

REGULAR MEETING
TUESDAY, July 18, 2023
AT 4:00 p.m., E.S.T.

Board called to order by Chairman Kusnierz.

Roll call was taken.

PRESENT – Eric Connolly (11831), Philip C. Barrett (19014.5), Jonathon Schopf (19014.5), Eric Butler (6500), Diana Edwards (819), 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), Ian Murray (5808), Matthew E. Veitch (14245.5), John Lant (17361) - 17

ABSENT – Joseph Grasso (4328), Jean Raymond (1333), Willard H. Peck (5242), Tara N. Gaston (14245.5), Edward D. Kinowski (9022), John Lawler (8208) - 6

The invocation was given by Craig Hayner, Chaplain.

A moment of silence was observed due to the passing of former Supervisor Tom Wood.

On a motion by Mr. Hammond, seconded by Mr. Butler, the minutes of the June 20, 2023 Board meeting was unanimously approved.

The Clerk presented the following:

CORRESPONDENCE

Letter from the Saratoga County Democratic Committee recommending the appointment of Cassandra Bagramian as Commissioner of Elections.

Received and Filed

Resolution from the Town of Saratoga Appointing Ian C. Murray as Town Supervisor effective June 30, 2023.

Received and Filed

Mr. Kusnierz welcomed Supervisor Ian Murray from the Town of Saratoga to the Board of Supervisors.

Thank you cards from the County Clerk's offices for the Annual Employee Appreciation Day.

Received and Filed

Thank you card from SEDC for support and partnership provided for the 2023 Saratoga County FAM tour.

Received and Filed

Thank you correspondence from the Waterford-Halfmoon Sports Booster Club for the Covid Relief Grant Funding.

Received and Filed

REPORTS OF COMMITTEES

There were no reports of Committees.

On a motion by Mr. Barrett, seconded by Mr. Tollisen, Resolutions 177 through 200 with the exception of Resolution #'s 182, 183, 184, 185 and 197 were adopted by a unanimous vote.

RESOLUTION 177- 2023

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

TEMPORARILY REVISING PROJECTED REVENUES FROM THE 2023 REAL PROPERTY TAX FORECLOSURE AUCTION AND AMENDING THE 2023 BUDGET IN RELATION THERETO

WHEREAS, Saratoga County conducted its 2023 real property tax foreclosure auction pursuant to Article 11 of the Real Property Tax Law to foreclose on 2018 tax liens; and

WHEREAS, the auction of such real property concluded on March 24, 2023, 2018 tax liens were satisfied, and surplus proceeds were placed into a County Treasurer’s Office account in accordance with the Real Property Tax Committee Policies and Procedures Manual; and

WHEREAS, on May 25, 2023, the United States Supreme Court issued its decision in Tyler v. Hennepin County and held that a taxing jurisdiction’s retention of surplus funds from a tax foreclosure proceeding is unconstitutional in violation of the Takings Clause; and

WHEREAS, current in rem tax foreclosure laws and practices under New York State Real Property Tax Law Article 11 may conflict with the Tyler v. Hennepin County decision; and

WHEREAS, in view of the Tyler v. Hennepin County decision, the New York State Legislature passed legislation proposing to implement a state-wide moratorium on the conveyance of tax delinquent parcels acquired for delinquent taxes, and submitted the bill to the Governor; and

WHEREAS, it remains unclear whether the Tyler v. Hennepin County decision, or the pending changes to state law will impact past auctions, including the auction held by Saratoga County in March 2023; and

WHEREAS, a budget amendment is necessary pending forthcoming interpretation or guidance issued by the state legislature, executive state agencies, or by any Court with competent jurisdiction; now, therefore, be it

RESOLVED, that this Board is authorized to amend the 2023 County Budget and account for a reduction in revenue derived from the sale of tax delinquent real property from \$750,000 to \$0, and further reducing the fund balance by \$750,000.00; and it is further

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

NON-DEPARTMENTAL:

Decrease Revenue:

A.90-1051

Gain on Sale of Taxaqprop

\$750,000

Decrease Fund Balance:

A-0599.B	Appropriated Fund Balance-Budgetary	\$750,000
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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 decrease revenue and decrease fund balance by \$750,000.

RESOLUTION 178- 2023

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

AUTHORIZING A BUDGET TRANSFER TO FUND THE INVESTIGATION OF TWO TAX DELINQUENT PARCELS FOR ENVIRONMENTAL CONTAMINATION AND AMENDING THE 2023 BUDGET IN RELATION THERETO

WHEREAS, pursuant to Resolution 24-2023, a Capital Reserve Fund known as the “Contaminated Real Property Investigation Reserve Fund” (“Reserve Fund”) was established to finance the cost of the environmental restoration investigation of tax delinquent properties; and

WHEREAS, Resolution 24-2023 authorized funding the Reserve Fund by an amount not to exceed one hundred thousand (\$100,000) dollars from surplus revenues from the County’s 2023 tax foreclosure auction and ten percent (10%) from each subsequent auction; and

WHEREAS, on May 25, 2023, the United States Supreme Court issued its decision in Tyler v. Hennepin County and held that a taxing jurisdiction’s retention of surplus funds from a tax foreclosure proceeding is unconstitutional in violation of the Takings Clause; and

WHEREAS, the Tyler v. Hennepin County decision has temporarily caused Saratoga County’s Tax Enforcing Officer to question whether the County can use surplus revenue from the County’s March 2023 in rem tax foreclosure auction to fund the Reserve Fund; and

WHEREAS, the Tax Enforcing Officer has identified two properties that require a site investigation to ascertain the extent of any environmental contamination: Tax Parcel #104.-1-37.21 located on Route 32N in the Town of Northumberland (“Perry’s Automotive Center”), and Tax Parcel 243.84-2-6 located on Hudson Avenue in the Town of Stillwater (“Milt’s Body Shop & Auto Exchange”); and

WHEREAS, the Tax Enforcing Officer estimates that twenty-five thousand (\$25,000) dollars will cover the expense of conducting a site investigation on each Tax Parcel; and

WHEREAS, the Tax Enforcing Officer, in his role as the Saratoga County Treasurer, maintains a Professional Services line account that can be drawn upon to fund the engagement of an environmental testing firm to conduct site investigations; and

WHEREAS, this Board’s Real Property Tax Committee and Saratoga County’s Tax Enforcing Officer, recommend a transfer of fifty thousand (\$50,000) dollars from the County’s Fund Balance to the County Treasurer’s Professional Services line account to conduct site investigations at Tax Parcel

#104.-1-37.21 located on Route 32N in the Town of Northumberland and Tax Parcel 243.84-2-6 located on Hudson Avenue in the Town of Stillwater; now, therefore, be it

RESOLVED, that the Tax Enforcing Officer is authorized to transfer fifty thousand (\$50,000) dollars from the County’s Fund Balance to the County Treasurer’s Professional Services line account to conduct site investigations at Tax Parcel #104.-1-37.21 located on Route 32N in the Town of Northumberland and Tax Parcel 243.84-2-6 located on Hudson Avenue in the Town of Stillwater; and it is further

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

COUNTY TREASURER

Increase Appropriations:

A.16.162-8190	Other Professional Services	\$50,000
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Decrease Fund Balance:

A-0599.B	Appropriated Fund Balance-Budgetary	\$50,000
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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 fund balance by \$50,000.

RESOLUTION 179 - 2023

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

AMENDING RESOLUTION 296-2021, AUTHORIZING AMENDMENTS TO HEALTH CONTRACTS TO INCLUDE STATE-FUNDED COST OF LIVING INCREASES AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Resolution 296-2021 authorized ongoing contracts for mental health services, subject to State appropriations therefore; and

WHEREAS, Resolution 296-2021 further authorized the Health and Human Services Committee to accept additional grant funds from the State of New York in support of the Services to be rendered by the contracting agencies listed in Resolution 296-2021, provided the additional grant funds did not exceed 10% of the contract amounts set forth in Resolution 296-2021; and

WHEREAS, additional funds have become available from New York State Office of Addiction Services and Supports (“OASAS”) in the amount of \$31,890, for cost of living adjustments (“COLA”), effective April 1, 2023, allocated to the following mental health service providers contractually retrained pursuant to Resolution 296-2021:

PROVIDER	AMOUNT
Rise Housing and Support Services, Inc.	\$ 8,404
Albany Diocesan School Board, Roman Catholic Diocese of Albany	\$ 881

The Alcohol and Substance Abuse Prevention Council, Inc.	\$ 20,812
Franklin Community Center, Inc.	\$ 1,793

; and

WHEREAS, our Health and Human Services Committee has authorized the acceptance of the forgoing additional grant funds in the amount of \$31,890, which additional grant funds do not exceed 10% of the contract amounts set forth in Resolution 296-2021; and

WHEREAS, the acceptance of these additional funds requires an amendment to the 2023 County Budget; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute any agreements and documents necessary to accept additional funding awarded by OMH and OASAS in the combined amount of \$31,890; and it is further

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

RESOLVED, that Resolution 296-2021 is hereby amended to increase the authorized contract amount listed above, and the terms and provisions of Resolution 296-2021 not inconsistent with this Resolution shall remain in full force and effect; and it is further

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

UNDER MENTAL HEALTH

Increase Revenues:

A.43-3477	OASAS Franklin	\$ 1,793
A.43-3483	Alcohol Abuse Program St	\$ 20,812
A.43-3489	State Aid-OASAS Rise	\$ 8,404
A.43-3488	Albany Diocesan School Board	\$ 881
		\$ 31,890

Increase Appropriations:

A.43.443-8650	Catholic Schools	\$ 881
A.43.443-8726.013	Transitional Services ASA	\$ 8,404
A.43.443-8735.013	Franklin Community Center	\$ 1,793
A.43.443-8738.013	ASAPP ASA	\$ 20,812
		\$ 31,890

; 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 180 - 2023

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

AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH INCORPORATED FOR STRENGTHENING PUBLIC HEALTH INFRASTRUCTURE, WORKFORCE AND DATA SYSTEMS

WHEREAS, the Centers for Disease Control and Prevention via the New York State Department of Health/Health Research Incorporated (NYS DOH/HRI), is providing funding as part of the U.S. Strengthening Public Health Infrastructure, Workforce and Data Systems Award, and has notified the Saratoga County Department of Health (SCDOH) it is eligible to receive a five (5) year grant in the amount of \$136,944 per year, effective December 1, 2022, through November 30, 2027, totaling \$684,720, to create a stronger, more resilient public health care system that is prepared to respond to future health care crises; and

WHEREAS, our Health and Human Services Committee and the Commissioner of the Department of Health have recommended the acceptance of the NYS DOH/HRI five (5) year grant in the amount of \$136,944 per year, effective December 1, 2022, through November 30, 2027, totaling \$684,720; and

WHEREAS, the acceptance of these funds requires this Board’s approval and amendments to the 2023-2027 County Budgets; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the acceptance of the NYS DOH/HRI five (5) year grant in the amount of \$136,944 per year, effective December 1, 2022, through November 30, 2027, totaling \$684,720, which grant shall be used to create a stronger, more resilient public health care system that is prepared to respond to future health care crises; and it is further

RESOLVED, that the Chair of the Board is hereby authorized to execute all documents and necessary agreements with NYSDOH/HRI needed to accept funds totaling \$684,720 from the NYS DOH/HRI; and it is further

RESOLVED, that the form and content of any documents 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:

DEPARTMENT OF HEALTH

Increase Revenue:

A.40.4482	Fed Aid-CDC	\$136,944
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Increase Appropriations:

A.40.000-7010	Furniture and Furnishings	\$ 15,000
A.40.000-7020	Office Equipment	\$ 5,000
A.40.000-7033	Personal Computers	\$ 18,900
A.40.000-7070	Building Components	\$ 8,000
A.40.000-7099	Other Capital Expenses	\$ 31,169
A.40.000-8190	Other Professional Services	\$ 40,000
A.40.000-8490	Misc. Dept. Expense	\$ 5,500
A.40.000-8512	Conference Fees	\$ 3,000
A.40.000-8520	Software	\$ 9,850
A.40.000-8521	Minor IT Equipment	\$ 525

; 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 181 - 2023

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

AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH/HEALTH RESEARCH INCORPORATED FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS

WHEREAS, funding is available from the New York State Department of Health/Health Research Incorporated (NYS DOH/HRI) in the amount of \$231,894 to the Saratoga County Department of Health for Public Health Emergency Preparedness Program activities for the period of July 1, 2023 through June 30, 2024; and

WHEREAS, our Health and Human Services Committee and the Commissioner of the Department of Health have recommended the acceptance of the NYS DOH/HRI award in the amount of \$231,894, and

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

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the acceptance of grant funding in the amount of \$231,894 from the NYS DOH/HRI which grant shall be used for Public Health Emergency Preparedness Program activities for the period of July 1, 2023 through June 30, 2024; and it is further

RESOLVED, that the Chair of the Board is hereby authorized to execute all documents and necessary agreements needed to accept funds from the NYS DOH/HRI; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 186 - 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 Clifton Park (\$14,200) and Town of Greenfield (\$10,749.24) total \$24,949.24; and

WHEREAS, the grant projects that were approved in 2022 have been submitted for payment and reimbursement were 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 \$24,949.24 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 \$24,949.24 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	\$24,949.24
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Decrease Reserve:

A-0888.ED	Economic Dev Grant Reserve	\$24,949.24
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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 \$24,949.24.

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

AUTHORIZING THE ACCEPTANCE OF FUNDING FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM

WHEREAS, Resolution 208-2022 authorized the acceptance of \$242,763 of grant monies from New York State Office of Temporary Disability Assistance to the Department of Employment and Training to subsidize costs in the administration and delivering of the Temporary Assistance for Needy Families (TANF) Summer Youth Employment Program in Saratoga County, which provides employment opportunities for eligible youth ages 14-20; and

WHEREAS, funds in the amount of \$248,247 are available from New York State Office of Temporary Disability Assistance to assist the Department of Workforce Development in subsidizing costs in delivering this service, for the term of June 1, 2023 through September 30, 2023; and

WHEREAS, our Economic Development Committee and the Director of Workforce Development have recommended the acceptance of these funds in the amount of \$248,247; and

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

RESOLVED, that the Chair of the Board is hereby authorized to execute all documents necessary to accept grant funding from the New York State Office of Temporary Disability Assistance in the amount of \$248,247 for the TANF Summer Youth Employment Program in Saratoga County; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 188 - 2023

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

AUTHORIZING ACCEPTANCE OF FEDERAL FUNDS FOR THE WORKFORCE INNOVATION AND OPPORTUNITY ACT 2023-2024 PROGRAM YEAR, AND AMENDING THE 2023 COUNTY BUDGET IN RELATION THERETO

WHEREAS, Saratoga County is the designated grant recipient for \$2,234,339 in grant funds provided through the Workforce Innovation and Opportunity Act of 2014 (WIOA) to be awarded to Saratoga, Warren, and Washington Counties for the program year July 1, 2023 through June 30, 2024; and

WHEREAS, Saratoga County's available share of said federal funds for its Workforce Development Area Program is \$941,286.10, an increase of \$102,823.96 from the County's share in the 2022-2023 program year; and

WHEREAS, this funding will allow Saratoga County to provide employment and training services for Adults, Youth and Dislocated Workers throughout the region and our county; and

WHEREAS, our Economic Development Committee and the Director of Workforce Development have recommended the acceptance of these funds in the amount of \$941,286.10; and

WHEREAS, the authorization of this Board is required for acceptance of these funds is needed; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute all documents necessary to apply for and accept Workforce Innovation and Opportunity Act funds for the program year 2023-2024; 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 amended as follows:

WORKFORCE DEVELOPMENT

Increase Revenue		
CD.68-4790	Job Training Fed Aid	\$102,823.96
Increase Appropriations		
CD.68.681-8321	Institutional Tuition	\$102,823.96

; 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 189 - 2023

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

APPROVING THE WORKFORCE DEVELOPMENT BOARD BUDGET FOR PROGRAM YEAR 2023-2024 AND AUTHORIZING AGREEMENTS WITH WARREN AND WASHINGTON COUNTIES TO FUND WORKFORCE DEVELOPMENT BOARD SERVICES

WHEREAS, Saratoga County, Warren County and Washington County are the component counties in the local Workforce Development Area; and

WHEREAS, Saratoga County acts as Grant Recipient for Workforce Innovation and Opportunity Act of 2014 (WIOA) funding for the local Workforce Development Area; and

WHEREAS, as one of the component counties of the Workforce Development Area, Saratoga County must approve the budget for the Workforce Development Board (WDB) and authorize expenditures thereunder for WDB services; now, therefore be it

RESOLVED, that the Saratoga County Board of Supervisors approves the attached Workforce Development Board Budget totaling \$280,600 for WDB's fiscal year July 1, 2023 through June 30, 2024; and it is further

RESOLVED, that the Chair of the Board is authorized to execute any necessary agreements with the Counties of Warren and Washington and other entities to fund the Workforce Development Board and its services; and it is further

RESOLVED, that the form and content of such agreements 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 190 - 2023

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

AUTHORIZING AN AGREEMENT WITH BLACK DOG DESIGNS, LLC FOR WEBSITE DESIGN, BRANDING DEVELOPMENT, AND SOCIAL MEDIA MARKETING FOR THE SARATOGA, WARREN, AND WASHINGTON COUNTY WORKFORCE DEVELOPMENT BOARD

WHEREAS, the Saratoga, Warren, and Washington County Workforce Development Board (WDB) is in need of consulting services for website design, branding development, and social media marketing, to assist the WDB with community outreach and more effective engagement and dialogue among stakeholders including, employers, policymakers, and employment seekers; and

WHEREAS, the WDB sought proposals for consulting services to assist with website design, branding development, and social media marketing; and

WHEREAS, Black Dog Designs, LLC has submitted a five (5) year proposal to provide consulting services for website design, branding development, and social media marketing, to assist the WDB with community outreach and more effective engagement and dialogue among stakeholders, including employers, policymakers, and employment seekers, at a cost not to exceed \$24,517.99 for the first year, and at a cost not to exceed \$3,017.99 for years two (2) through five (5); and

WHEREAS, our Economic Development Committee and the Director of Workforce Development have recommended that the five (5) year proposal of Black Dog Designs, LLC to provide for website design, branding development, and social media marketing, to assist the WDB with community outreach and more effective engagement and dialogue among stakeholders, including employers, policymakers, and employment seekers, at a cost not to exceed \$24, 517.99 for the first year, and at a cost not to exceed \$3,017.99 for years two (2) through five (5) be accepted; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a five (5) year agreement with Black Dog Designs, LLC, of Glens Falls, New York, for website design, branding development, and social media marketing, to assist the WDB with community outreach and more effective engagement and dialogue among stakeholders, including employers, policymakers, and employment seekers, at a cost not to exceed \$24,517.99 for the first year, and at a cost not to exceed \$3,017.99 for years two (2) through five (5), 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 191 - 2023

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

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

WHEREAS, pursuant to Resolution 249-2015, this Board established a capital reserve fund to be known as the "County Trails Development Reserve" for the purpose of depositing unexpended funds for the Saratoga County Trails 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 Country Trails Development Reserve for reimbursement to the municipal applicant; and

WHEREAS, unexpended grant funds for 2022 Town of Moreau, total \$10,000; and

WHEREAS, a reimbursement voucher from the Town of Moreau has been submitted for grant projects previously approved in 2022; and

WHEREAS, the transfer of funds from the County Trails Development Reserve to the Saratoga County Trails 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 \$10,000 be transferred from the County Trails Development Reserve to the Saratoga County Trails Grant Program account; now, therefore, be it

RESOLVED, that this Board authorizes the transfer of \$10,000 from the County Trails Development Reserve funds to the Saratoga County Trails Grant Program account to provide reimbursement to municipal applicants as approved by our Saratoga County Trails 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.80.000-8492.9	Local Assistance County Trails Grant Program	\$10,000
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Decrease Reserve

A-0888.TR	Trails Reserve	\$10,000
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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 Trails Reserve Fund by \$10,000

RESOLUTION 192 - 2023

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

AMENDING RESOLUTION 309-2022 TO MODIFY THE TRAILS GRANT AWARD TO THE TOWN OF GREENFIELD BY THE SARATOGA COUNTY TRAILS GRANT PROGRAM

WHEREAS, the Saratoga County Trails Grant Program was established in 2015 to provide matching grants to local municipalities to fund trail development and construction projects; and

WHEREAS, pursuant to Resolution 309-2022, this Board awarded a 2022 Trails Grant in the amount of \$10,000 to the Town of Greenfield for construction of an asphalt surface trail; and

WHEREAS, the Town of Greenfield has requested the grant be amended to allow the construction of a stone dust surface to provide for more cost effective and easier maintenance by the Town of Greenfield, and

WHEREAS, our Trails and Open Space Committee has recommended approval of the amendment to the grant award; now, therefore, be it

RESOLVED, that Resolution 309-2022 is hereby amended to authorize payment to the following municipality for the purpose and upon conditions stated:

Town of Greenfield: The amount of \$10,000 towards Brookhaven Park Trail. Improvement to include the improvement of a 0.5-mile portion of the Brookhaven Trail by placing a stone dust surface; and it is further

RESOLVED, the Chair of the Board is authorized to execute all documents necessary for the transfer of funds, for the grant as amended; and it is further

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

RESOLVED, that this Resolution shall take effect immediately.

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

RESOLUTION 193 - 2023

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

AUTHORIZING A TEMPORARY EASEMENT AGREEMENT WITH KINGSLEY CORNER, LLC FOR IMPROVEMENTS TO THE INTERSECTION OF LAKE HILL ROAD AND KINGSLEY ROAD

WHEREAS, pursuant to Resolution 78-2023, this Board authorized an intermunicipal agreement with the Town of Ballston for improvements to the intersection of Lake Hill Road and Kingsley Road, as well as a consultant agreement with CHA Consulting, Inc., in relation thereto, for the addition of a crosswalk, ADA accessible sidewalk ramps and push-button poles; and

WHEREAS, during the design phase it was determined that to complete the crosswalk improvement project the County of Saratoga would need to obtain an easement over the southwest corner of the intersection of Lake Hill Road and Kingsley Road; and

WHEREAS, to be able to make the necessary improvements to the intersection of Lake Hill Road and Kingsley Road it is necessary for the County of Saratoga to enter into an agreement with Kingsley Corner, LLC to obtain a temporary easement over the southwest corner of the intersection for the installation of the ADA accessible sidewalk ramp and push-button pole; and

WHEREAS, it is appropriate that the County of Saratoga enter into a temporary easement agreement with Kingsley Corner, LLC to gain access to the southwest corner of the intersection of Lake Hill Road and Kingsley Road to facilitate construction of the crosswalk improvement project; now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a temporary easement agreement with Kingsley Corner, LLC of Clifton Park, New York, to gain access to the southwest corner of the intersection of Lake Hill Road and Kingsley Road to facilitate construction of the crosswalk improvement project; and it is further

RESOLVED, that the form and content of said 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 194 - 2023

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

AUTHORIZING PURCHASE AGREEMENTS FOR THE ACQUISITION OF PERMANENT CONSTRUCTION EASEMENTS ASSOCIATED WITH THE COUNTY ROUTE 4 (NORTH SHORE ROAD) CULVERT REPLACEMENT OVER BEECHER CREEK IN THE TOWN OF EDINBURG

WHEREAS, pursuant to Resolution 349-2022, this Board adopted the 2023-2027 Saratoga County Capital Plan which included among its capital projects the replacement of the CR 4 (North Shore Road) over Beecher Creek culvert, in the Town of Edinburg; and

WHEREAS, pursuant to Resolution 314-2021, the County retained the services of Greenman-Pedersen, Inc. to provide design and construction administration services related to the replacement of the CR 4 culvert over Beecher Creek; and

WHEREAS, Greenman-Pedersen, Inc. has identified two (2) permanent easements that the County needs to acquire from adjoining landowners for the project ; and

WHEREAS, the first permanent easement needed is a 1,582 ± sq. ft. easement from Walter and Susan Fitzgerald, the owners of Tax Parcel #80.-1-73, located at 1 Military Road, Town of Northville, the cost of which easement has been established at \$600 per an agreement between the County and said owners; and

WHEREAS, the second temporary easement needed is a 1,151 ± sq. ft. easement from Beth Ward and Rick Cowsert, owners of Tax Parcel #80.12-1-40, located at 46 North Shore Road, Town of Northville, the cost of which easement has been established at \$800 per the agreement between the County and said owners, payable at \$400 to each owner; and

WHEREAS, our Public Works Committee and the Commissioner of Public Works have recommended that the County enter into a purchase agreement with: 1) Walter and Susan Fitzgerald for the acquisition of a 1,582 ± sq. ft. permanent easement across a portion of Tax Parcel #80.-1-73, at a cost of \$600; and 2) Beth Ward and Rick Cowsert for the acquisition of a 1,151 ± sq. ft. permanent easement across a portion of Tax Parcel #80.12-1-40, at a cost of \$800; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute purchase agreements with: 1) Walter and Susan Fitzgerald for the acquisition of a 1,582 ± sq. ft. permanent easement across a portion of Tax Parcel #80.-1-73, at a cost of \$600; and 2) Beth Ward and Rick Cowsert for the acquisition of a 1,151 ± sq. ft. permanent easement across a portion of Tax Parcel #80.12-1-40, at a cost of \$800; and it is further

RESOLVED, that the form and content of said purchase agreements 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 195 - 2023

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

AUTHORIZING THE ACCEPTANCE OF OWNERSHIP OF PORTIONS OF LUTHER FOREST BOULEVARD AND LUTHER FOREST BOULEVARD EXTENSION IN THE TOWN OF STILLWATER, AND AUTHORIZING AN AGREEMENT WITH THE TOWN OF STILLWATER AND GLOBALFOUNDRIES INNOVATIONS, LLC RELATED TO THE FUTURE

MAINTENANCE OF THE ROADS AND ALL OFF-ROAD AREAS, INFRASTRUCTURE AND FACILITIES

WHEREAS, pursuant to Stillwater Town Board Resolution No. 26 of 2023, approved on April 20, 2023, the Town of Stillwater has requested that the County of Saratoga take ownership from the Town of portions of constructed road corridors known as Luther Forest Boulevard and Luther Forest Boulevard Extension located on land commonly known and referred to as the Luther Forest Technology Campus; and

WHEREAS, the premises sought to be conveyed by the Town to the County include a roundabout, stormwater drainage systems, curbs, medians, sidewalks, lights on lamp poles, multi-use paths, bike rails, lawn areas, and landscaping; most of which are deemed nonstandard features and would not be maintained by the County under the County's Highway Maintenance Program; and

WHEREAS, the County will not agree to accept responsibility for maintaining non-standard features such as curbs, medians, landscaping, signs and lights within medians, stormwater treatment areas, sidewalks, multi-use paths, a roundabout splitter island, bike rails, lawn mowing, fencing, landscaping, specialty pavement, tree and shrub care, and all shoulder sections beyond eight feet from the paved shoulder of the roadway and open stormwater drainage systems; and

WHEREAS, GlobalFoundries Innovations, LLC is willing to maintain all non-standard features for which the County is unwilling to accept responsibility for maintaining, repairing or replacing; and

WHEREAS, our Public Works Committee has recommended that the County accept the proposed conveyance of portions of Luther Forest Boulevard and Luther Forest Boulevard Extension as originally described in the deed dated July 22, 2015 from Luther Forest Technology Campus Economic Development Corporation ("LFTCEDC") to the Town recorded in the Saratoga County Clerk's Office on August 17, 2015 as Instrument #2015024283, and shown on filed Map No. M2015120, subject to the terms and conditions set forth hereinafter; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby accepts and approves the proposed conveyance by the Town of Stillwater to the County of Saratoga those portions of Luther Forest Boulevard and Luther Forest Boulevard Extension located in the Town of Stillwater as described in a deed dated July 22, 2015 from the Luther Forest Technology Campus Economic Development Corporation to the Town of Stillwater, as recorded in the Saratoga County Clerk's Office bearing Instrument #2015024283, and shown on filed Map No. M2015120, subject to the following terms and conditions:

1. The County shall accept the conveyance on or after July 18, 2023.
2. After conveyance, the County shall accept no responsibility for maintaining, repairing or replacing those features of the premises that would be either deemed "non-standard" by current policies and procedures of the Saratoga County Department of Public Works or those areas which lie eight feet or more beyond the paved shoulder of the road. Such non-standard features would include, but not be limited to, the following: curbs, medians, landscaping, signs and lights within medians; wetland mitigation areas; stormwater treatment areas; sidewalks; multi-use paths; roundabouts splitter islands; bike rails; lawn maintenance; tree and shrub care; all shoulder sections beyond the paved shoulder of the highway; and open stormwater drainage systems.
3. The County shall enter into an agreement with GlobalFoundries Innovation, LLC requiring GlobalFoundries to maintain, repair and replace all non-standard features, and all areas beyond eight feet from the paved shoulder of the road to be conveyed.

4. The County shall maintain, repair and replace those portions of the paved surfaces of Luther Forest Boulevard and Luther Forest Boulevard Extension to be conveyed to it by the Town, as well as closed stormwater drainage systems along the road shoulders until they open to daylight.
5. The Town of Stillwater shall provide to the County a release of all claims and liens the Town may have as against the lands to be conveyed by the Town to the County, including a release of any and all claims and liens against the lands the Town may have against GlobalFoundries Innovations, LLC for unpaid host benefits.
6. The County shall acquire title insurance for all lands to be conveyed by the Town to the County.
7. The Town of Stillwater shall provide to the County discharges, releases, UCC-3 termination statements, or any equivalent documents, for any mortgage, mechanic's or other liens, if any, encumbering Luther Forest Boulevard and Luther Forest Boulevard Extension in the Town of Stillwater as may be requested by the County of the County's title insurance company.

and, be it further

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute any and all documents needed to affect a conveyance by the Town to the County, as of July 18, 2023, of all lands conveyed by LFTCEDC to the Town by deed recorded in the Saratoga County Clerk's Office as Instrument #2015024283, and shown on filed Map No. M2015120, with said documents being subject to the review and approval of the County Attorney; and, be it further

RESOLVED, that the Chair of the Board is hereby authorized and directed to execute an agreement with GlobalFoundries Innovations, LLC providing for GlobalFoundries Innovations, LLC's maintenance, repair and replacement of the non-standard features and off-road areas recited and referenced herein, with the form and content of such agreement to 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.

RESOLUTION 196 - 2023

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

AUTHORIZING AN AGREEMENT WITH XYLEM WATER SOLUTIONS, INC. TO UPGRADE THE SARATOGA COUNTY SEWER DISTRICT NO. 1 WASTEWATER TREATMENT PLANT'S ULTRAVIOLET DISINFECTION SYSTEM

WHEREAS, Resolutions 100-2018 and 136-2021 authorized agreements between the Saratoga County Sewer District No. 1 ("Sewer District") and Xylem Water Solutions, Inc. for the provision of preventative maintenance services of the Sewer District's ultraviolet ("UV") disinfection system since its original installation in 2010; and

WHEREAS, the UV disinfection system is the final step in the wastewater treatment plant's processes prior to discharging to the Hudson River and is required by its operating permits; and

WHEREAS, the System Controls equipment paces the disinfection system to provide the proper dose of UV light to ensure bacteria cannot reproduce, and it has reached the end of its useful life; and

WHEREAS, the Sewer District's Executive Director solicited competitive bids for upgrades to the System Controls of the UV disinfection system; and

WHEREAS, Xylem Water Solutions, Inc. was the sole bidder and the original equipment manufacturer of the SCSD No. 1 wastewater treatment plant's UV disinfection system; 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 Xylem Water Solutions, Inc. in the amount of \$57,100, the only bid received, be accepted for furnishing and installing system controls upgrades to the Sewer District's wastewater treatment plant's ultraviolet disinfection system; now, therefore, it is

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Xylem Water Solutions, Inc. providing for acquisition and installation of System Controls upgrades for the ultraviolet disinfection system at the Saratoga County Sewer District No. 1's wastewater treatment plant at a cost not to exceed \$57,100, with the form and content of such agreement to 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 198 - 2023

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

AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH JUPITER ENVIRONMENTAL SERVICES, INC. FOR ADDITIONAL WORK RELATED TO THE MOLD AND ASBESTOS ABATEMENT AT THE SARATOGA COUNTY SEWER DISTRICT NO. 1'S MAINTENANCE FACILITY IN THE TOWN OF HALFMOON

WHEREAS, Resolution 49-2023 authorized an agreement with Jupiter Environmental Services, Inc. for mold and asbestos abatement services at the Saratoga County Sewer District No. 1's maintenance facility located at 523 South Main Street, Halfmoon, New York, at a cost not to exceed \$119,200; and

WHEREAS, while conducting the original mold and asbestos abatement services, an additional wall was found to contain mold that could not be visually inspected and was not included in the initial abatement plan; and

WHEREAS, the Saratoga County Sewer District No. 1 received a proposal from Jupiter Environmental Services, Inc. in the amount of \$17,200 for the removal of the additional wall at the Sewer District's maintenance facility buildings; 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 an amendment to the agreement with Jupiter Environmental Services, Inc. be authorized in the amount of \$17,200 for

additional mold and asbestos abatement services bringing the total contract value to \$136,400; now, therefore, it is

RESOLVED, that the Chair of the Board is hereby authorized to execute an amended agreement with Jupiter Environmental Services, Inc. of Albany, New York to provide additional mold and asbestos abatement services with the removal of the additional wall at the Sewer District’s maintenance facility located at 523 South Main Street, Halfmoon, New York at a cost not to exceed \$17,200; and it is further

RESOLVED, that the form and content of such an amendment to the 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 199 - 2023

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

AMENDING RESOLUTION 181-12, AS LAST AMENDED BY RESOLUTION 239-2022, AND ESTABLISHING OR REVISING A STANDARD WORKDAY REPORTING RESOLUTION FOR ELECTED AND APPOINTED COUNTY OFFICIALS FOR RETIREMENT PURPOSES

WHEREAS, this Board adopted Resolution 181-12, as last amended by Resolution 239-2022, establishing standard workdays for certain elected and appointed County Officials for retirement reporting purposes pursuant to regulations of the New York State and Local Employees Retirement System; and

WHEREAS, the regulations promulgated by the New York State and Local Employees' Retirement System require that municipalities continually update their standard workday resolutions to reflect changes in the employment status of individual employees, and accordingly Resolution 181-12 was most recently amended by Resolution 239-2022; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby amends Resolution 239-2022, and establishes the following as standard workdays for the elected and appointed officials named hereafter, and will report the following days to the New York State and Local Employees' Retirement System based on the timekeeping system records or the records of activities maintained and submitted by these officials to this Clerk of this body:

Title	Standard Workday (Hrs./day) Min. 6 hrs. Max 8 hrs.	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy- mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
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Elected Officials

District Attorney	7	Karen Heggen	XXXX			01/01/2023 - 12/31/2026	N	24.6	
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BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 200 - 2023

Introduced by Chair of the Board: Theodore Kusnierz, Jr.

APPOINTING A COMMISSIONER OF ELECTIONS

WHEREAS, pursuant to Resolution 5-2021 William Fruci was reappointed as one of the Commissioners of Elections for the County of Saratoga for a term of four (4) years commencing on January 1, 2021 and ending on December 31, 2024; and

WHEREAS, Commissioner Fruci will be retiring on September 14, 2023; and

WHEREAS, Resolution 2-97 established a Commissioner's term of office at four (4) years; and

WHEREAS, the Saratoga County Democratic Committee, on June 26, 2023, having recommended that Cassandra M. Bagramian be appointed as Commissioner of Elections for the County of Saratoga for the remaining term of William Fruci, commencing on September 15, 2023 and ending on December 31, 2024; now, therefore, be it

RESOLVED, that Cassandra M. Bagramian is hereby appointed as Commissioner of Elections for the County of Saratoga, at a salary of \$91,800, for the remaining term of William Fruci, commencing on September 15, 2023 and ending on December 31, 2024; and it is further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

Mr. M. Veitch requested a separate vote on Resolutions 182, 183, 184 and 185. Mr. M. Veitch recused himself from voting on Resolutions 182, 183, 184 and 185.

On a motion by Mr. Tollisen, seconded by Mr. Smith, Resolutions 182, 183, 184 and 185 were adopted by the following vote:

AYES (178884.5): Eric Connolly (11831), Philip C. Barrett (19014.5), Jonathon Schopf (19014.5), Eric Butler (6500), Diana Edwards (819), 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), Ian Murray (5808), John Lant (17361)

NOES (0):

ABSENT (42,379): Joseph Grasso (4328), Jean Raymond (1333), Willard H. Peck (5242), Tara N. Gaston (14245.5), Edward D. Kinowski (9022), John Lawler (8208)

RECUSED (14245.5): Matthew E. Veitch (14245.5)

RESOLUTION 182 - 2023

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

AUTHORIZING AN AMENDED TOWER LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS, FOR THE PLACEMENT OF COMMUNICATIONS EQUIPMENT ON THE COUNTY'S RADIO COMMUNICATIONS TOWER IN THE TOWN OF EDINBURG

WHEREAS, as part of the County's Emergency Radio System, the County constructed a radio communications tower on lands located at 393 Military Road, in the Town of Edinburg, which lands are identified on the Saratoga County Tax Maps as Tax Parcel #54.-1-4; and

WHEREAS, the County does not own the parcel upon which the radio communications tower was constructed in the Town of Edinburg, but instead was granted an easement by the landowner, Roger Scott, to construct, operate and maintain the radio communications tower on said site; and

WHEREAS, Cellco Partnership, d/b/a Verizon Wireless, ("Verizon Wireless") is interested in licensing space on the County's Communications Tower in the Town of Edinburg for the placement, operation, and maintenance of communications equipment in support of the operation of Verizon Wireless's communications network; and

WHEREAS, the County's easement agreement with Roger Scott, dated August 6, 2008, provides that if the County co-locates antennas or other communications equipment on the tower for non-governmental or commercial purposes, the County shall pay to Roger Scott fifty per cent (50%) of any rental or license fee received from the owners of such antennas or other communications equipment; and

WHEREAS, our Public Safety Committee and the Director of Emergency Management have recommended that the County enter into an amended Tower License Agreement with Cellco Partnership, d/b/a Verizon Wireless for the placement of its communications equipment on the County's Communications Tower in the Town of Edinburg for an initial term of two (2) years commencing on August 1, 2023, and will automatically renew for nine (9) additional terms of two (2) years each, at an initial rental cost to Verizon Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase for each renewal term of two (2) years over the preceding two (2) year term; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amended Tower License Agreement with Cellco Partnership, d/b/a Verizon Wireless, of Bedminster, New Jersey, granting a license to Cellco Partnership, d/b/a Verizon Wireless, authorizing the placement, operation and maintenance of communications equipment on the County's Communications Tower in the Town of Edinburg, for an initial term of two (2) years commencing on August 1, 2023, and will automatically renew for nine (9) additional terms of two (2) years each, at an initial rental cost to Verizon Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase for each renewal term of two (2) years over the preceding two (2) year term; and, be it further

RESOLVED, that pursuant to its Agreement with Roger Scott dated August 6, 2008, the County shall pay fifty percent (50%) of the rent received from Cellco Partnership, d/b/a Verizon Wireless, its successors or assigns, to Roger Scott; and, be it further

RESOLVED, that the form and content of such Tower License 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 183 - 2023

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

AUTHORIZING AN AMENDED TOWER LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS, FOR THE PLACEMENT OF COMMUNICATIONS EQUIPMENT ON THE COUNTY'S RADIO COMMUNICATIONS TOWER IN THE TOWN OF LAKE LUZERNE

WHEREAS, as part of the County's Emergency Radio System, the County constructed a radio communications tower on lands located at 466 Lake Avenue, in the Town of Lake Luzerne, County of Warren, owned by the Town of Lake Luzerne through its Luzerne Water District; and

WHEREAS, said radio communications tower is commonly known as the Lake Luzerne Tower; and

WHEREAS, the County does not own the parcel upon which the radio communications tower was constructed in the Town of Lake Luzerne, but instead was granted an easement by the Town of Lake Luzerne, acting on behalf of the Luzerne Water District, to construct, operate and maintain the radio communications tower on said site; and

WHEREAS, Cellco Partnership, d/b/a Verizon Wireless, ("Verizon Wireless") is interested in licensing space on the County's Communications Tower in the Town of Lake Luzerne for the placement, operation and maintenance of communications equipment in support of the operation of Verizon Wireless's communications network; and

WHEREAS, the County's easement agreement with the Town of Lake Luzerne dated April 26, 2010, provides that if the County co-locates antennas or other communications equipment on the tower for non-governmental or commercial purposes, the County shall pay to the Town of Lake Luzerne fifty per cent (50%) of any rental or license fee received from the owners of such antennas or other communications equipment; and

WHEREAS, our Public Safety Committee and the Director of Emergency Management have recommended that the County enter into an amended Tower License Agreement with Cellco Partnership, d/b/a Verizon Wireless for the placement of its communications equipment on the County's Communications Tower in the Town of Lake Luzerne for an initial term of two (2) years commencing on August 1, 2023, and will automatically renew for nine (9) additional terms of two (2) years each, at an initial rental cost to Verizon Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase for each renewal term of two (2) years over the preceding two (2) year term; now, therefore, be it of two (2) years each, at a rental cost to Verizon Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase over the annual rental amount for the immediate preceding year; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amended Tower License Agreement with Cellco Partnership, d/b/a Verizon Wireless, of Bedminster, New Jersey, granting a license to Cellco Partnership, d/b/a Verizon Wireless, authorizing the placement, operation and maintenance of communications equipment on the County's Communications Tower in the Town of Lake Luzerne, for an initial term of two (2) years commencing on August 1, 2023, and will automatically renew for nine (9) additional terms of two (2) years each, at an initial rental cost to Verizon

Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase for each renewal term of two (2) years over the preceding two (2) year term; and, be it further

RESOLVED, that pursuant to its Agreement with the Town of Lake Luzerne dated April 26, 2010, the County shall pay fifty percent (50%) of the rent received from Cellco Partnership, d/b/a Verizon Wireless, its successors or assigns, to the Town of Lake Luzerne, acting on behalf of the Luzerne Water District; and, be it further

RESOLVED, that the form and content of such Tower License 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 184 - 2023

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

AUTHORIZING AN AMENDED TOWER LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS, FOR THE PLACEMENT OF COMMUNICATIONS EQUIPMENT ON THE COUNTY'S RADIO COMMUNICATIONS TOWER IN THE TOWN OF DAY

WHEREAS, as part of the County's Emergency Radio System, the County constructed a radio communications tower on lands located at 197 Horse Hill Road, in the Town of Day, which lands are currently identified on the Saratoga County Tax Maps as Tax Parcel #42.-3-6, and were formerly identified as Tax Parcel #42.-3-4.2; and

WHEREAS, said radio communications tower is commonly known as the Lakeview Tower; and

WHEREAS, the County does not own the parcel upon which the radio communications tower was constructed in the Town of Day, but instead was granted an easement by the landowners, Kenneth and Michelle Metzler, to construct, operate and maintain the radio communications tower on said site by deed recorded in the Saratoga County Clerk's Office on December 5, 2011 as Instrument #2011041308; and

WHEREAS, Kenneth and Michelle Metzler conveyed title to said parcel to Garrett M. Metzler and Kirstie L. Metzler by deed recorded in the Saratoga County Clerk's Office on June 20, 2018 as Instrument #2018018071, which conveyance was made subject to the County's easement for the construction, operation and maintenance of the radio communications tower; and

WHEREAS, Cellco Partnership, d/b/a Verizon Wireless, ("Verizon Wireless") is interested in licensing space on the County's Communications Tower in the Town of Day for the placement, operation and maintenance of communications equipment in support of the operation of Verizon Wireless's communications network; and

WHEREAS, the County's easement agreement with the previous landowners Kenneth and Michelle Metzler, dated December 5, 2011, provides that if the County co-locates antennas or other communications equipment on the tower for non-governmental or commercial purposes, the County shall pay to Kenneth and Michelle Metzler, their heirs, successors or assigns fifty per cent (50%) of any rental or license fee received from the owners of such antennas or other communications equipment; and

WHEREAS, our Public Safety Committee and the Director of Emergency Management have recommended that the County enter into an amended Tower License Agreement with Cellco Partnership, d/b/a Verizon Wireless for the placement of its communications equipment on the County's Communications Tower in the Town of Day for an initial term of two (2) years commencing on August 1, 2023, and will automatically renew for nine (9) additional terms of two (2) years each, at an initial rental cost to Verizon Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase for each renewal term of two (2) years over the preceding two (2) year term; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amended Tower License Agreement with Cellco Partnership, d/b/a Verizon Wireless, of Bedminster, New Jersey, granting a license to Cellco Partnership, d/b/a Verizon Wireless, authorizing the placement, operation and maintenance of communications equipment on the County's Communications Tower in the Town of Day, for an initial term of two (2) years commencing on August 1, 2023, and will automatically renew for nine (9) additional terms of two (2) years each, at an initial rental cost to Verizon Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase for each renewal term of two (2) years over the preceding two (2) year term; and, be it further

RESOLVED, that pursuant to its Agreement with Kenneth and Michelle Metzler dated December 5, 2011, the County shall pay fifty percent (50%) of the rent received from Cellco Partnership, d/b/a Verizon Wireless, its successors or assigns, to Garrett M. Metzler and Kirstie L. Metzler as heirs, successors and assigns of Kenneth and Michelle Metzler; and, be it further

RESOLVED, that the form and content of such Tower License 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 185 - 2023

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

AUTHORIZING AN AMENDED TOWER LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS, FOR THE PLACEMENT OF COMMUNICATIONS EQUIPMENT ON THE COUNTY'S RADIO COMMUNICATIONS TOWER IN THE TOWN OF PROVIDENCE

WHEREAS, as part of the County's Emergency Radio System, the County constructed a radio communications tower on County lands located at 7247 Barkersville Road in the Town of Providence, which lands are identified on the Saratoga County Tax Maps as Tax Parcel #147.-1-38.11; and

WHEREAS, Cellco Partnership, d/b/a Verizon Wireless, ("Verizon Wireless") is interested in licensing space on the County's Communications Tower in the Town of Providence for the placement, operation and maintenance of communications equipment in support of the operation of Verizon Wireless's communications network; and

WHEREAS, our Public Safety Committee and the Director of Emergency Management have recommended that the County enter into an amended Tower License Agreement with Cellco Partnership, d/b/a Verizon Wireless for the placement of its communications equipment on the

County's Communications Tower in the Town of Providence for an initial term of two (2) years commencing on August 1, 2023, and will automatically renew for nine (9) additional terms of two (2) years each, at an initial rental cost to Verizon Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase for each renewal term of two (2) years over the preceding two (2) year term; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an amended Tower License Agreement with Cellco Partnership, d/b/a Verizon Wireless, of Bedminster, New Jersey, granting a license to Cellco Partnership, d/b/a Verizon Wireless, authorizing the placement, operation and maintenance of communications equipment on the County's Communications Tower in the Town of Providence, for an initial term of two (2) years commencing on August 1, 2023, and will automatically renew for nine (9) additional terms of two (2) years each, at an initial rental cost to Verizon Wireless of \$30,000 per year during the initial two (2) year term, subject to a two percent (2%) yearly increase for each renewal term of two (2) years over the preceding two (2) year term; and, be it further

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

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

Mr. Smith requested a separate vote on Resolution 197. Mr. Smith recused himself from voting on Resolution 197.

On a motion by Mr. Barrett, seconded by Mr. M. Veitch, Resolution #197 was adopted by the following vote:

AYES (189606): Eric Connolly (11831), Philip C. Barrett (19014.5), Jonathon Schopf (19014.5), Eric Butler (6500), Diana Edwards (819), 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), Ian Murray (5808), Matthew E. Veitch (14245.5), John Lant (17361)

NOES (0):

ABSENT (42,379): Joseph Grasso (4328), Jean Raymond (1333), Willard H. Peck (5242), Tara N. Gaston (14245.5), Edward D. Kinowski (9022), John Lawler (8208)

RECUSED (3525): Michael Smith (3525)

RESOLUTION 197 - 2023

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

AUTHORIZING AN AGREEMENT WITH ENVIRONMENTAL DESIGN PARTNERSHIP, LLP FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES IN SUPPORT OF THE ACE PUMP STATION UPGRADES

WHEREAS, pursuant to Resolutions 100-2022, 130-2022 and 140-2023 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 Saratoga County Sewer District No. 1 received a proposal from Environmental Design Partnership, LLP in the amount of \$42,000 for work related to construction administration and 400 hours of construction inspection services for the upgrades to the Ace Pump Station; 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 an agreement with Environmental Design Partnership, LLP be authorized in the amount of \$42,000 for construction administration and inspection services; now, therefore, it is

RESOLVED, that the Chair of the Board is hereby authorized to execute an agreement with Environmental Design Partnership, LLP of Clifton Park, New York to provide construction administration and 400 hours of construction inspection services for the upgrades to the Ace Pump Station in the Town of Wilton at a cost not to exceed \$42,000; 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.

UNFINISHED BUSINESS AND NEW PROPOSALS

None

OTHER BUSINESS

Chairman Kusnierz announced the following appointments:

Appointing Supervisor Ian Murray to the following Committees:

Name	Committee	Term Expiration
Ian Murray	Health & Human Services	12/31/2023
Ian Murray	Public Works	12/31/2023
Ian Murray	Veterans' Affairs	12/31/2023
Ian Murray	250th Anniversary of the American Revolution Committee	07/20/2024
Ian Murray	Hudson River PCB Superfund Site Community Advisory	12/31/2023

Mr. Smith invited everyone to the 2nd Annual Galway Blueberry Festival on Saturday July 29, 2023 9am – 2pm.

PUBLIC INPUT

The following public input was sent via email:

Name	Municipality	Subject
Gail Levinson	Saratoga Springs	Homeless Shelter
Sonia Torres		Low barrier shelter site suggestion

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