

REGULAR MEETING  
TUESDAY, June 20, 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), Eric Butler (6500), Diana Edwards (819), Jean Raymond (1333), Michael Smith (3525), Kevin Veitch (8004), Arthur M. Wright (1976), Kevin Tollisen (25662), Mark Hammond (17130), Thomas Richardson (5163), Scott Ostrander (18800), Theodore Kusnierz (16202), Sandra Winney (2075), Matthew E. Veitch (14245.5), Edward D. Kinowski (9022), John Lawler (8208), John Lant (17361) - 20

ABSENT – Willard H. Peck (5242), Thomas N. Wood, III (5808), Tara N. Gaston (14245.5) - 3

The invocation was given by Craig Hayner, Chaplain.

Supervisor Smith introduced his guest Lilly Frederick, a junior student at Galway High School. Lilly is interested in a career in government.

On a motion by Mr. Schopf, seconded by Mr. Butler, the minutes of the May 16, 2023 Board meeting was unanimously approved.

The Clerk presented the following:

#### CORRESPONDENCE

Thank you note from the Northville Central School District for the Fish Stocking Day.

Received and Filed, Copy to all Supervisors

Thank you cards from several County Departments for the Annual Employee Appreciation Day.

Received and Filed

#### REPORTS OF COMMITTEES

There were no reports of Committees.

On a motion by Mr. Hammond, seconded by Mr. Barrett, Resolutions 151 through 176 with the exception of Resolution #'s 159, 168, 174 and 176 were adopted by a unanimous vote.

#### RESOLUTION 151 - 2023

Introduced by Health and Human Services: Supervisors Barrett, Lant, Ostrander, Richardson, Schopf, Wood and Wright

**AUTHORIZING USE OF OPIOID SETTLEMENT FUNDS BY SARATOGA COUNTY DEPARTMENT OF HEALTH TO SUPPORT PREVENTION PROGRAMS, PREVENT MISUSE OF OPIOIDS, AND PREVENT OVERDOSE DEATHS AND OTHER HARMS, AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO**

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

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

WHEREAS, due to settlement of certain lawsuits, the County of Saratoga received funds to be utilized for opioid remediation to address the misuse and abuse of opioid products, to treat or mitigate opioid use or related disorders, or mitigate other alleged effects of the opioid epidemic, including, but not limited to utilization of naloxone or other FDA-approved drugs to reverse opioid overdoses, drug disposal systems, fentanyl and xylazine test strips; evidence-based data collection, and research analyzing the effectiveness of the abatement strategies within the state; and

WHEREAS, the Saratoga County Department of Health (DOH), will increase availability and distribution of naloxone with naloxbox program, and purchase additional ancillary supplies, such as drug disposal systems and drug test strips, to be included in the County’s Overdose Rescue kits, which will be distributed at community events, and will be displayed on the County Dashboard shared with the community-based organizations; and

WHEREAS, our Health and Human Services Committee, and the Commissioner of Health have recommended the authorization of opioid funds to support the DOH’s initiatives to combat substance use disorder including the necessary budget amendments; now, therefore, be it

RESOLVED, that opioid settlement funds received by the County of Saratoga in the amount of \$72,000 are authorized to be used to support the DOH’s initiatives to combat substance use disorder, including but limited to: increase the availability and distribution of naloxone with naloxbox program, and purchase additional ancillary supplies, such as drug disposal systems and drug test strips, to be included in the County’s Overdose Rescue kits, which will be distributed at community events, and will be displayed on the County Dashboard shared with the community-based organizations, and including the necessary budget amendments; and it is further

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

**SARATOGA COUNTY DEPARTMENT OF HEALTH**

Increase Revenues		
A.40-2727	Opioid Revenues	\$ 72,000.00
Increase Appropriations		
A.40.408-8519	Personal Safety Supplies	\$ 69,000.00
A.40.408-8200	Department Supplies	\$ 3,000.00

; 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 152 - 2023

Introduced by Health and Human Services: Supervisors Barrett, Lant, Ostrander, Richardson, Schopf, Wood and Wright

AUTHORIZING ACCEPTANCE OF YEAR 10 LOCAL HEALTH DEPARTMENT PERFORMANCE INCENTIVE AWARD FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, AND AMENDING THE 2023 BUDGET IN RELATION THERETO

WHEREAS, the New York State Department of Health (DOH) has awarded \$22,208 to Saratoga County Department of Health for its participation in Year 10 of the Local Health Department (LHD) Performance Incentive Program; and

WHEREAS, the acceptance of this LHD Performance Incentive Award requires this Board’s approval and an amendment to the 2023 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all documents necessary to accept a Year 10 Local Health Department Performance Incentive Award in the amount of \$22,208 from the New York State Department of Health; 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 the 2023 Saratoga County Budget is hereby amended as follows:

UNDER PUBLIC HEALTH SERVICES

Increase Revenues:

A.40-3401 Nursing Service/State Aid \$22,208

Increase Appropriations:

A.40.409-7033	Personal Computers	\$ 7,400
A.40.409-8200	Departmental Supplies	\$ 4,183
A.40.409-8190	Other Professional Services	\$ 1,625

Increase Fund Balance:

A-0599.B Appropriated Fund Balance-Budgetary \$ 9,000

and, be it 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 and increase fund balance by \$9,000.

RESOLUTION 153 - 2023

Introduced by Health and Human Services: Supervisors Barrett, Lant, Ostrander, Richardson, Schopf, Wood and Wright

AUTHORIZING USE OF OPIOID SETTLEMENT FUNDS BY SARATOGA COUNTY DEPARTMENT OF HEALTH TO SUPPORT SUBSTANCE MISUSE EDUCATION PROGRAMS FOR YOUTH, AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO

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

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

WHEREAS, due to settlement of certain lawsuits, the County of Saratoga received funds to be utilized for opioid remediation to address the misuse and abuse of opioid products, to treat or mitigate opioid use or related disorders, or mitigate other alleged effects of the opioid epidemic, including, but not limited to corrective advertising or affirmative public education campaigns based on evidence, funding evidence-based prevention programs in schools, and school-based programs that have demonstrated effectiveness in preventing drug misuse; and

WHEREAS, the Saratoga County Department of Health (DOH), has identified school-based programs presented by Herren Talks, Inc. and Speak Sobriety LLC to be presented to students in several schools throughout Saratoga County to support school-based programs to prevent drug misuse; and

WHEREAS, our Health and Human Services Committee, and the Commissioner of Health have recommended the authorization of opioid funds to support the DOH's initiative to provide school-based programs to prevent drug misuse now, therefore, be it

RESOLVED, that opioid settlement funds received by the County of Saratoga in an amount not to exceed \$44,000 are authorized to be used to support the DOH's initiatives to provide school-based programs to prevent drug misuse, including related travel expenses associated with the presentations, by Herren Talks, Inc. and Speak Sobriety LLC, and the necessary budget amendments; and it is further

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Herren Talks, Inc. of Portsmouth, Rhode Island to provide school-based programs to prevent drug misuse, including related travel expenses associated with the presentations, in an amount not to exceed \$30,000; and, it is further

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

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

SARATOGA COUNTY DEPARTMENT OF HEALTH

Increase Revenues		
A.40-2727	Opioid Revenues	\$ 44,000.00
Increase Appropriations		
A.40.408-8190	Professional Services	\$ 44,000.00

; 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 154 - 2023

Introduced by Health and Human Services: Supervisors Barrett, Lant, Ostrander, Richardson, Schopf, Wood and Wright

AUTHORIZING AN AGREEMENT WITH NIXON PEABODY, LLP  
FOR THE PROVISION OF PROFESSIONAL LEGAL SERVICES

WHEREAS, Saratoga County Department of Health is transitioning to a Full-Service Health Department, and such transition requires extensive and specialized legal representation including regulatory, grant administration, compliance and licensing components; and

WHEREAS, the County previously entered into a contract with Nixon Peabody, LLP for professional legal services related to the Department of Health’s transition to a full-service health department; and

WHEREAS, Nixon Peabody, LLP has demonstrated exceptional quality of legal services rendered; and

WHEREAS, Nixon Peabody, LLP has submitted a Letter of Engagement dated May 25, 2023, to provide legal services required for the enforcement of the New York State Sanitary Code, and other legal counsel related to assisting the Department of Health with its transition to a Full-Service Local Health Department, as needed and requested, for the term June 1, 2023 through June 1, 2025, at the rate of \$300 per hour for new associates up to \$650 per hour for services provided by senior partners, and \$200 to \$275 per hour for services provided by legal assistants; plus any additional charges including but not limited to: duplicating, messenger and delivery, travel, and filing fees, with an allocation for overhead to those charges as appropriate;; and

WHEREAS, the Health and Human Services Committee and the Commissioner of the Department of Health have recommended that the County enter into an agreement with Nixon Peabody, LLP for professional legal services; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Nixon Peabody, LLP of Albany, New York, for professional legal services related to general and specialized legal matters, including, but not limited to providing legal services required for the enforcement of the New York State Sanitary Code, and other legal counsel related to assisting the Department of Health with its transition to a Full-Service Local Health Department, for the term of two (2) years commencing June 1, 2023 and continuing through June 1, 2025 at the rate of \$300 per hour for new associates up to \$650 per hour for services provided by senior partners, and \$200 to \$275 per hour for services provided by legal assistants; plus any additional charges including but not limited to: duplicating, messenger and delivery, travel, and filing fees, with an allocation for overhead to those charges as appropriate; and be it further

RESOLVED, that the form and content of such an agreement shall be subject to the approval of the County Attorney.

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

RESOLUTION 155 - 2023

Introduced by Health and Human Services: Supervisors Barrett, Lant, Ostrander, Richardson, Schopf, Wood and Wright

ADOPTING A FEE SCHEDULE FOR SARATOGA COUNTY DEPARTMENT OF HEALTH'S ENVIRONMENTAL HEALTH PROGRAMS

WHEREAS, 10 NYCRR 40-4.1 establishes a Fee Schedule for Environmental Health Programs, in which the department must charge a fee for granting of a permit, inspection, or other services prerequisite to the issuance of a permit, or other environmental health services; and

WHEREAS, 10 NYCRR 40-4.1 establishes annual fees for facility inspection and permit issuance services, where such services are provided by the department and not directly provided by the municipality, are based on the costs of providing such services and shall be revised periodically; and

WHEREAS, the Health and Human Services committee and the Commissioner of the Department of Health have recommended that the County adopt the New York State Department of Health's Fee Schedule for Environmental Health Programs integrating it into Saratoga County Department of Health's Fee and Fine on an annual basis under 10 NYCRR 40-4.1; now, therefore, be it

RESOLVED, that the Board of Supervisors hereby authorizes and approves the adoption of the New York State Department of Health's Fee Schedule for Environmental Health Programs integrating it into Saratoga County Department of Health's Fee and Fine on an annual basis under 10 NYCRR 40-4.1 as listed below:

Food service establishments, taverns, bars

Seating Capacity 100 or less, including takeout or stand-up service	\$ 75.00
Seating Capacity 101 or more	\$150.00
Caterers and Commissaries	\$200.00

Temporary Food Service and Mobile Vendors	\$ 30.00
Hotels, Motels, Cabins, Cottage Colonies	
Number of rental units 1-20 units	\$ 50.00
Number of rental units 21-50	\$100.00
Number of rental units 51-100	\$150.00
Number of rental units 101-200	\$200.00
Number of rental units 201+	\$400.00
Additional Food service dining areas (such as a cocktail lounge, night club, etc.)	
Capacity 1 - 100 add \$50.00 for each separate area/facility	
Capacity 101 or more add \$100.00 for each separate area/facility	
Additional Pool add \$30.00 for each separate pool	
Additional Beach add \$20.00 for each separate beach	
Campgrounds, Travel Trailer, and RV Parks	
Number of Sites 50 or less	\$ 50.00
Number of Sites 51 – 200	\$ 75.00
Number of Sites 201 - 500	\$ 100.00
Number of Sites 501 - 750	\$ 150.00
Number of Sites 751 or more	\$ 250.00
Additional food service dining areas (such as a cocktail lounge, night club, etc.)	
Capacity 1 - 100 add \$50.00 for each separate area/facility	
Capacity 101 or more add \$100.00 for each separate area/facility	
Additional Pool add \$30.00 for each separate pool	
Additional Beach add \$20.00 for each beach	
Mobile Home Parks	
Number of sites less than 50	\$ 50.00

Number of sites 50-100	\$ 100.00
Number of sites 101 or more	\$ 200.00
Additional pool add \$30.00 for each separate pool	
Additional Beach add \$20.00 for each separate beach	
Migrant Farmworker Housing	
Occupancy of 5 - 50	\$ 50.00
Occupancy of 51 or more	\$ 100.00
Swimming Pools and Common Use Spa Pools	
Maximum permitted number of bathers (25 sq. ft./bather)	
Number of permitted bathers 1 - 100	\$ 50.00
Number of permitted bathers 101 or more plus wave pools and slides	\$ 100.00
Bathing Beaches	
Less than 5000 sq. ft.	\$ 30.00
5000 sq. ft. or more	\$ 70.00
Indoor Tanning Facilities	
Bed Fee for 2 years - Multiply \$50 x number of beds and/or booths \$50 x #beds/booths	
Inspection fee for 2-year permit	\$30/2 years
Multipurpose Recreational Facilities	
Base fee for primary service (food, pool, beach, etc. as designated by operator)	\$ 500.00
Additional services (other than primary)	
Food service add \$50.00 for each separate area/facility	
Pool add \$30.00 for each separate area/facility	
Beach add \$20.00 for each separate area/facility	
Community Water Supplies	
Population Served: Less than 1000	\$ 100.00



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Population served 1000 – 9999	\$ 500.00
Population served 10,000 or more	\$1,000.00
Unpermitted Noncommunity Water Supplies	\$ 100.00
Mass Gatherings, Including Plan Review	\$ 500.00
Public Functions of Over 5000 People Not Constituting Mass Gatherings	
Number of emergency health care units Less than 3	\$ 100.00
Number of emergency health care units 3 or more	\$ 200.00
Children's Camps	\$ 200.00
Frozen Desserts (soft ice cream)	\$ 25.00
Engineering / Architectural Plan review fee (per project)	
Food Service Establishments, Caterers, Commissaries, etc.	\$ 75.00
Hotels, Motels, Cabins, Cottage Colonies.	
Number of stories or structures 1 or 2	\$ 50.00
Number of stories or structures 3 or more	\$ 200.00
Campgrounds and Travel Trailer Parks	\$ 100.00
Mobile Home Parks	\$ 100.00
Migrant Farmworker Housing	\$ 50.00
Swimming Pools and Bathing Beaches	
100 - 5000 sq. ft.	\$ 100.00
5001 sq. ft. or more	\$ 150.00
Wave pools, slides, spa pools	\$ 150.00
Realty Subdivisions (as prescribed by Public Health Law, section 1119)	\$ 25.00/lot
Community and Noncommunity Water Supply	
Cost of Project Less than \$10,000	\$ 50.00
Cost of Project \$10,000 - \$100,000	\$ 100.00
Cost of Project more than \$100,000	\$ 200.00

Individual Sewage System. (alternative design) \$ 50.00

; and it is further

RESOLVED, that this Resolution shall take effect immediately

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 156 - 2023

Introduced by Public Works: Supervisors Barrett, Edwards, Lawler, Schopf, Smith, M. Veitch and Wood

#### AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF WILTON AND AMENDING THE 2023 BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 192-2022, this board authorized funds received under the American Rescue Plan Act of 2021 to be used for the Rehabilitation of County Road 33 (CR 33) in the town of Wilton; and

WHEREAS, pursuant to Resolution 235-2022, the board authorized an agreement with Greenman-Pedersen, Inc., of Babylon, New York, for design and construction inspection services associated with the rehabilitation of CR 33 in the Town of Wilton; and

WHEREAS, the Town of Wilton is requesting improvements on Town owned infrastructure that abut CR 33/Ballard Road; and

WHEREAS, the estimated budget for the project which did not include the Town of Wilton improvements was \$1,476,597, and the lowest bidder for the project is \$2,263,529; and

WHEREAS, it is appropriate that the County of Saratoga enter into an intermunicipal agreement with the Town of Wilton, and the Town's portion of the total project cost is \$587,651, which includes an additional fee of \$16,000 for Greenman-Pedersen, Inc for construction administration and inspection services for the Town of Wilton's infrastructure; and

WHEREAS, the remaining cost that exceeds the original budget will be funded through additional CHIPS funding the County has received totaling \$215,282; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an Intermunicipal Agreement with the Town of Wilton to effectuate the necessary highway improvements within the CR 33 corridor, with the Town of Wilton responsible for \$587,651, and the remaining cost that exceeds the original budget will be funded through additional CHIPS funding the County has received totaling \$215,282; and it is further

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement with Greenman-Pederson, Inc. of Babylon, New York, for an additional amount of \$16,000 for construction administration and inspection services for the Town of Wilton's infrastructure; and it is further

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

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

UNDER PUBLIC WORKS

Increase Revenues

D.50-2306	Roads and Bridges	\$587,651
D.50-3590	State-Aid Transportation	\$215,282

Increase Appropriations

D.50.510-7502	Contracted Highway Srv	\$786,933
D.50.510-8130	Architects/Engineers	\$ 16,000

; 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 157 - 2023

Introduced by Building and Grounds: Supervisors M. Veitch, Barrett, Connolly, Edwards, Lant, Ostrander and Smith

AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF NEW YORK FOR THE LEASE OF OFFICE SPACE IN THE SERVICES BUILDING FOR OCCUPANCY BY THE NEW YORK STATE DEPARTMENT OF LABOR

WHEREAS, Resolution 61-2018 authorized a lease of approximately 610 square feet of office space within the Saratoga County Office of Employment and Training, located in the County’s Services Building at 152 West High Street, Ballston Spa, to the New York State Department of Labor (“NYSDOL”) for occupancy by the NYSDOL through June 30, 2023; and

WHEREAS, the NYSDOL desires to renew said lease for an additional term of five (5) years; and

WHEREAS, the NYSDOL has obtained the required State approvals to renew its lease with the County for a term of five years at an average annual increase in the rental rate of 5% per annum; and

WHEREAS, our Buildings and Grounds Committee and the Commissioner of Public Works have recommended that the County execute a Memorandum of Understanding with the State of New York for the State’s lease of 610 sq. ft. of office space for occupancy by the NYSDOL for a term of five (5) years commencing on July 1, 2023; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a Memorandum of Understanding with the State of New York for the lease of office space in the County’s Services Building

within the Saratoga County Office of Employment and Training, for occupancy by the New York State Department of Labor, for a term of five (5) years upon the following terms:

Area to be leased:	610 sq. ft.
Term of Lease:	07/01/23-06/30/28
Monthly Rent:	\$796.83
Annual Rent:	\$9,107.30

and, be it further

RESOLVED, that the form of such Memorandum of Understanding shall be subject to the approval of the County Attorney.

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

#### RESOLUTION 158 - 2023

Introduced by Buildings and Grounds: Supervisors M. Veitch, Barrett, Connolly, Edwards, Lant, Ostrander and Smith

#### AUTHORIZING PAYMENT TO CPC DEVELOPMENT I, LLC FOR THE LEASE OF SPACE FOR A SATELLITE OFFICE FOR THE SARATOGA COUNTY DEPARTMENT OF MOTOR VEHICLES

WHEREAS, Resolution 219-2018 authorized an agreement with CCM Associates of Clifton Park LLC for the lease of space at the Clifton Park Center Mall, 22 Clifton Country Road, for a satellite office for the County's Department of Motor Vehicles for a term of five (5) years, subject to renewal for up to two (2) additional terms of five (5) years each; and

WHEREAS, CCM Associates of Clifton Park LLC has sold its right, title and interest in 22 Clifton Country Road, 303 Clifton Country Road and 309 Clifton Country Road, Town of Clifton Park, NY to: CPC Development I, LLC, CPC Development II, LLC, CPC Development III, LLC, CPC Development VI, LLC, CPC Development VII, LLC, CPC Development VIII, LLC and CPC Development IX, LLC (collectively the "New Owner"); and

WHEREAS, the lease authorized by Resolution 219-2018 has not yet expired, and the New Owner has received an assignment of the County's lease and has agreed to perform all obligations of Landlord with respect to the property as of March 10, 2023; and

WHEREAS, the New Owner has requested that all rental payments be made to CPC Development I, LLC, and Resolution 219-2018 does not authorize payment to CPC Development I, LLC; and

WHEREAS, our Building and Grounds Committee and the County Clerk have recommended that the Saratoga County Auditor be authorized to provide payment to CPC Development I, LLC for the lease of space for a satellite office for the Saratoga County Department of Motor Vehicles located at 22 Clifton Country Road, Clifton Park, NY for the remainder of the lease term; now, therefore, be it

RESOLVED, that the Saratoga County Auditor is authorized to provide payment to CPC Development I, LLC for the lease of space for a satellite office for the Saratoga County Department of Motor Vehicles located at 22 Clifton Country Road, Clifton Park, NY for the remainder of the lease term; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 160 – 2023

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

AMENDING THE POLICIES AND PROCEDURES MANUAL UNDER VOUCHER AUDIT PROCEDURE

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

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

WHEREAS, the annual review of the Manual, mandated by Section 104-b of the General Municipal Law, has disclosed the appropriateness of revisions proposed by the Board’s Legislative and Government Affairs Committee to the County’s Voucher Audit Procedure; and

WHEREAS, a copy of the Legislative and Government Affairs Committee’s proposed revised Voucher Audit Procedure was provided to each member of this Board; and

WHEREAS, the Legislative and Government Affairs Committee, the Law and Finance Committee, and the County Auditor have recommended that the Voucher Audit Procedure be amended as proposed; and

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

RESOLVED, that the following section of the Saratoga County Policies and Procedures Manual is amended to revise the Voucher Audit Procedure, as more particularly described in the Legislative and Government Affairs proposal:

CHAP/SECTION	TITLE LAST AMENDED	RESOL.	
2 G	Voucher Audit Procedure	July 2021	212 of 2021

; and it is further

RESOLVED, that the Human Resources Department shall distribute copies of this amendment to all County departments and agencies.

BUDGET IMPACT STATEMENT: No budget impact.

## RESOLUTION 161 - 2023

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

AMENDING RESOLUTION 109-2022 AND AUTHORIZING AN AMENDED AGREEMENT WITH JACQUELINE BASHKOFF, PH.D., FOR THE PROVISION OF EXPERT PSYCHOLOGICAL SERVICES TO ASSIST THE PUBLIC DEFENDER'S OFFICE

WHEREAS, pursuant to Resolution 146-2015, this Board authorized the Chair to execute an agreement with Jacqueline Bashkoff, Ph.D., for the provision of expert psychological services to assist the Public Defender's Office in the representation of their clients at a cost not to exceed \$20,000 for the term January 1, 2015 through December 31, 2015, subject to annual renewal, at the reduced hourly rate of \$150 for both in-court and out-of-court services effective as of July 1, 2015; and

WHEREAS, pursuant to Resolution 109-2022, due to an increased need for expert psychological services in 2021, the cost for services provided by Dr. Bashkoff exceeded the contract amount of \$20,000 and totaled \$35,447, and this Board authorized the Chair to execute an amended agreement with Dr. Bashkoff for the cost not to exceed \$35,447, only for calendar year 2021; and

WHEREAS, in the first quarter of calendar year 2023, the contract amount of \$20,000 has already been met, and an additional cost of \$30,000 for services provided by Dr. Bashkoff by the end of calendar year 2023 is anticipated, due to an increased need for expert psychological services; and

WHEREAS, the costs incurred for expert psychological services are reimbursable expenses under a NYS Office of Indigent Legal Services Grant (Distribution #10); and

WHEREAS, our Public Safety Committee and the Public Defender have recommended that Resolution 109-2022 be amended to authorize an amended agreement with Dr. Bashkoff to modify the not to exceed amount for year 2023 to \$50,000 to provide payment to Dr. Bashkoff for services rendered; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair's absence, are authorized to execute an agreement with Jacqueline Bashkoff, Ph.D., of Albany, New York, for the provision of expert psychological services to the Public Defender's Office to assist in the representation of their clients at a cost not to exceed \$20,000, except in calendar year 2023 wherein the cost is not to exceed \$50,000 for the term of January 1, 2023 to December 31, 2023; and it is further

RESOLVED, that the provisions of Resolution 146-2015 not inconsistent with the terms of this Resolution shall remain in full force and effect; 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 162 - 2023

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

AUTHORIZING AN AGREEMENT WITH THE PREVENTION COUNCIL OF SARATOGA COUNTY INC. FOR CERTIFIED RECOVERY PEER ADVOCATE SERVICES AT THE SARATOGA COUNTY CORRECTIONAL FACILITY

WHEREAS, for the past several years, the Saratoga County Correctional Facility has engaged the services of a Certified Recovery Peer Advocate (“CRPA”) through The Prevention Council of Saratoga County Inc. (“Prevention Council”); and

WHEREAS, said services provided by the CRPA include working with the inmate population to promote inmate addiction recovery, offering support, advocacy, and skill development opportunities, and assisting inmates in identifying and accessing post-incarceration addiction treatment services; and

WHEREAS, our Public Safety Committee and the Sheriff recommend that an agreement be executed with the Prevention Council for the provision of a Certified Peer Recovery Advocate to be assigned full time to the Saratoga County Correctional Facility for the term January 1, 2023 through December 31, 2023 at a cost not to exceed \$80,000; now, therefore, be it

RESOLVED, that the Chair of the Board or the Sheriff are hereby authorized to enter into an agreement with The Prevention Council of Saratoga County, Inc. for the provision of a Certified Recovery Peer Advocate to be assigned full time to the Saratoga County Correctional Facility, for the term January 1, 2023, through December 31, 2023, at a cost not to exceed \$80,000; 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 163 - 2023

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

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A 2023 CRIMES AGAINST REVENUE PROGRAM GRANT

WHEREAS, pursuant to Resolution 303-2021, this Board authorized the acceptance of a 2022 Crimes Against Revenue Program Grant from the State Division of Criminal Justice Services (“DCJS”) and the New York State Department of Taxation and Finance in the amount of \$118,900 to provide salary support to the District Attorney’s Office for the investigation and prosecution of crimes related to the nonpayment of taxes and the commission of Medicaid, welfare, unemployment and Workers’ Compensation fraud; and

WHEREAS, the State DCJS has made additional aid available in the amount of \$118,900 under the Crimes Against Revenue Program to provide continued salary support and travel reimbursement to

the District Attorney's Office for the investigation and prosecution of crimes related to the nonpayment of taxes and the commission of Medicaid, welfare, unemployment and Workers' Compensation fraud for the grant period January 1, 2023 through December 31, 2023; now therefore be it

RESOLVED, that the Chair of the Board is hereby authorized to execute all necessary documents with the New York State Division of Criminal Justice Services for the acceptance of a Crimes Against Revenue Program grant in the amount of \$118,900 for the grant period January 1, 2023 through December 31, 2023; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

#### RESOLUTION 164 - 2023

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

#### AUTHORIZING AN AGREEMENT WITH MISSION CRITICAL PARTNERS, LLC FOR MAINTENANCE OF THE CAPITAL DISTRICT COMPUTER-AIDED DISPATCH SYSTEM

WHEREAS, Mission Critical Partners, LLC has submitted a maintenance service agreement for the provision of technical support services, on-site computer-aided dispatch (CAD) network support and protection from cyber intrusion for Saratoga County's CAD System; and

WHEREAS, our Public Safety Committee and the Director of Emergency Management have recommended that the proposal of Mission Critical Partners, LLC for the provision of technical support services and on-site computer-aided dispatch (CAD) network support for the CAD System within Saratoga County for an initial term of one (1) year, commencing July 1, 2023 through June 30, 2024, at a cost of \$8,932 per month, with total costs not to exceed \$107,187 and to automatically renew for two (2) additional one (1) year terms at a cost increase each year of 3% over the prior year annual fee; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with Mission Critical Partners, LLC of Port Matilda, Pennsylvania, for the provision of technical support services, on-site computer-aided dispatch (CAD) network support and protection from cyber intrusion for the CAD System within Saratoga County, for a term of one (1) year at a cost of \$8,932 per month, with total costs not to exceed \$107,187 and automatically renew for two (2) addition one (1) year term at a cost increase each year of 3% over the prior year annual fee; and it is further

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

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



UNDER PUBLIC SAFETY:

Increase Appropriations:		
A.36.000.8190	Other Professional Services	\$21,045.00
Decrease Fund Balance:		
A.0599-B	Appropriated Fund Balance-Budgetary	\$21,045.00

; 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 fund balance by \$21,045.

RESOLUTION 165 - 2023

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

AUTHORIZING A FOUR YEAR MAINTENANCE SERVICE AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR MAINTENANCE OF THE COUNTY’S PUBLIC SAFETY RADIO INFRASTRUCTURE

WHEREAS, Motorola Solutions, Inc. has submitted a quote for the renewal of its maintenance service agreement for the continued maintenance of the County’s 800 MHz radio system, covering non-warranty radio system infrastructure, cyber intrusion and further upgrades to the County’s 800 MHZ Emergency Radio System with upgrade to include hardware, software and implementation services for a term of four years commencing on July 1, 2023 and continuing through June 30, 2027 at a total cost of \$3,833,160.77; and

WHEREAS, our Public Safety Committee and the Director of the Office of Emergency Management have recommended that the County’s maintenance agreement with Motorola Solutions, Inc. be renewed for an additional term of four years commencing on July 1, 2023, and continuing through June 30, 2027 at a cost of \$3,833,160.77; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a renewal agreement with Motorola Solutions, Inc. of Chicago, Illinois, for the provision of maintenance services for the County’s 800 MHz Public Safety Radio infrastructure covering all non-warranty radio system infrastructure, cyber intrusion, and further upgrades to the County’s 800 MHZ Emergency Radio System with upgrade to include hardware, software and implementation services, for a term of four years commencing on July 1, 2023 and continuing through June 30, 2027 at a cost not to exceed \$3,833,160.77; and it is further

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

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

RESOLUTION 166 - 2023

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

AUTHORIZING THE TRANSFER OF ARPA FUNDS AND PURCHASE OF A COUNTY HAZARDOUS MATERIAL RESPONSE VEHICLE

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

WHEREAS, Saratoga County was awarded \$44,650,193 in APRA funds, which were accepted by the County pursuant to Resolutions 246-2021 and 265-2022; and

WHEREAS, pursuant to Resolution 120-01, the County purchased a Hazardous Material Response Vehicle (HAZMAT); which requires replacement to meet the demands of growth in the County, and compliance with current safety standards per NFPA 1901 Automotive Fire Apparatus; and

WHEREAS, a HAZMAT to meet the needs of the County can be purchased through HGACBUY, a national purchasing cooperative which offers membership to local governments to allow for a more efficient procurement process; and

WHEREAS, Toyne, Inc., is an approved contractor within the HGACBUY cooperative, and has been identified as the most appropriate contractor to provide a new HAZMAT for the County; and

WHEREAS, our Public Safety Committee and the Deputy Director/Fire Coordinator of the Office of Emergency Management have recommended that ARPA funds be transferred for the purchase of a new HAZMAT for the County, that the Chairman be authorized to register the County as a member of HGACBUY, and that purchase of a new HAZMAT through Toyne, Inc., an approved contractor within the HGACBUY cooperative, be authorized; now, therefore be it

RESOLVED, that this Board authorizes the transfer of ARPA funds for the purchase of a new HAZMAT for the County; and it is further

RESOLVED, that the Chairman is authorized to register the County as a member of HGACBUY; and it is further

RESOLVED, that this Board authorizes the purchase of a new HAZMAT for the County through Toyne, Inc., an approved contractor within the HGACBUY cooperative; and it is further

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

EMERGENCY MANAGEMENT

Increase Revenues:

A.90-4089	Federal Aid-Other	\$820,000
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Increase Appropriations:

A.36.363-7041	Cars & Light Trucks	\$820,000
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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 167 – 2023

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

#### AMENDING THE SARATOGA COUNTY POLICIES AND PROCEDURE MANUAL TO ADOPT A REMOTE/TELEWORK PROGRAM POLICY

WHEREAS, Saratoga County's employees are essential to accomplishing our mission of delivering high-quality services to Saratoga County residents; and

WHEREAS, in an effort to achieve high levels of performance and efficiency, as well as retain our position as a qualified and attractive employer, Saratoga County has developed a Remote Work/Telework Program; and

WHEREAS, the Remote Work/Telework Program will provide a flexible work option allowing County employees to perform official duties at an offsite location, when the Department Head determines both the employee and the job are suited to such an arrangement; and

WHEREAS, our Human Resources and Insurance Committee and the Director of Human Resources have recommended amending Chapter 3 of the Policies and Procedure Manual to adopt the Saratoga County Remote Work/Telework Program to assist the County in recruiting and retaining a diverse and talented County workforce, and to schedule review of the policy one year from the date of adoption; now, therefore be it

RESOLVED, that Chapter 3 of the Policies and Procedure Manual is amended to adopt the Saratoga County Remote Work/Telework Program to assist the County in recruiting and retaining a diverse and talented county workforce, and to schedule review of the policy one year from the date of adoption; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 169 - 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 Galway total \$14,200; and

WHEREAS, the grant project that was approved in 2022 has been submitted for payment and reimbursement 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 \$14,200 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 \$14,200 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:

PLANNING

Increase Appropriations:

A.80.000-8763	Municipal Planning Grant Prog-Econ Dev	\$14,200
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Decrease Reserve:

A-0888.ED	Economic Dev Grant Reserve	\$14,200
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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 \$14,200.

## RESOLUTION 170 - 2023

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

AMENDING RESOLUTION 378-2022 TO REDUCE THE TOTAL PROJECT COST AND AWARD AMOUNT TO THE TOWN OF GREENFIELD FOR MIDDLE GROVE TOWN PARK EXPANSION BY THE FARMLANDS/OPEN SPACE PRESERVATION GRANT PROGRAM

WHEREAS, the Saratoga County Farmland and Open Space Program was established in 2003 to give matching grants to purchase development or other rights or outright ownership of productive agricultural and open space land; and

WHEREAS, pursuant to Resolution 378-2022, this Board awarded a 2022 Farmland Protection/Open Space Preservation Grant in the amount of \$5,000 to the Town of Greenfield upon acquisition of a 0.62-acre parcel adjoining the Middle Grove Town Park (SBL#: 162.8-1-18). The total project cost is \$62,455.

WHEREAS, the original projected costs for the project were estimated at \$62,455; and

WHEREAS, the Town acquired the property for \$4,638.73 including taxes, recording fees and filing documents; and

WHEREAS, the actual total cost of the project being lower than the original 2022 grant award, the required 50% match and grant award is reduced to \$2,319.37; and

WHEREAS, the actual project cost and the grant award is less than the maximum permitted 10% adjustment and therefore requires authorization to amend Resolution 378-2022; now, therefore be it

RESOLVED, that Resolution 378-2022 is hereby amended to authorize payment to the following municipality for the purpose and upon conditions stated:

4. To the Town of Greenfield, a sum not to exceed \$2,319.37 or 50% of total project cost upon the Town's submittal of documents with proof of acquiring a 0.62-acre parcel (SBL#: 162.8-1-18) that adjoins the Town's Middle Grove Park with a total project cost of \$4,638.73; and, be it further

RESOLVED, that the foregoing grant amounts may be adjusted by the Trails and Open Space Committee by up to 10% over the total grant amount provided the requirements of each grant are satisfied and sufficient grant monies are available; and, be it further

RESOLVED, that the Trails and Open Space Committee may place such further conditions and requirements on said grants as it deems necessary and advisable to fulfill the intent and purpose of the Farmland Protection and Open Space Preservation Program; and, be it further

RESOLVED, the Chair is authorized to execute any and all agreements and other documents necessary to ensure the fulfillment of said conditions and the transfer of said funds, with such agreements and documents to be subject to the approval of the County Attorney as to form and content.

BUDGET IMPACT STATEMENT: No Budget Impact

RESOLUTION 171 – 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, unexpected grant fund for the 2022 Town of Greenfield grant total \$2,319.37; and

WHEREAS, the Town of Greenfield has requested reimbursement for a grant project previously approved via resolution 378-2022, and has presented a voucher for \$2,319.37 which is less than the initial projected cost and grant awarded; 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 \$2,319.37 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 \$2,319.37 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 Saratoga County Open Space Grant Program;

; 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:

PLANNING

Increase Appropriations

A.80.000-7091.9 – Farmland and Open Space Protection	\$2,319.37
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Decrease Reserve

A-0888.OS Open Space Reserve	\$2,319.37
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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 reduce the Open Space Reserve fund by \$2,319.37.

#### RESOLUTION 172 - 2023

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

AUTHORIZING AN AGREEMENT WITH GENERAL CONTROL SYSTEMS, INC. FOR MAINTENANCE SERVICES AND EQUIPMENT UPGRADES FOR THE INSTRUMENTATION SYSTEMS AT SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEM

WHEREAS, the County has previously entered into annual minor contracts with General Control Systems, Inc. ("GCSI") for professional services, equipment and hardware to repair and update instrumentation systems, including the Supervisory Control and Data Acquisition ("SCADA") system throughout the Saratoga County Sewer District No. 1's Wastewater Treatment Plant and collection system; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District Commission and the Executive Director of the Saratoga County Sewer District No. 1 have recommended that the County enter into an agreement with General Control Systems, Inc. for professional services, equipment and hardware to repair and update Saratoga County Sewer District No. 1's servers, including its SCADA system, and ancillary equipment, for the term January 1, 2023 through December 31, 2023 at a cost not to exceed \$40,000; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an agreement with General Control Systems, Inc., of Green Island, New York for professional services, equipment and hardware to repair and update Saratoga County Sewer District No. 1's servers, including its SCADA system, and ancillary equipment, throughout the Sewer District's Wastewater Treatment Plant and collection system, for the term January 1, 2023 through December 31, 2023 at a cost not to exceed \$40,000; and, be it further

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

RESOLVED, that this Resolution shall take effect immediately.

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

#### RESOLUTION 173 - 2023

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

AUTHORIZING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF MOREAU FOR JOINT FINANCING, CONSTRUCTION, OPERATION AND GOVERNANCE OF A COUNTY FORCE MAIN CONNECTION

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, the Town of Moreau created the Moreau Sewer District 1, Extension 5 to promote economic development and groundwater resource protection; and

WHEREAS, Saratoga County determined it will be mutually beneficial and in the best interest of the general public to connect Moreau Sewer District 1, Extension 5 to the County collection treatment system, hereinafter referred to as the "County Force Main Connection"; and

WHEREAS, both the Town of Moreau and the County of Saratoga recognized that an agreement was needed to set forth the duties and responsibilities of each municipality for the County Force Main Connection; and

WHEREAS, Resolution 130-2022 authorized the Chair of the Board, or Vice-Chair in his absence, to execute an intermunicipal agreement ("Intermunicipal Agreement") with the Town of Moreau to connect the Town's sanitary sewer system to the County's collection treatment system; and

WHEREAS, the Town of Moreau and County of Saratoga executed an intermunicipal agreement on April 6, 2022 setting forth the rights, duties, obligations, and responsibilities for each regarding the construction of the County Force Main Connection, and that it is the intent of both parties that this agreement shall remain in effect until construction is complete; and

WHEREAS, a new intermunicipal agreement ("Intermunicipal Agreement") is necessary between the Town of Moreau and the County of Saratoga to set forth the dedication of the County Force Main Connection to the District, institute billing practices per the Scale of Charges, and establish current or future obligations both entities have to construct, maintain and operate the County Force Main Connection; and

WHEREAS, this Board has agreed to commit American Rescue Plan Act grant funds to the project sufficient to evaluate, design, permit, and allow partial construction of the County Connection; and

WHEREAS, Resolution 100-2022 authorized a commitment of \$2,000,000 in American Rescue Plan Act funding for the extension of sewer infrastructure to the Towns of Moreau and Wilton; and

WHEREAS, additional funding sources are needed to help offset the cost of the County Force Main Connection project; and

WHEREAS, this Intermunicipal Agreement is required for the County of Saratoga to apply for grant funding under the New York State Water Infrastructure Improvement Act ("WIIA") program; and

WHEREAS, the Chair of the Board, or the Vice-Chair in his absence, or the Executive Director of the Saratoga County Sewer District No. 1 have been granted authority to process the submission of the intermunicipal grant ("IMG") application under WIIA on behalf of the County; and

WHEREAS; the District has confirmed sufficient system capacity exists based on flow assumptions provided; and



WHEREAS, it would appear that the construction of the County Force Main Connection would be in the best interests of the people of the County of Saratoga residing within the boundaries of the District; and

WHEREAS, our Law and Finance Committee and the Executive Director of Saratoga County Sewer District No. 1 have recommended that the County enter into an Intermunicipal Agreement with the Town of Moreau to implement the County Force Main Connection with Moreau Sewer District 1, Extension 5; now, therefore, be it

RESOLVED, that the Chair of the Board, or the Vice-Chair of the Board in the Chair's absence, are authorized to execute an Intermunicipal Agreement pursuant to General Municipal Law §119-o and Local Finance Law §11 between the Town of Moreau, on behalf of the Town of Moreau Sewer District 1, Extension 5, and the County of Saratoga, on behalf of Saratoga County Sewer District No. 1, providing for the joint construction, financing, operation and governance of the County Force Main Connection; and be it further

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

RESOLVED, the Chair of the Board, or the Vice-Chair in his absence, or the Executive Director of the Saratoga County Sewer District No. 1 are authorized to submit the IMG grant application on behalf of the County for grant funding under the New York State Water Infrastructure Improvement Act Program, and the County Treasurer is authorized to execute any agreements, instruments or other documents in connection with the County's acceptance of any such grants and/or the funding thereof; and, be it further

RESOLVED, that the Board acknowledges that any grant award funding through the New York State Water Infrastructure Improvement Act Program may be subject to a required local match with respect to financing or grants awarded to the County for the Project through the use of cash and/or in-kind services; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 175 - 2023

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

URGING THE GOVERNOR TO VETO A.04282B/S.3505B TO MOVE CERTAIN LOCAL ELECTIONS TO EVEN- NUMBERED YEARS

WHEREAS, the Saratoga County Board of Supervisors believes that increasing participation in the election process and reducing cost of government options is good for our republic; and

WHEREAS, Assembly Member Amy Paulin and State Senator James Skoufis reintroduced legislation that would move local elections to even-number years during the 2023 legislative session; and

WHEREAS, versions of this legislation were introduced in previous years and failed to reach the floor for a vote due to a lack of support; and

WHEREAS, after the 2022 sessions concluded, the bill sponsor indicated that hearings would be held on the proposal through the Election Committee process; however, there were no hearings held; and

WHEREAS, the legislation passed in the middle of the night on the last days of the legislative session which is counter to the idea of an open and transparent government; and

WHEREAS, the Saratoga County Board of Supervisors has several concerns with this bill; and

WHEREAS, this legislation usurps the home rule powers reserved by local governments and protected by the Constitution of the State of New York, raising questions of legality and constitutional authority; and

WHEREAS, local municipalities have had the ability to change their elections to even-number years for decades, and chose not to do so; and

WHEREAS, we believe that establishing the schedule of local elections is that right of the local government, and has been for more than 100 years; and

WHEREAS, the Assembly Bill sponsor indicated that she had not received any messages of support for this proposal from any of the 57 Counties and 933 towns across New York State impacted by this legislation; and

WHEREAS, this legislation excludes more than half of all New Yorkers who vote in cities and villages from changes to election law, creating an inequity among New York voters; and

WHEREAS, this legislation unfairly excludes the elections to offices in New York City and all other cities and villages in New York State, as well as certain offices within all counties and towns; and

WHEREAS, the proposed legislation circumvented the legislative committee process during this session, limiting public input and understanding of the impact; and

WHEREAS, there has been no financial analysis or operational analysis of the impact on local Board of Elections; and

WHEREAS, there are concerns that the election and ballot counting technology would not be able to adequately meet the demands of the significantly increased ballot size; and

WHEREAS, this will create confusion amongst voters in towns and counties across New York State; and

WHEREAS, separating the elections affords voters more time to better understand important local issues and provides candidates the appropriate platform to explain their stance on issues; and

WHEREAS, moving local elections to even-numbered years would increase the cost of campaigns for local office, reducing the number of candidates willing to invest funds into their own campaign, because the cost of media will increase to compete with national and state level campaign advertisements; and

WHEREAS, there are significant legal and constitutional questions regarding the legality of this measure that have not been adequately addressed; now, therefore, be it

RESOLVED, that this Board of Supervisors urges the Governor to oppose this legislation and utilize her veto authority to reject this proposal; and be it further

RESOLVED, that copies of this resolution be distributed by the Clerk of the Board of Supervisors to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, Senate Minority Leader Robert Ort, Assembly Minority Leader William Barclay, Assembly Bill Sponsor Amy Paulin, Senate Bill Sponsor James Skoufis, Senator James Tedisco, Assemblymember John McDonald, Assemblymember Mary Beth Walsh, Assemblymember Carrie Woerner, and Assemblymember Matthew Simpson.

BUDGET IMPACT STATEMENT: No Budget Impact.

Mr. Smith requested a separate vote on Resolution 159. Discussion ensued.

On a motion by Mr. M. Veitch, seconded by Mr. Hammond, Resolution #159 was adopted by the following vote after debate.

AYES (197667): Eric Connolly (11831), Joseph Grasso (4328), Philip C. Barrett (19014.5), Jonathon Schopf (19014.5), Eric Butler (6500), Diana Edwards (819), Jean Raymond (1333), Kevin Veitch (8004), Arthur M. Wright (1976), Kevin Tollisen (25662), Mark Hammond (17130), Thomas Richardson (5163), Scott Ostrander (18800), Theodore Kusnierz (16202), Sandra Winney (2075), Matthew E. Veitch (14245.5), John Lawler (8208), John Lant (17361)  
NOES (12547): Michael Smith (3525), Edward D. Kinowski (9022)  
ABSENT (25296): Willard H. Peck (5242), Thomas N. Wood, III (5808), Tara N. Gaston (14245.5)

#### RESOLUTION 159 - 2023

Introduced by Airport Improvement: Supervisors Kusnierz, Barrett, Ostrander, K. Veitch and M. Veitch

#### AUTHORIZING THE ACCEPTANCE OF THE FEASIBILITY STUDY RECOMMENDATIONS AND AUTHORIZING USE OF A PROJECT LABOR AGREEMENT FOR THE FIXED BASE OPERATOR TERMINAL BUILDING AT SARATOGA COUNTY AIRPORT

WHEREAS, the County of Saratoga (County) intends to complete reconstruction and renovations to its Fixed Based Operator (FBO) Terminal Buildings; and

WHEREAS, the County desires to complete this project in an efficient, safe, quality and timely manner as well as in a manner designed to afford the lowest reasonable costs to satisfy the requirements of the New York State Department of Transportation, the Federal Aviation Administration, and users of the facility; and

WHEREAS, Seeler Engineering, PC has undertaken a Project Labor Agreement Feasibility Study for the County to determine whether the use of a Project Labor Agreement will best serve the County's interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud, and corruption; and

WHEREAS, this study, dated March 20, 2023 concluded that use of a Project Labor Agreement would provide the County with measurable economic benefits with cost savings that approximate \$574,000, and would promote the County's interest in obtaining the best work at the lowest prices as well as preventing favoritism, fraud, and corruption; and

WHEREAS, the County has carefully reviewed and considered Seeler Engineering's Feasibility Study, which finds, among other things, that the County's interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, preventing the impact of delay, avoiding labor unrest, and gaining measurable management flexibility and benefits are best met by requiring a Project Labor Agreement; and

WHEREAS, our Airport Committee and the Commissioner of Public Works have recommended the acceptance of the feasibility study recommendation and authorization of a Project Labor Agreement for reconstruction and renovation to the Saratoga County FBO Terminal Building, now therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby accepts the recommendations contained in the Feasibility Study, and it is further

RESOLVED, that the Saratoga County Board of Supervisors authorizes the use of a Project Labor Agreement for the FBO Terminal Buildings project, and it is further

RESOLVED, that the Chair of the Board is authorized to execute the Project Labor Agreement if required, and it is further

RESOLVED, that the Saratoga County Board of Supervisors authorizes the incorporation of the Project Labor Agreement into the bid specifications and contract documents for the FBO Terminal Building project, and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

Mr. Smith requested a separate vote on Resolution 168. Mr. Smith congratulated Ms. Devall on the appointment.

On a motion by Mr. Smith, seconded by Mr. Schopf, Resolution #168 was adopted by the following vote:

AYES (210214): 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), 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 (0):

ABSENT (25296): Willard H. Peck (5242), Thomas N. Wood, III (5808), Tara N. Gaston (14245.5)

## RESOLUTION 168 - 2023

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

## APPOINTING KELLY DEVALL AS ACTING DIRECTOR OF THE ANIMAL SHELTER AND AUTHORIZING A TEMPORARY INCREASE IN COMPENSATION

WHEREAS, Director of the Animal Shelter Penelope Heritage retired on May 22, 2023; and

WHEREAS, maintaining continuity in the Animal Shelter necessitates appointing an Acting Director until a successor Director of the Animal Shelter can be appointed by this Board; and

WHEREAS, Kelly Devall currently serves in the position of Deputy Director of the Animal Shelter; now, therefore, be it

RESOLVED, that Kelly Devall be and she hereby is appointed Acting Director of the Animal Shelter, with all the powers and duties of the Director, commencing May 23, 2023 and continuing until such time as a new Director is appointed by this Board and assumes the duties of the position; and it is further

RESOLVED, for fulfilling the additional duties and responsibilities of the position of Acting Director, commencing May 23, 2023, Kelly Devall shall be compensated at the temporary rate of \$41.74(Management Compensation Plan Grade 17 base of \$86,815) per hour as a salaried employee until such time as a new Director is appointed and assumes the duties of the position; 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.

Mr. Grasso requested a separate vote on Resolution 174. Mr. Grasso recused himself from any discussion or vote on Resolution 174.

On a motion by Mr. M. Veitch, seconded by Mr. Hammond, Resolution #174 was adopted by the following vote:

AYES (205886): Eric Connolly (11831), 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), 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 (0):

ABSTAIN (4328): Joseph Grasso (4328)

ABSENT (25296): Willard H. Peck (5242), Thomas N. Wood, III (5808), Tara N. Gaston (14245.5)

## RESOLUTION 174 - 2023

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

AUTHORIZING A REVENUE SHARING AGREEMENT WITH THE TOWNS AND CITIES RELATIVE TO HOST COMMUNITY BENEFIT PROGRAMS RECEIVED FROM THE CHPE, LLC IN CONNECTION WITH THE CHAMPLAIN HUDSON POWER EXPRESS PROJECT

WHEREAS, CHPE, LLC, a New York State limited liability company (the "Company"), has undertaken a project (the "Project") consisting of the construction, installation and equipping on or under the Land of a fully-buried, up to 1,250-megawatt ("MW") high voltage direct current ("HVDC") electric transmission line and related infrastructure (collectively, the "Improvements") that will travel through the Towns of Moreau, Northumberland, Wilton, Greenfield, Milton, Ballston, Clifton Park, and the City of Saratoga Springs, and the acquisition and installation thereon and therein of certain related machinery and equipment, including but not limited to, two (2) five-inch diameter HVDC transmission cables (collectively, the "Equipment") (the Land, the Improvements and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to be used and operated by the Company as a portion of an electric power transmission line from the U.S.-Canada border to New York City; and

WHEREAS, pursuant to Resolution 268-2022, this Board authorized a "Host Community Benefit Agreement" (Agreement) in connection with the undertaking of the Project, by and between the County of Saratoga (County) and the Company, to which the Company, as part of the Agreement, will make payments, commencing in 2026 or 2027, totaling \$126,888,420 to the County over a thirty-year (30) period to offset impacts within the County for the overland route; and

WHEREAS, our Law and Finance Committee and the Saratoga County Industrial Development Agency have recommended the \$126,888,420 be distributed as listed in Schedule A: 1/3 divided equally between all 21 towns/cities; 1/3 divided equally between the eight (8) towns impacted by the line running through their municipality, and 1/3 to the County to be dedicated to the Capital Facilities Reserve Fund; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the Revenue Sharing Agreement with the towns and cities relative to Host Community Benefit payments received from CHPE, LLC in connection with the Champlain Hudson Power Express Project, totaling \$126,888,420 be distributed as listed in Schedule A: 1/3 divided equally between all 21 towns/cities; 1/3 divided equally between the eight (8) towns impacted by the line running through their municipality, and 1/3 to the County to be dedicated to the Capital Facilities Reserve Fund be , and it is further

RESOLVED, that this resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

Mr. Tollisen requested a separate vote on Resolution 176.

A motion was made by Mr. Matthew Veitch, seconded by Mr. Kinowski, to enter into Executive Session for discussions regarding collective negotiations pursuant to article fourteen of the Civil Service Law. Motion passed unanimously.

Mr. Kusnierz reported that a motion was made by Mr. Smith, seconded by Mr. Matthew Veitch, to return to regular session. Motion passed unanimously.

Mr. Kusnierz reported that no action was taken in Executive Session.

Mr. Kusnierz reported that Supervisors Schopf and Richardson have been excused.

Mr. Kusnierz asked Mrs. Connolly to read Resolution #176 into the record

On a motion by Mr. Kevin Veitch, seconded by Mr. Barrett, Resolution #176 was adopted by the following vote:

AYES (186036): Eric Connolly (11831), Joseph Grasso (4328), Philip C. Barrett (19014.5), Eric Butler (6500), Diana Edwards (819), Jean Raymond (1333), Michael Smith (3525), Kevin Veitch (8004), Arthur M. Wright (1976), Kevin Tollisen (25662), Mark Hammond (17130), 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 (0):

ABSENT (49473): Jonathon Schopf (19014.5), Thomas Richardson (5163), Willard H. Peck (5242), Thomas N. Wood, III (5808), Tara N. Gaston (14245.5)

#### RESOLUTION 176 - 2023

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

APPROVING THE TERMS OF THE MAY 17, 2023 MEMORANDUM OF AGREEMENT WITH THE UNITED PUBLIC SERVICE EMPLOYEES UNION AND AUTHORIZING THE 2023 COLLECTIVE BARGAINING AGREEMENT WITH THE UNITED PUBLIC SERVICE EMPLOYEES UNION, INCORPORATING PRIOR MEMORANDA OF AGREEMENT WITH THE UNITED PUBLIC SERVICE EMPLOYEES UNION, AND AMENDING THE BUDGET IN RELATION THERETO

WHEREAS, Resolution 207-2022 provided final approval of a three-year Collective Bargaining Agreement with the United Public Service Employees Union (UPSEU), which Collective Bargaining agreement expired on December 31, 2022; and

WHEREAS, Resolution 207-2022 included Memorandum of Agreement with UPSEU approved by Resolution 90-2020, Resolution 231-2020; and Resolution 81-2021; and

WHEREAS, the County's negotiating committee engaged in collective bargaining contract negotiations with the UPSEU, resulting in a Memorandum of Agreement, dated May 17, 2023, which was approved by the UPSEU membership on June 9, 2023, and is to be incorporated into a three year Collective Bargaining Agreement through December 31, 2025; and

WHEREAS, the County's negotiating committee, the Saratoga County Sheriff, the County's Director of Human Resources, and the County's Labor Counsel have recommended that the Memorandum of Agreement, dated May 17, 2023, be approved and incorporated into the Collective Bargaining Agreement; and

WHEREAS, the County's negotiating committee, the Saratoga County Sheriff, the County's Director of Human Resources, and the County's Labor Counsel have recommended that all Memoranda of Agreement be incorporated into the Collective Bargaining Agreement through December 31, 2025, and the Collective Bargaining Agreement be executed; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby approve the terms of the May 17, 2023 Memorandum of Agreement with the UPSEU and that the Chair of the Board of Supervisors and the Saratoga County Sheriff are authorized to execute the Collective Bargaining Agreement with the UPSEU, to include the terms of all Memoranda of Agreement; subject only to final agreement on, and the approval of, its language in final form by this County’s Negotiating Committee and the County’s Labor Counsel; and it is further

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

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

SHERIFF – COUNTY JAIL

Increase Appropriations		
A.30.301-6000	Regular Wages	\$660,480
A.30.301-6930	Social Security	\$50,527
A.30.301-6910	Retirement	\$91,000
Decrease Fund Balance		
A-0599.B	Appropriated Fund Balance-Budgetary	\$802,007

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: The budget will be amended to increase appropriations and decrease fund balance in the amount of \$802,007.

Mr. Kusnierz reported that Supervisor Grasso has been excused. Mr. Kusnierz thanked the negotiating team, Sheriff’s Department and Larry Paltrowitz for all of their efforts.

Mr. Kinowski reported that if Supervisors do not turn on their microphones while speaking, the text is not recorded in the closed captioning on the screens.

Mr. Barrett thanked the Department of Health for their efforts and initiatives to combat substance use disorder and gave a brief update on the activities of the Department of Health.

PUBLIC INPUT

Public Comment was given by the following residents:

Name	Municipality	Subject
Yifan Gao	Halfmoon	Volunteer Firefighter/EMS Worker property tax exemption
Mayor Frank Rossi, Jr.	Ballston Spa	CDTA/Social Services Route

On a motion by Mr. Barrett, seconded by Mr. M. Veitch, the meeting was adjourned by a unanimous vote.

Respectfully submitted,

Therese M. Connolly  
Clerk of the Board