHEREAS, A State Aid grant in an amount not to exceed \$35,000 is available from the New York State Division of Criminal Justice Services for the purposes of assisting the Probation Department with the cost of supervising and monitoring probationers using the ignition interlock device during the period from May 29, 2023 through September 15, 2023; and

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

RESOLVED, that the Chair of the Board is authorized to execute all documents necessary to accept the New York State Division of Criminal Justice Services grant in an amount not to \$35,000 to reimburse the Probation Department for expenses incurred in supervising and monitoring its probationers using ignition interlock devices during the period from May 29, 2023 through September 15, 2023; and it is further

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

UNDER PROBATION

Increase Revenues		
A.31-4389	Other Public Safety	\$ 35,000.00
Increase Appropriations		
A.31.000-6810	Overtime	\$17,500.00

UNDER SHERIFF

Increase Appropriations		
A.30.000-6810	Overtime	\$17,500.00

; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 130 - 2023

Introduced by Public Safety: Supervisors Lant, Butler, Grasso, Hammond, Raymond, Tollisen, and K. Veitch

AUTHORIZING TRANSFER OF FUNDS FROM THE ANIMAL SHELTER TRUST FUND, AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 145-07 of this Board established the Animal Shelter Trust Fund to receive funds received from donors as gifts for the benefit and use of the Saratoga County Animal Shelter; and

WHEREAS, Resolution 254-2017 authorized annual disbursements from the Animal Shelter Trust Fund, commencing with the County’s 2019 fiscal year, of up to 80% of the donations received by the Fund in the prior fiscal year; and

WHEREAS, our Public Safety Committee and the Director of the Animal Shelter have recommended that \$49,557 in Animal Shelter Trust Fund donations be transferred to the Animal Shelter to pay for vinyl fencing, kennel covers, and surgical lights; now, therefore, be it

RESOLVED, that the Saratoga County Treasurer is hereby authorized to disburse the sum of \$49,557 from the Animal Shelter Trust Fund to pay for costs related to vinyl fencing, kennel covers, and surgical lights; and, it is further

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

UNDER ANIMAL SHELTER:

Increase Revenues:		
A.35-1554	Donations	\$49,557
Increase Appropriations:		
A.35.000-7094	Building Components	\$49,557

BUDGET IMPACT STATEMENT: Authorizing transfer of funds from the Animal Shelter trust fund and amending the budget to accept these funds and authorize the related expenses

RESOLUTION 131 - 2023

Introduced by Public Safety: Supervisors Lant, Butler, Grasso, Hammond, Raymond, Tollisen and K. Veitch

AUTHORIZING AN AGREEMENT WITH THE TOWN OF WATERFORD-HALFMOON UNION FREE SCHOOL DISTRICT FOR THE PROVISION OF A SCHOOL RESOURCE OFFICER AND AMENDING THE 2023 COMPENSATION SCHEDULE UNDER THE SHERIFF’S DEPARTMENT AND AMENDING THE 2023 BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolutions 156-2018, 167-2018, 187-2020, 200-2021, and 259-2022 this Board authorized the execution of agreements with the following school districts for the provision of School Resource Officer services: Ballston Spa Central School District, Burnt Hills-Ballston Lake Central School District, Corinth Central School District, Galway Central School District, Mechanicville City School District, Schuylerville Central School District, South Glens Falls Central School District, Stillwater Central School District, Shenendehowa Central School District, and Saratoga Springs City School District for the assignment of Saratoga County Sheriff’s Department Road Patrol Deputies as School Resource Officers; and

WHEREAS, the Waterford-Halfmoon Union Free School District wishes to enter into an agreement for the provision of a Saratoga County Sheriff’s Department Road Patrol Deputy to serve in the capacity of a School Resource Officer for the School District for the remainder of the school year commencing April 17, 2023 until June 30, 2023 at a cost of \$15,712.47; and

WHEREAS, as the School Resource Officer, the duties of the assigned Deputy will include, but not be limited to: maintaining a presence on the assigned school campus directed towards protecting the safety and well-being of students and school staff; reducing disorder and student crime; assisting school personnel with truancy related issues; teaching and/or making classroom presentations to students and school personnel on such issues as violence prevention, substance abuse prevention, social conflict resolution, and school safety; responding to life or safety threatening emergencies; and

WHEREAS, our Public Safety Committee and the Sheriff have recommended the County enter into an agreement with the Waterford-Halfmoon Union Free School District for the provision of a single Road Patrol Deputy to serve as School Resource Officer for the Waterford-Halfmoon Union Free School District commencing April 17, 2023 until June 30, 2023, at a cost of \$15,712.47; now, therefore, be it

RESOLVED, that the 2023 Compensation Schedule under the Sheriff’s Department shall be amended to add one (1) additional position under Deputy-Sheriff-Patrol to meet the obligation of the agreement; and it is further

RESOLVED, that the one (1) additional position shall remain in effect for the duration of a contract with the Waterford-Halfmoon Union Free School District and only eliminated through attrition thereafter; and it is further

RESOLVED, that the Chair of the Board and the Sheriff are hereby authorized to execute an agreement with Waterford-Halfmoon Union Free School District for the term commencing April 17, 2023 until June 30, 2023 for the provision of a single Road Patrol Deputy to serve as School Resource Officer at a cost of \$15,712.47, to cover the school district’s approximate pro-rata share of the County’s employee, transportation, equipment and patrol car costs for the assigned Deputy; and be it further

RESOLVED, that the foregoing agreement with Waterford-Halfmoon Union Free School District shall provide that upon the request of the school district and the approval of the Saratoga County Sheriff, Saratoga County Sheriff’s Department Road Patrol Deputies shall be authorized to provide overtime security services at school activities and events outside of normal school hours at an additional cost to the school district of \$50.00 per hour for a minimum of two (2) hours per school activity/event; and, be it further

RESOLVED, that contract costs for any renewal period for the 2023-2024 or 2024-2025 school years shall be the school district’s approximate pro-rata share of the County’s employee, transportation, equipment and patrol car costs for each assigned Deputy, as calculated by the Saratoga County Sheriff by no later than June 1 prior to the commencement of that school year; and be it further

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

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

UNDER SHERIFF’S OFFICE:

Increase Revenue:		
A.30-2263	SRO Reimbursement	\$15,712.47

Increase Fund Balance:		
A.0599.B	Appropriated Fund Balance-Budgetary	\$15,712.47

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to accept these funds and increase Fund Balance by \$15,712.47.

RESOLUTION 132 - 2023

Introduced by Public Safety: Supervisors Lant, Butler, Grasso, Hammond, Raymond, Tollisen and K. Veitch

**AUTHORIZING AN AGREEMENT WITH EMERGENCY POWER SYSTEMS, LLC FOR PREVENTIVE MAINTENANCE SERVICES FOR THE EMERGENCY STAND-BY GENERATORS AT THE COUNTY’S PUBLIC SAFETY RADIO TOWERS**



WHEREAS, the Director of Emergency Management solicited bids for quarterly preventive maintenance services for the emergency stand-by generators at the County's Public Safety 800 MHz radio towers; and

WHEREAS, our Public Safety Committee and the Director of Emergency Management have recommended that the bid of Emergency Power Systems, LLC in the amount of \$16,400 per year plus additional costs for emergency site visits and repair, the lowest bid received, for quarterly preventive maintenance services for the emergency stand-by generators at the County's Public Safety 800 MHz radio towers be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Emergency Power Systems, LLC of Rochester, New York to provide quarterly preventive maintenance services for the emergency stand-by generators at the County's Public Safety 800 MHz radio towers for a term of two years commencing May 1, 2023 and continuing through April 30, 2025 with the option to renew for an additional term of one (1) year upon written agreement of both parties, at a cost not to exceed \$16,400 per year plus the following additional costs for any emergency site visits: Hourly: \$165 per hour; Overtime: \$247.50 per hour; Holidays: \$330 per hour; Sundays: \$330 per hour; Mobilization Fee for Non-Preventive Maintenance Service: \$120; and Mileage: port to port time at \$165 per hour; now, therefore; be it

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

RESOLVED, that this Resolution shall take effect immediately.

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

#### RESOLUTION 133 - 2023

Introduced by Public Safety: Supervisors Lant, Butler, Grasso, Hammond, Raymond, Tollisen and K. Veitch

#### PROCLAIMING MAY 21 - 27, 2023 AS "EMERGENCY MEDICAL SERVICES WEEK" IN SARATOGA COUNTY

WHEREAS, "Emergency Medical Services Week" was first proclaimed in 1974 by President Gerald Ford to celebrate Emergency Medical Service Clinicians and the important work they do in our nation's communities; and

WHEREAS, the Emergency Medical Services system consists of first responders, emergency medical technicians, paramedics, 911 telecommunicators, emergency medical dispatchers, emergency medical physicians and nurses, law enforcement officers, and firefighters, among others; and

WHEREAS, the Emergency Medical Service Clinicians are vital to emergency medicine, responding to those in need 24 hours a day, 7 days a week, providing life-saving aid in medical emergencies and disasters; and

WHEREAS, the Emergency Medical Service Clinicians engage in multiple hours of specialized training and continued education to reinforce their life-saving skills; and

WHEREAS, Emergency Medical Service Clinicians provide frontline life-saving services every day, it is important that this Board of Supervisors and County residents recognize the important work and sacrifices that Emergency Medical Service Clinicians make to provide emergency assistance to the citizens of Saratoga County; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors proudly proclaims May 21-27, 2023 to be “Emergency Medical Services Week” in the County of Saratoga, and encourages all residents to join in honoring the unwavering commitment of Emergency Medical Service Clinicians who have rendered services to the community, while remembering those Emergency Medical Service Clinicians who have made the ultimate sacrifice in the line of duty.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 134 - 2023

Introduced by Human Resources and Insurance: Supervisors Tollisen, Butler, Grasso, Lant, Peck, Raymond and Winney

#### AMENDING THE 2023 COMPENSATION SCHEDULE TO RECLASSIFY POSITIONS UNDER THE DEPARTMENT OF HEALTH

WHEREAS, the Saratoga County Department of Health (DOH) requires personnel with specialized training and education as mandated by New York State (NYS) when providing services to the residents of Saratoga County; and

WHEREAS, DOH is mandated by NYS to provide Early Intervention Services to children, and the number of children qualifying for these services has increased; and

WHEREAS, NYS has identified Registered Professional Nurses as individuals with the necessary specialized training and education to provide Early Intervention Services to children qualifying for these services, and DOH has been unsuccessful in hiring Registered Professional Nurses to fill the available vacancies; and

WHEREAS, NYS has also identified Early Intervention Service Coordinators as qualified individuals who may provide Early Intervention Services to children, and it is necessary to hire qualified individuals to provide Early Intervention Services to eligible children as soon as possible; and

WHEREAS, our Human Resources and Insurance Committee, the Director of Human Resources, and the Commissioner of Health have recommended that the 2023 Saratoga County Compensation Schedule be amended under the Department of Health to reclassify two (2) Registered Professional Nurse with a salary of \$57,465 each to two (2) Early Intervention Service Coordinators with a salary of \$57,465 each; now, therefore, be it

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

#### UNDER DEPARTMENT OF HEALTH

Reclassify (2) Registered Professional Nurses to two (2) Early Intervention Service Coordinators  
– Base Salary: \$57,465

; and it is further

RESOLVED, that this Resolution shall take effect June 1, 2023.

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

#### RESOLUTION 135 - 2023

Introduced by Human Resources and Insurance: Supervisors S Tollisen, Butler, Grasso, Lant, Peck, Raymond and Winney

#### AUTHORIZING AN AGREEMENT WITH BLACK DOG DESIGNS, LLC FOR MARKETING CONSULTING SERVICES

WHEREAS, the County is in need of consulting services to develop and execute a marketing strategy to assist the County in recruiting qualified applicants for hard to fill positions throughout the County workforce; and

WHEREAS, the County sought proposals for consulting services to develop strategies to assist in recruiting qualified applicants for hard to fill positions throughout the County workforce; and

WHEREAS, Black Dog Designs, LLC has submitted a proposal to provide marketing consulting services including strategies to assist in recruiting qualified applicants for hard to fill positions throughout the County, at a cost not to exceed \$66,520; and

WHEREAS, our Human Resource and Insurance Committee and County Administrator have recommended that the proposal of Black Dog Designs, LLC to provide marketing consulting services at a cost not to exceed \$66,520, be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Black Dog Designs, LLC, of Glens Falls, New York, for the provision of marketing consulting services at a cost not to exceed \$66,520, for a twelve (12) month term, commencing upon execution of the contract; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

#### RESOLUTION 136 - 2023

Introduced by Economic Development: Supervisors Hammond, Butler, Grasso, Raymond, Tollisen, K. Veitch and Winney

#### AUTHORIZING THE TRANSFER OF FUNDS FROM THE ECONOMIC DEVELOPMENT RESERVE FUND AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 97-2021, this Board established a capital reserve fund to be known as the “Economic Dev Grant Reserve” for the purpose of depositing unexpended funds for the Municipal Economic Development Assistance Program; and

WHEREAS, pursuant to Resolution 97-2021 the reserve account was created to house the unexpended municipal economic grant program funds until such funds are needed, and a reimbursement voucher is submitted by the municipal applicant, at which point the funds will be appropriated to the General Fund budget; and

WHEREAS, the unexpended grant funds from the 2022 Town Of Charlton total \$13,351.88; and

WHEREAS, the Town of Charlton grant project that was approved by our Economic Development Committee; and

WHEREAS, the transfer of Economic Development Grant Reserve funds to the Municipal Economic Development Assistance account requires this Board’s approval and an associated amendment to the 2023 County budget; and

WHEREAS, our Economic Development Committee and the Director of Planning and Economic Development have recommended that \$13,351.98 be transferred from the Economic Development Grant Reserve funds to the Municipal Economic Development Assistance account; now, therefore, be it

RESOLVED, that this Board authorizes the transfer of \$13,351.98 from the Economic Development Grant Reserve funds to the Municipal Economic Development Assistance account to provide reimbursement to municipal applicants as approved by our Economic Development Committee; and it is further

RESOLVED, that the Budget Officer is hereby authorized to enter the appropriate journal entries to reflect the approved budget transfer; and it is further

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

UNDER PLANNING

Increase Appropriations:

A.80.000-8763	Municipal Planning Grant Prog-Econ Dev	\$13,351.98
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Decrease Reserve:

A-0888.ED	Economic Dev Grant Reserve	\$13,351.98
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; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to increase appropriations and decrease the Economic Development Grant Reserve Fund by \$13,351.98.

Introduced by Economic Development: Supervisors Hammond, Butler, Grasso, Raymond, Tollisen, K. Veitch and Winney

**AUTHORIZING AN AGREEMENT TO PROVIDE ADMINISTRATIVE SUPPORT SERVICES TO THE SARATOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

WHEREAS, the Saratoga County Department of Planning and Economic Development is able to assist the Saratoga County Industrial Development Agency (IDA) by providing staff for administrative and secretarial services in attending IDA meetings, preparation and distribution of minutes, preparation, distribution and collection of bi-annual Payments in Lieu of Taxes, maintenance and storage of IDA records, preparation of annual financial report, administration and maintenance of the IDA website, and preparation of documents such as correspondence, charts tables, reports, etc.; and

WHEREAS, the Saratoga County Department of Planning and Economic Development has provided administrative support services to the IDA at an annual cost of \$22,500 since 2008; and

WHEREAS, the IDA wishes to continue to obtain these services by and through the Saratoga County Department of Planning and Economic Development at an annual cost of \$50,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with the Saratoga County Industrial Development Agency for the provision of administrative support services, including but not limited to: providing staff for administrative services in attending IDA meetings, preparation and distribution of minutes, preparation, distribution and collection of bi-annual Payments in Lieu of Taxes, maintenance and storage of IDA records, preparation of annual financial report, administration and maintenance of the IDA website, and preparation of documents such as correspondence, charts tables, reports, by and through the Saratoga County Department of Planning and Economic Development commencing January 1, 2023 at an annual cost of \$50,000; and it is further

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

RESOLVED, that this Resolution shall take effect immediately

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

**RESOLUTION 138 - 2023**

Introduced by Trails and Open Space: Supervisors Grasso, Connolly, Gaston, Kinowski and M. Veitch

**AUTHORIZING THE TRANSFER OF FUNDS FROM THE COUNTY OPEN SPACE RESERVE AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO**

WHEREAS, pursuant to Resolution 221-2015, this Board established a capital reserve fund to be known as the "County Open Space Reserve" for the purpose of depositing unexpended funds for the Saratoga County Farmland and Open Space Grant Program; and

WHEREAS, upon receipt of a reimbursement voucher from the municipal applicant, funds will be appropriated to the General Fund budget from the County Open Space Reserve for reimbursement to the municipal applicant; and

WHEREAS, unexpended grant funds for the 2019 Town of Clifton Park grant total \$32,220.50; and

WHEREAS, reimbursement vouchers from the Town of Clifton Park have been submitted for a grant project previously approved in 2019 and amended in 2022; and

WHEREAS, the transfer of funds from the County Open Space Reserve to the Saratoga County Farmland and Open Space Grant Program account for disbursement to municipal applicants require this Board’s approval and an associated amendment to the 2023 County budget; and

WHEREAS, our Trails and Open Space Committee and the Director of Planning and Economic Development have recommended that \$32,220.50 be transferred from the County Open Space Reserve to the Saratoga County Farmland and Open Space Grant Program account; now, therefore, be it

RESOLVED, that this Board authorizes the transfer of \$32,220.50 from the County Open Space Reserve funds to the Saratoga County Farmland and Open Space Protection Program account to provide reimbursement to municipal applicants as approved by our Trails and Open Spaces Committee; and it is further

RESOLVED, that the Budget Officer is hereby authorized to enter the appropriate journal entries to reflect the approved budget transfer; and it is further

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

UNDER PLANNING

Increase Appropriations		
A.80.000-7091.9	Farmland and Open Space Protection	\$32,220.50
Decrease Reserve		
A-0888.OS	Open Space Reserve	\$32,220.50

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to increase appropriations and decrease Open Space Reserve Fund by \$32,220.50.

RESOLUTION 139 - 2023

Introduced by Trails and Open Space: Supervisors Grasso, Connolly, Kinowski, and M. Veitch

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS OF A

TRANSPORTATION FEDERAL AID PROJECT, AND APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO

WHEREAS, a Project known as the “Zim Smith Trail North Extension” (design only) in the Towns of Ballston, Malta, Milton, City of Saratoga Springs, and Village of Ballston Spa, P.I.N. 1762.43 (“Project”), is eligible for funding under Title 23 of the U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne by a ratio of 80% of federal funds and 20% nonfederal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the nonfederal share of the costs of design services; and

WHEREAS, an amendment of the 2023 budget is needed to appropriate the necessary funding for the Project; and accept additional funding sources identified after the authorization and adoption of Resolution 264-2022; and

NOW THEREFORE, the Saratoga County Board of Supervisors hereby approves the Project; and it is hereby further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance 100% of the federal and nonfederal share of the costs of design services for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$500,000 is hereby appropriated from the Zim Smith Capital Fund and made available to cover the cost of the County’s participation in the design phase of the Project; and it is further

RESOLVED, that in the event the full federal and nonfederal share costs of the Project exceeds the amount appropriated above, the Saratoga County Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, that the Chair of the Saratoga County Board of Supervisors be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for federal aid and/or Marchiselli aid on behalf of the County of Saratoga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the Commissioner of the New York State Department of Transportation by attaching it to any necessary agreements in connection with the Project; and it is further

RESOLVED, that the 2023 County budget is amended as follows:

UNDER ZIM SMITH TRAIL FUND:

Increase Revenues:

HG.80-3097

State Aid Capital Projects

\$ 75,000

Increase Appropriations:

HG.80.100-7098	Professional Services	\$ 75,000
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; and it is further

RESOLVED, that this Resolution shall take effect immediately.

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

#### RESOLUTION 140 - 2023

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

#### AUTHORIZING AGREEMENTS WITH ROZELL EAST INC. AND GROSS ELECTRIC, INC. FOR WORK RELATING TO THE ACE PUMP STATION UPGRADE

WHEREAS, pursuant to Resolutions 100-2022 and 130-2022 the Saratoga County Sewer District No. 1 is authorized to upgrade the ACE Pump Station located in the Town of Wilton to ensure enough capacity exists to accept new flows from the Towns of Wilton and Moreau; and

WHEREAS, the Sewer District's Executive Director solicited bids for the ACE Pump Station upgrades; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that the bid of Rozell East Inc. in the amount of \$1,160,000, the lowest bid received, be accepted for general construction associated with the ACE Pump Station upgrades; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that the bid of Gross Electric, Inc. in the amount of \$177,777, the current lowest bid, be accepted for electrical construction associated with the Ace Pump Station upgrades; now, therefore, it is

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Rozell East Inc. of Queensbury, New York to provide general construction associated with the ACE Pump Station upgrades at a cost not to exceed \$1,160,000; and it is further

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Gross Electric, Inc. of Queensbury, New York to provide electrical construction associated with the ACE Pump Station upgrades at a cost not to exceed \$177,777; and it is further

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

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

UNDER SEWER DISTRICT:



Increase Appropriations:		
ES.81.812-7092	Infrastructure	\$687,777
Decrease Fund Balance:		
ES-0599.B	Appropriated Fund Balance-Budgetary	\$687,777

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to increase appropriations and decrease Sewer fund balance by \$687,777.

RESOLUTION 141 - 2023

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

AUTHORIZING AGREEMENTS WITH W.M. SCHULTZ CONSTRUCTION, INC. FOR HVAC AND PLUMBING UPGRADES TO THE SARATOGA COUNTY SEWER DISTRICT NO. 1'S SARATOGA SPRINGS PUMP STATION, AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 246-2020 authorized an agreement with Weston & Sampson, PE, LS, LA, PC (“Weston & Sampson”) for evaluation and design of upgrades to the Saratoga County Sewer District No. 1’s Saratoga Springs pump station; and

WHEREAS, the Saratoga Springs pump station is in need of rehabilitation and improvement, as described in the December 2021 report prepared by Weston & Sampson; and

WHEREAS, the Sewer District and their consulting engineers have previously determined that the upgrades to the Saratoga Springs pump station is a “Type II Action” under the State Environmental Quality Review Act, requiring no further review thereunder; and

WHEREAS, the Sewer District currently has a contract for general construction of the upgrades at the Saratoga Springs Pump Station; and

WHEREAS, an HVAC contract and plumbing contract are necessary to provide a fully rebuilt pump station to enable the Saratoga Springs Pump Station to serve the entire Town of Wilton, and a large majority of the City of Saratoga Springs; and

WHEREAS, the Sewer District had to re-bid the HVAC contract and the plumbing contract due to no bids being received, and the re-bid resulted in the receipt of only one bid; and

WHEREAS, the Saratoga County Sewer District No. 1 has received a proposal from W.M. Schultz Construction, Inc. for work relating to the HVAC upgrade of the Saratoga Springs pump station for an amount not to exceed \$1,012,000; and

WHEREAS, the Saratoga County Sewer District No. 1 has received a proposal from W.M. Schultz Construction, Inc. for work relating to the plumbing upgrade of the Saratoga Springs pump station for an amount not to exceed \$599,000; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that the County accept the proposal of W.M. Schultz Construction, Inc. and execute an agreement with W.M. Schultz Construction, Inc. for work relating to the upgrade of the Saratoga Springs pump station including new heating and ventilating systems and other ancillary updates to the HVAC within the building at a cost not to exceed \$1,012,000 for related HVAC work; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of Sewer District have recommended that the County accept the proposal of W.M. Schultz Construction, Inc and execute an agreement with W.M. Schultz Construction, Inc for work relating to the upgrade of the Saratoga Springs pump station including new plumbing systems, a new bathroom, new seal water systems and ancillary piping within the building at a cost not to exceed \$599,000 for related plumbing work; now, therefore be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with W.M. Schultz Construction, Inc. of Ballston Spa, New York, for the provision of the performance of work relating to the upgrade of the Saratoga Springs pump station including new heating and ventilating systems, new seal water systems, and other ancillary updates to the associated appurtenances within the building at a cost not to exceed \$1,012,000; and it is further

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with W.M. Schultz Construction, Inc. of Ballston Spa, New York, for the provision of the performance of work relating to the upgrade of the Saratoga Springs pump station including new plumbing systems, a new bathroom, new seal water systems and ancillary piping within the building, at a cost not to exceed \$599,000; and it is further

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

RESOLVED, that the 2023 County budget is amended as follows:

UNDER SEWER DISTRICT

Increase Appropriations		
ES.81.812-7092	Infrastructure	\$1,611,000
Decrease Fund Balance		
ES-0599.B	Appropriated Fund Balance-Budgetary	\$1,611,000

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to increase appropriations and decrease Sewer fund balance by \$1,611,000.

## RESOLUTION 142 - 2023

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

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$16,650,000 SERIAL 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

WHEREAS, the County Board of Supervisors of the County of Saratoga, New York on August 17, 2021 adopted Resolution 238-2021, a Bond Resolution (the "Prior Bond Resolution") entitled "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"; and

WHEREAS, the County Board of Supervisors wishes to (i) authorize the expenditure and appropriation of additional funds in connection with the reconstruction of the Saratoga County Sewer District No. 1 (the "District") facilities in order to construct a Biosolids Digester Facility, and the acquisition of land or rights in land and acquisition of original furnishings, equipment, machinery or apparatus required in connection therewith (the "Project"); and (ii) authorize the issuance of additional serial bonds of the County to finance such additional appropriation; 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 Project at an estimated maximum cost not to exceed \$68,550,000, constituting an increase of \$16,650,000 over the amount previously authorized in the Prior Bond Resolution.

Section 2. The plan for financing such new maximum authorized cost of \$68,550,000 shall be as follows:

(a) By the issuance of \$51,900,000 of Serial Bonds of the County heretofore authorized to be issued pursuant to the Prior Bond Resolution; and

(b) By the issuance of an additional \$16,650,000 of Serial Bonds (the "Bonds") of the County authorized to be issued pursuant to this Resolution.

Section 3. It is hereby determined that the period of probable usefulness for the specific object or purpose is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law; provided, however, that the maximum maturity of the Bonds authorized shall be computed from the date of issuance of (a) the Bonds or the first bond anticipation note issued in anticipation of the Bonds authorized pursuant to this Resolution or (b) the bonds or bond anticipation notes authorized pursuant to the Prior Bond Resolution, whichever date is earlier.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized

pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. 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. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to issue bonds providing for level or substantially level or declining annual debt service, is hereby delegated to the County Treasurer, the Chief Fiscal Officer of the County.

Section 8. This resolution is intended to constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-2. Other than as specified in this resolution, no moneys are reasonably expected to be, received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the County Treasurer, the Chief Fiscal Officer, with the serial bonds and bond anticipation notes authorized by other bond resolutions previously or heretofore adopted by the Board of Supervisors of the County for purposes of sale in to one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolutions. All matters regarding the sale of the bonds, including the dated date of the bonds, the use of electronic bidding, the consolidation of the serial bonds and the bond anticipation notes with other issues of the County and the serial maturities of the bonds are hereby delegated to the County Treasurer, the Chief Fiscal Officer of the County.

The County Treasurer, as chief fiscal officer of the County, is further authorized to sell all or a portion of the Bonds and bond anticipation notes to the New York State Environmental Facilities Corporation ("EFC"); to execute and deliver on behalf of the County one or more Loan Agreements, Project Financing Agreements, and Letters of Intent with EFC and to accept the definitive terms of one or more Loan Agreements from EFC by executing and delivering one or more Term Certificates; and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain a loan or loans from EFC for all or a portion of the costs of the expenditures authorized by this Bond Resolution,

and perform the County's obligations under its Bonds and bond anticipation notes delivered to EFC, the Project Financing Agreements and the Loan Agreements.

Section 10. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the 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 or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. The County Treasurer, as Chief Fiscal Officer of the County, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the County to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12, as amended.

Section 12. This resolution, or a summary of this resolution, shall be published in the official newspapers of the County for such purpose, together with a notice of the Clerk of the County in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. This resolution is not subject to a mandatory or permissive referendum.

Section 14. The Board of Supervisors of the County hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 15. This resolution shall take effect immediately upon its adoption.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 143 - 2023

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

#### AMENDING AND APPROVING THE PROPOSED CONSTRUCTION OF A BIOSOLIDS DIGESTER FACILITY BY SARATOGA COUNTY SEWER DISTRICT NO. 1 AND ADOPTING A NEGATIVE DECLARATION UNDER SEQR

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

WHEREAS, for a variety of technical and financial reasons, the District was unable to comply with new federal Title V air regulations pertaining to the incineration of sludge/biosolids at the District's Wastewater Treatment Plant, and as a consequence thereof, terminated operations of the Plant's sludge incinerator on March 20, 2016; and

WHEREAS, as a result of ceasing operations of its sludge incinerator, the District had to retain the services of a commercial hauler to remove, transport and dispose of sludge/biosolids from its Treatment Plant; and

WHEREAS, a feasibility study has been completed by Arcadis of New York, Inc., reviewed by the members of the District Commission and filed with the Board of Supervisors pursuant to Section 268

of the County Law in relation to a proposed increase and improvement of the facilities of said District; and

WHEREAS, the construction of a biosolids management facility at Saratoga County Sewer District No. 1's wastewater treatment plant (the "Project") is necessary to ensure the long-term stability in the management and treatment of biosolids; and

WHEREAS, the biosolids facility currently proposed will utilize anaerobic digestion and a dryer to reduce volume, produce a Class A biosolids product for land application, and the biogas produced will be cleaned and potentially used as Renewable Natural Gas injected into the common utility owned pipeline; and

WHEREAS, following the public hearing held on August 17, 2021, the Board of Supervisors previously determined, pursuant to Resolution 237-2021 adopted August 17, 2021, that it is in the public interest of the people of the County of Saratoga residing within the boundaries of the District to undertake the Project at a maximum estimated cost of \$51,900,000, with an annual net cost to the typical property in the District as a result of the Project previously estimated to be \$5.08; and

WHEREAS, due to price increases and uncertainty in the bid market, the estimated maximum cost of the Project has increased from \$51,900,000 to \$68,550,000, and the estimated annual net cost to the typical property in said District as a result of such costs would increase from \$5.08 to an \$6.67; and

WHEREAS, the new design would add a new dryer facility, concrete tanks, and other equipment decisions which will allow for operational flexibility and value over the life of the equipment; and

WHEREAS, pursuant to Resolution 117-2023, this Board set a time for the holding of a public hearing on said increase and improvement of facilities in accordance with the feasibility study and estimate of cost; and

WHEREAS, pursuant to Resolution 117-2023, this Board authorized and directed the Clerk of the Board of Supervisors to publish the notice of public hearing and file a certified copy of such notice with the office of the State Comptroller; and

WHEREAS, said public hearing was duly held at the Chambers of the Saratoga County Board of Supervisors, 40 McMaster Street, in the Village of Ballston Spa, New York, in Saratoga County, on May 10, 2023, at 4:30 p.m.; and

WHEREAS, notice of said public hearing was duly published and filed in the manner provided by law and proof thereof was submitted to said Board of Supervisors; and

WHEREAS, the Saratoga County Board of Supervisors wishes to continue to reduce the volume and mass of biosolids not being utilized as a renewable gas source; and

WHEREAS, the Saratoga County Board of Supervisors proposes to address this issue by constructing a biosolids management facility that consists of sludge thickening and anaerobic digestion followed by dewatering and thermal drying in a sludge dryer, where biosolids will be disposed of by a third-party hauler. Biogas will be stored at lower pressure, conditioned, and introduced into the natural gas grid as renewable natural gas. Excess biogas will be utilized in boilers or flared; and

WHEREAS, the project which will treat 7,230 dry tons of biosolids in the digesters and 4,780 dry tons being dewatered and hauled off site annually, is consistent with the goals and objectives of the Saratoga County Sewer District; and

WHEREAS, the Saratoga County Board of Supervisors recognizes the importance of the Saratoga County Sewer Districts facility and has incorporated advancements in treating waste and utilizing it in a form of renewable energy sources; and

WHEREAS, this project is a Type I action pursuant to the State Environmental Quality Review Act (SEQR) and therefore subject to the implementing regulations of that law found in Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (“6 NYCRR Part 617”); and

WHEREAS, the Saratoga County Board of Supervisors has conducted coordinated review with the involved agencies pursuant to 6 NYCRR § 617.6 and no agencies objected to the Board’s request to act as Lead Agency; and

WHEREAS, the Saratoga County Board of Supervisors has reviewed the potential impacts identified in the Parts 1, 2 and 3 of the Environmental Assessment Form (“EAF”) and as a result has found no significant adverse environmental impacts will occur as a result of the project; and

WHEREAS, it would appear that the construction of said sewer facility improvements would be in the best interests of the people of the County of Saratoga residing within the boundaries of Saratoga County Sewer District No. 1; now, therefore be it

RESOLVED, that the Saratoga County Sewer District No. 1 declared its intent to act as Lead Agency, and the Saratoga County Board of Supervisors shall adopt and file the Negative Declaration in accordance with 6 NYCRR §617.7 and 617.12; and be it further

RESOLVED, that upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interests of the people of the County of Saratoga residing within the boundaries of the District to proceed with the expenditure for the District’s cost for construction of said sewer facility improvements, all as more fully described in the preambles hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$68,550,000; and be it further

RESOLVED, the expense of said increase and improvement of facilities shall be financed by the issuance of bonds in an amount not to exceed \$68,550,000 of said County and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be apportioned in accordance with the Sewer 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 will be amended and adopted on an annual basis, with the expectation that any funds received by the District from New York State grants shall be used to pay a part of the cost of the project or to pay debt service on bonds issued to finance the project or shall be budgeted as an offset to such assessments to be levied and collected; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

## RESOLUTION 144 - 2023

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

## AUTHORIZING PAYMENT TO AMCS GROUP INC. FOR AN ASSET MANAGEMENT PROGRAM FOR SARATOGA COUNTY SEWER DISTRICT NO. 1

WHEREAS, Resolution 162-2022 authorized a renewal of an agreement with Advanced Enterprise Systems Corporation, d/b/a Utility Cloud to provide computerized maintenance management and asset management software for the maintenance of the Sewer District's infrastructure, at a cost of \$40,000 annually, for a term of three (3) years; and

WHEREAS, Advanced Enterprise System Corporation, d/b/a/ Utility Cloud was acquired by AMCS Group Inc. and is now known by AMCS Group Inc.; and

WHEREAS, the three (3) year renewal term authorized by Resolution 162-2022 has not yet expired, and does not authorize payment to AMCS Group Inc. with a different tax identification number; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District Commission and the Sewer District's Executive Director have recommended that the Saratoga County Auditor be authorized to provide payment to AMCS Group Inc. for computerized maintenance management and asset management software for the maintenance of the Sewer District's infrastructure for the remainder of the three (3) year term, at a cost not to exceed \$40,000 per year; now, therefore, be it

RESOLVED, that the Saratoga County Auditor is authorized to provide payment to AMCS Group Inc. of Boston, MA for computerized maintenance management and asset management software for the maintenance of the Sewer District's infrastructure for the remainder of the three (3) year term, at a cost not to exceed \$40,000 per year; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

## RESOLUTION 145 - 2023

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

## AMENDING RESOLUTION 120-2023 TO REVISE THE AUTHORIZED CONTRACT AMOUNT FOR THE AGREEMENT WITH WM J KELLER &amp; SONS CONSTRUCTION FOR WORK ASSOCIATED WITH UPGRADING SARATOGA COUNTY SEWER DISTRICT NO.1'S D &amp; R PUMP STATION LOCATED IN THE TOWN OF HALFMOON

WHEREAS, the Saratoga County Sewer District No. 1 D&R pump station located in the Town of Halfmoon has reached the end of its useful life and requires upgrading; and



WHEREAS, the Sewer District's Executive Director solicited bids for the D & R Pump Station upgrades; and

WHEREAS, pursuant to Resolution 120-2023, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District recommended that the bid of WM J Keller & Sons in the amount of \$468,679, the lowest bid received, be accepted for general construction associated with the D & R Pump Station upgrades; and

WHEREAS, it is necessary to amend Resolution 120-2023 to correct a typographical error in the Resolved paragraph for the authorized agreement with WM J Keller & Sons for a cost not to exceed \$468,679 as recommended; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that Resolution 120-2023 be amended to correct the typographical error in the Resolved paragraph for the authorized agreement with WM J Keller & Sons for a cost not to exceed \$468,679 as recommended; now therefore be it

RESOLVED, that the first RESOLVED paragraph of Resolution 120-2023 is amended as follows:

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with WM J Keller & Sons of Castleton-On-Hudson, New York to provide general construction associated with the D & R Pump Station upgrades at a cost not to exceed \$468,679; and it is further

RESOLVED, that the provisions of Resolution 120-2023, not inconsistent with this amending Resolution shall remain in full force and effect; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 146 - 2023

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

#### AUTHORIZING AN AMENDMENT TO THE 2023 COUNTY BUDGET TO FUND EXPENSES ASSOCIATED WITH THE COUNTY'S TAX FORECLOSURE ACTIONS

WHEREAS, the statewide moratorium imposed by the COVID-19 Emergency Eviction and Foreclosure Act of 2020 resulted in a significant backlog of delinquent tax parcels subject to real property tax foreclosure enforcement by Saratoga County; and

WHEREAS, the County's delinquent tax parcels ripe for tax foreclosure enforcement include tax liens from tax years 2019, 2020, and 2021; and

WHEREAS, title searches are required to identify the owner or owners, and any person or entity that has any right, title, or interest in, the delinquent tax parcels for purposes of serving the tax foreclosure petition upon these parties; and

WHEREAS, the County has concluded the required title searches for the 2019 tax year liens, but has not conducted title searches for the 2020 and 2021 tax year liens; and

WHEREAS, a backlog of title searches for the 2020 and 2021 tax year liens exists; and

WHEREAS, it is in the interest of the County to perform these title searches to initiate tax foreclosures proceedings and return the property to the tax rolls; and

WHEREAS, our Law and Finance Committee, the Director of the Office of Real Property Tax Service, and County Treasurer as the Tax Enforcing Officer, recommend expediting title searches to allow the County to initiate tax foreclosure proceedings on delinquent tax parcels; now, therefore, be it

RESOLVED, that this Board authorize the transfer of \$75,000 to fund multiple minor contracts outsourcing titles searches of delinquent tax parcels for tax years 2020 and 2021; and it is further

RESOLVED, that the Budget Officer is hereby authorized to enter the appropriate journal entries to reflect the approved budget transfer; and it is further

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

UNDER COUNTY TREASURER

Increase Appropriations:

A.16.000-8190	Other Professional Services	\$75,000
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Decrease Fund Balance:

A-0599.B	Appropriated Fund Balance-Budgetary	\$75,000
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; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to increase appropriations and decrease the fund balance by \$75,000.

RESOLUTION 147 - 2023

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

AUTHORIZING THE AMENDMENT OF AN AGREEMENT BETWEEN THE COUNTY OF SARATOGA, TOWN OF MALTA, AND LUTHER FOREST TECHNOLOGY CAMPUS ECONOMIC DEVELOPMENT CORPORATION (“LFTCEDC”), AND AUTHORIZING THE COUNTY’S CONSENT TO AN ASSIGNMENT OF THE AGREEMENT FROM LFTCEDC TO GLOBALFOUNDRIES INNOVATION, LLC

WHEREAS, pursuant to Resolutions 199-2015 and 217-2015 this Board authorized an Agreement (“the 2015 Three-Party Agreement”), dated December 30, 2015, between the County of Saratoga (“County”), the Town of Malta (“Town”), and the Luther Forest Technology Campus Economic Development Corporation (“LFTCEDC”) that set forth the responsibilities of the parties in

the maintenance and upkeep of the roadways located within the technology campus and Town, and the areas adjacent to the roadways (“non-standard areas”); and

WHEREAS, the Town has expressed concerns regarding about language in the Three-Party Agreement that may commit the Town to construct and maintain future roadways; and

WHEREAS, the County, Town and LFTCEDC agree to amend the 2015 Three-Party Agreement; and

WHEREAS, the LFTCEDC has conveyed to GlobalFoundries Innovation, LLC (“GlobalFoundries”) all its rights title and interests to the real property that comprises the Luther Forest Technology Campus; and

WHEREAS, LFTCEDC wishes to assign their rights, duties and obligations under the 2015 Three-Party Agreement to GlobalFoundries through a proposed Assignment and Assumption Agreement; and

WHEREAS, LFTCEDC and GlobalFoundries have requested this Board consent and agree to the terms of the proposed Assignment and Assumption agreement wherein the rights, titles, interests and obligations of LFTCEDC would be assigned to GlobalFoundries; and

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

RESOLVED, that the Chair of the Board is authorized to execute and otherwise provide consent to an Assignment and Assumption Agreement between Luther Forest Technology Campus Economic Development Corporation and GlobalFoundries Innovations, LLC, providing for amendment to and an assignment of the 2015 Three-Party Agreement, dated December 30, 2015, between the County, Town and Luther Forest Technology Campus Economic Development corporation related to the maintenance of roadways in the Town of Malta within the Luther Forest Technology Park, be assigned to GlobalFoundries Innovations, LLC; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 148 - 2023

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

#### APPOINTING MEMBERS TO THE COUNTY PLANNING BOARD

WHEREAS, Resolution 48-61, as amended by Resolutions 74-65 and 56-73, established the County Planning Board; and

WHEREAS, the terms of certain members of the Planning Board have expired; now, therefore, be it

RESOLVED, that the following people are reappointed as members of the County Planning Board for the stated terms:

Name	Municipality	Terms Expires
Marcia Murray 24 Mallard Cove Ballston Lake, NY 12019	Town of Malta	05/31/2028
Tom L. Lewis 60 Franklin Street Saratoga Springs, NY 12866	City of Saratoga Springs	05/31/2028

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 149 - 2023

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

APPOINTING A MEMBER TO THE COUNTY FIRE ADVISORY BOARD

WHEREAS, pursuant to County Law §225-a, the Board of Supervisors created the County Fire Advisory Board; and

WHEREAS, the terms of the present board members have expired and the seat was vacant; now, therefore, be it

RESOLVED, that the following individual be appointed as a member of the County Fire Advisory Board for terms expiring on December 31, 2024:

MUNICIPALITY	NAME AND ADDRESS
Town of Hadley	Heather Emerick 3 Gurney Lane, Corinth, NY 12822

; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 150 - 2023

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

#### APPOINTING A COMMISSIONER OF SOCIAL SERVICES

WHEREAS, pursuant to Resolution 296-2022 Tina Potter was reappointed as Commissioner of Social Services for the County of Saratoga for a term of five (5) years commencing on October 26, 2022 and ending on October 25, 2027; and

WHEREAS, Commissioner Potter will be retiring on June 1, 2023; and

WHEREAS, Social Services Law Section 116 establishes the term of a local Commissioner of Social Services at five years; and

WHEREAS, our Law and Finance Committee has recommended that Patrick Maxwell be appointed as Commissioner of Social Services for a term of five years; now, therefore, be it

RESOLVED, that Patrick Maxwell is hereby appointed as Commissioner of Social Services for the County of Saratoga, at a salary of \$130,984 for a term of five (5) years commencing on June 2, 2023 and ending on June 1, 2028; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

Ms. Gaston requested a separate vote on Resolution 127. Discussion ensued.

On a motion by Mr. Wright, seconded by Ms. Gaston, Resolution #127 was adopted by the following vote.

AYES (173,193.5): Eric Connolly (11831), Joseph Grasso (4328), Philip C. Barrett (19014.5), Jonathon Schopf (19014.5), Diana Edwards (819), Kevin Veitch (8004), Arthur M. Wright (1976), Mark Hammond (17130), Thomas Richardson (5163), Scott Ostrander (18800), Theodore Kusnierz (16202), Sandra Winney (2075), Matthew E. Veitch (14245.5), Edward D. Kinowski (9022), John Lawler (8208), John Lant (17361)

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

ABSENT (48,070): Eric Butler (6500), Jean Raymond (1333), Michael Smith (3525), Kevin Tollisen (25662), Willard H. Peck (5242), Thomas N. Wood, III (5808)

#### RESOLUTION 127 - 2023

Introduced by Legislative and Government Affairs: Supervisors Butler, Hammond, Lant, K. Veitch and Winney

OPPOSING PASSAGE OF CONSERVATION SUBDIVISION DESIGN BILL A04608 AND CORRESPONDING SENATE BILL

WHEREAS, bill number A04608 has been introduced in the New York State Assembly, and the bill would require residential subdivisions within the Adirondack Park that meet lot size thresholds to comply with conservation design criteria that are more stringent than current residential subdivision requirements; and

WHEREAS, the proposed legislation would affect property with acreage as low as 3.2 acres and mandates private property owners to incur undue financial burdens by hiring consultants to complete ecological evaluations, assessments and concept plans and will also add considerable time to proposed developments; and

WHEREAS, the proposed legislation could eliminate the potential for development on certain lands constituting a “taking” without just compensation when current laws, regulations and policies already protect and regulate private lands in the park; and

WHEREAS, the agency mandated by law to regulate private lands in the Adirondack Park, the Adirondack Park Agency, has already adopted a Large-scale Subdivision Application program that incorporates many of the same action items in the proposed Conservation Subdivision Design Bill; and

WHEREAS, implementation of the Adirondack Park Agency Large-scale Subdivision Application is arguably more protective of environmental resources than the Conservation Subdivision Design Bill allows for; and

WHEREAS, there are more than 3.3 million acres of a 5.9 million-acre Adirondack Park that will never be developed or subdivided; and

WHEREAS, of the remaining 2.6 million acres of private land, existing development, roads, lakes, rivers, streams, steep slopes, wetlands and high elevations are not suitable for development; and

WHEREAS, the proposed legislation would amend the existing Adirondack Park Agency Act which has been in effect for 50 years; and

WHEREAS, the Adirondack Park Agency, without any conditions or parameters outlined in the law, will be charged with undertaking site evaluations and the authority to propose additional conditions vaguely allowed in the law incident to the development of property and ecological issues; and

WHEREAS, the proposed Bill places an additional burden on property owners within the Adirondack Park which is not necessary to protect the environment and ecological systems and is not beneficial to the well-being of the Adirondack Park and its residents; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors does not approve of the proposed Bill; and it is further

RESOLVED, that the Saratoga County Board of Supervisors does hereby call upon local governments to stand together, individually and through its associations to insist that the Conservation Subdivision Design Bill A04608 be withdrawn; and it is further

RESOLVED, that copies of this resolution be forwarded to: Governor Kathy Hochul, Congressman Paul Tonko, Senator James Tedisco, Assemblymember Mary Beth Walsh, Assemblymember Matthew Simpson, Assemblymember John McDonald, Assemblymember Carrie Woerner, NYS Senate Majority Leader Andrea Stewart-Cousins, and NYS Assembly Speaker Carl E. Heastie; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

PUBLIC INPUT

Public comment was given by the following residents:

Name	Municipality	Subject
Darlene McGraw	Halfmoon	ADA/Traffic
Mayor Frank Rossi, Jr.	Ballston Spa	Narcan Training

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

Respectfully submitted,

Therese M. Connolly  
Clerk of the Board