

REGULAR MEETING  
TUESDAY, June 18, 2024  
AT 4:00 p.m., E.S.T.

Board called to order by Chairman Barrett.

Roll call was taken.

PRESENT – Eric Connolly (11831), Joseph Grasso (4328), Philip C. Barrett (19014.5), Angela Thompson (19014.5), C. Eric Butler (6500), Diana Edwards (819), Jean Raymond (1333), James D. Arnold (3525), Kevin Veitch (8004), Arthur M. Wright (1976), Kevin Tollisen (25662), Cynthia Young (17130), Scott Ostrander (18800), Jesse Fish (16202), Sandra Winney (2075), Ian Murray (5808), Michele Madigan (14245.5), Matthew E. Veitch (14245.5), Edward D. Kinowski (9022), David Ball (8208) - 20

ABSENT – Thomas Richardson (5163), Willard H. Peck (5242), John Lant (17361) - 3

The invocation was given by Fr. Tom Papazoglakis from St. George’s Church, Clifton Park on behalf of Craig Hayner, Chaplain

Mr. Mark Castiglione provided an update on the Capital District Regional Planning Commission.

On a motion by Mr. M. Veitch, seconded by Mr. Grasso, the minutes of the May 21, 2024 Board meeting was unanimously approved.

The Clerk presented the following:

CORRESPONDENCE

Correspondence from The First Baptist Church of Ballston Spa thanking the Board for donations provided through the Regional Food Bank of Northeastern New York.

Received and Filed

Correspondence from County Attorney George Conway informing the Board of the appointment of Laura M. Kruegler as Part-time Assistant County Attorney for the term May 25, 2024 through December 31, 2024.

Received and Filed

Correspondence from Commissioner Daniel Kuhles and the Department of Health thanking the Board for the Employee Appreciation Day event.

Received and Filed

Correspondence from Northville Central Elementary School thanking the Board and the Planning Department for the fish stocking event.

Received and Filed

Correspondence from the family of former Greenfield Supervisor Robert Stokes thanking the Board for the donation made in his memory.

Received and Filed

Correspondence from Director Eileen Bennett and the Information Technology Department thanking the Board for the Employee Appreciation Day event.

Received and Filed

Correspondence from The Regional Food Bank of Northeastern New York thanking the Board for the donation provided to support partner food pantries.

Received and Filed

#### REPORTS OF COMMITTEES

There were no reports of Committees

On a motion by Mr. Grasso, seconded by Mr. Butler, Resolutions 149 through 167 with the exception of Resolution #'s 152, 153, 154 and 155 were adopted by a unanimous vote.

#### RESOLUTION 149 - 2024

Introduced by Health and Human Services: Supervisors Edwards, Grasso, Lant, Murray, Ostrander, Richardson and Thompson

#### AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE MEMORANDUMS OF UNDERSTANDING WITH ORGANIZATIONS AND CORPORATIONS IN RELATION TO OPIOID OVERDOSE RESCUE KITS ACROSS SARATOGA COUNTY

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

WHEREAS, due to the 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, evidence-based data collection, and research analyzing the effectiveness of the abatement strategies within the state; and

WHEREAS, pursuant to Resolution 68-2023, the opioid settlement funds received by the County of Saratoga in the amount of \$62,686.68 were authorized to be disbursed to support the Saratoga County Department of Health (DOH) initiatives to combat substance use disorder by, in part, increasing availability and distribution of naloxone or other FDA-approved drugs with a naloxone box program, including the necessary budget amendments; and

WHEREAS, the Department of Health and the Health and Human Services Committee recommend the execution of documents, agreements and Memoranda of Understanding with organizations and corporations across Saratoga County for increasing the availability and distribution of naloxone or other FDA-approved drugs with a naloxone box program; now therefore it is

RESOLVED, that the County Administrator is authorized to execute all documents, agreements and Memoranda of Understanding with organizations and corporations across Saratoga County for increasing the availability and distribution of naloxone or other FDA-approved drugs with a naloxone box program; and it is further

RESOLVED, that the form and content of any such document, agreement or Memorandum of Understanding 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 150 - 2024

Introduced by Public Works: Supervisors K. Veitch, Ball, Connolly, Edwards, Fish, Grasso and Madigan

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT, FOR THE LASHER ROAD BRIDGE OVER MOURNING KILL REPLACEMENT PROJECT IN THE TOWN OF BALLSTON, APPROPRIATING FUNDS THEREFORE, AND AMENDING THE 2024 COUNTY BUDGET IN RELATION THERETO

WHEREAS, the Lasher Road Bridge over Mourning Kill replacement, BIN 3304700, Town of Ballston, Saratoga County PIN 1761.79, (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the federal and non-federal share of the costs of construction and construction inspection services; and;

WHEREAS, the 2023 Capital Plan included \$1,079,000 for the construction of the replacement bridge, and

WHEREAS, the cost of construction services is \$1,192,810 as established by the lowest bid and for the construction administration services of \$160,000 which is based on an amendment for professional services; and

WHEREAS, the Commissioner of the Public Works Department, the Public Works Committee and the Law and Finance Committee each recommend that the amount of \$1,352,810 from the County's Highway Fund be appropriated to cover the federal and non-federal share of the cost of the construction and construction administration services phase of the Project now, therefore, be it

RESOLVED, that the sum of \$1,352,810 is hereby appropriated from the County’s Highway Fund and made available to cover the cost of the County’s participation in the construction and construction administration services phase of the Project; and it is further

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

RESOLVED, that the Saratoga County Board of Supervisors hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the County of Saratoga to pay in the first instance 100% of the federal and non-federal share construction and construction administration services phases of the Project or portions thereof; and it is further

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

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

RESOLVED, that the 2024 County budget is amended as follows:

COUNTY ROAD:

Increase Revenues:

D.50-3590	State Aid-Transportation	\$ 24,000
D.50-4590	Federal Aid-Transportation	\$128,000
D.50-5031	Transfer from General Fund	\$ 8,000

Increase Expenses:

D.50.510-8130	Architects/Engineers	\$160,000
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H2023 FUND:

Increase Revenues:

H2023.50-3590	State Aid-Transportation	\$ 17,071
H2023.50-4590	Federal Aid-Transportation	\$ 91,048
H2023.50-5031	Transfer from General Fund	\$ 5,691

Increase Expenses:

H2023.50.100-7502	Contracted Highway Srvs	\$113,810
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NON-DEPARTMENTAL:

Increase Expenses:

A.90.920-9900.D	Transfer to County Road Fund	\$ 8,000
A.90.920.9900-H2023	Transfer to 2023 Capital Plan	\$ 5,691

Decrease Fund Balance:

A-0599.B	Appropriated Fund Balance-Budgetary	\$ 13,691
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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, authorize related expenses and decrease fund balance by \$13,691.

RESOLUTION 151 - 2024

Introduced by Public Works: Supervisors K. Veitch, Ball, Connolly, Edwards, Fish, Grasso and Madigan

AMENDING AN AGREEMENT WITH GREENMAN PEDERSEN, INC. FOR RIGHT OF WAY, CONSTRUCTION ADMINISTRATION, AND INSPECTION SERVICES IN THE TOWN OF BALLSTON.

WHEREAS, Lasher Road Bridge over the Mourning Kill Replacement, BIN 3304700, Town of Ballston, Saratoga County, PIN 1761.79, (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds.

WHEREAS, the County of Saratoga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of additional Right-of-Way (ROW) Incidentals/Acquisition work and construction administration and inspection services;

WHEREAS, the County is authorized to contract with any of the consultants designated by the New York State Department of Transportation (NYSDOT) to provide services for locally administered federal and/or state-aided municipal highway, bridge, and related projects that require architectural/engineering/surveying services in NYSDOT Region 1; and

WHEREAS, the Saratoga County Department of Public Works has evaluated and ranked all firms on NYSDOT’s Region 1 Local Design Service Agreement List, and has selected Greenman Pedersen, Inc. to provide Design, ROW Incidental services, and construction administration and inspection services related to the replacement of the Lasher Road Bridge over the Mourning Kill in the Town of Ballston; and

WHEREAS, pursuant to Resolution 338-2021, the Chair of the Board was authorized to execute an agreement with Greenman Pedersen, Inc. of Albany, New York for the provision of design and ROW incidental services for the proposed replacement of the Lasher Road Bridge over the Mourning Kill in the Town of Ballston, at a cost not to exceed \$137,120; and

WHEREAS, right of way acquisition costs of \$6,257 need to be added to the agreement with Greeman Pedersen, Inc. to advance the Project; and

WHEREAS, construction administration and inspection services in the amount of \$160,000 also need to be added to the agreement with Greeman Pedersen, Inc. to advance the Project; and

WHEREAS, the above needed additions to the agreement with Greeman Pedersen, Inc will increase the total amount of the agreement with Greeman Pedersen, Inc to \$303,377;

WHEREAS, the Public Works Committee and the Commissioner of Public Works recommend that the above needed expenses be approved by the Board to advance the Project and now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute a “Saratoga County Consultant Agreement Amendment” with Greeman Pedersen, Inc. in the amount not to exceed \$160,000 for construction administration and inspection fees and in the amount of \$6,257 for ROW acquisition fees and for total contract amount not to exceed \$303,377 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 156 - 2024

Introduced by Public Safety: Supervisors Lant, Butler, Fish, Murray, Ostrander, Wright and Young

AMENDING RESOLUTION 107-2024 TO REPLACE “CPL ARCHITECTS, ENGINEERS, LANDSCAPE ARCHITECTS AND SURVEYORS, D.P.C.” AND “CPL ARCHITECTURE, ENGINEERING AND PLANNING” WITH “CPL ARCHITECTS, ENGINEERS, AND LANDSCAPE ARCHITECT, D.P.C.”

WHEREAS, pursuant to Resolution 107-2024, the Board authorized a contract with CPL Architects, Engineers, Landscape Architects and Surveyors, D.P.C., also referred to in the Resolution as CPL Architecture, Engineering and Planning, for engineering services related to the proposed new burn building at the County fire training facility; and

WHEREAS, an amendment to Resolution 107-2024 is needed to reflect that the legal corporate name of the sole entity referred to in Resolution 107-2024 is in fact CPL Architects, Engineers, and Landscape Architect, D.P.C. D/B/A CPL; now, therefore, be it

RESOLVED, that Resolution 107-2024 is amended to reflect that the legal corporate name of the sole entity referred to in Resolution 107-2024 is CPL Architects, Engineers, and Landscape Architect, D.P.C. D/B/A CPL; and be it further

RESOLVED, that the Chair of the Board is authorized to execute a contract with CPL Architects, Engineers, and Landscape Architect, D.P.C. D/B/A CPL for its engineering services related to the proposed new burn building site to be located at the existing burn building in Saratoga County at a cost not to exceed \$30,500; and it is further

RESOLVED, that this Resolution shall take effect retroactive to April 16, 2024.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 157 - 2024

Introduced by Public Safety: Supervisors Lant, Butler, Fish, Murray, Ostrander, Wright and Young

AMENDING AN AGREEMENT WITH DR. KRISTIN ST. DENIS FOR THE PROVISION OF PROFESSIONAL VETERINARY SERVICES AT THE SARATOGA COUNTY ANIMAL SHELTER

WHEREAS, the Saratoga County Animal Shelter has an increased need for professional veterinary service being provided by Dr. Kristin St. Denis; and

WHEREAS the Public Safety Committee and the Director of the Saratoga County Animal Shelter have recommended that the County enter into an amended agreement with Dr. Kristin St. Denis increasing the not to exceed amount of her current contract from \$15,000 to \$30,000 starting August 1, 2024, and ending August 2, 2025; and

WHEREAS, all other terms of the current agreement dated September 15, 2017 which are not inconsistent with the provisions of the above-stated amendments shall remain in full force and effect, now, therefore, be it

RESOLVED, that the Chair of the Board is authorized to execute an amended agreement increasing the not to exceed amount from \$15,000 to \$30,000 starting August 1, 2024, and ending August 2, 2025; and it is 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 158 - 2024

Introduced by Public Safety: Supervisors Lant, Butler, Fish, Murray, Ostrander, Wright and Young

APPOINTING JOHN PUGLIESE AS DEPUTY CORONER

WHEREAS, Saratoga County Coroners Susan Hayes- Masa and David DeCelle recommend that John Pugliese be appointed as Deputy Coroner effective as of June 1st, 2024 at a per diem rate of \$225 per case without mileage; and

WHEREAS, our Public Safety Committee has approved the recommendation of Saratoga County Coroners Susan Hayes-Masa and Devid DeCelle that John Pugliese be appointed as Deputy Coroner effective as of June 1st, 2024, at a per diem rate of \$225 per case without mileage; now, therefore, be it

RESOLVED, that John Pugliese of the City of Mechanicville be, and hereby is, appointed to the contract position of Deputy Coroner for the County of Saratoga effective June 1, 2024, at a per diem rate of \$225 per case without mileage; and be it 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 159 - 2024

Introduced by Economic Development: Supervisors Butler, Kinowski, Madigan, Murray, Raymond, Wright and Young

#### AUTHORIZING THE TRANSFER OF FUNDS FROM THE ECONOMIC DEVELOPMENT GRANT RESERVE FUND AND AMENDING THE 2024 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 portion of unexpended grant funds from the 2022 City of Mechanicville (\$11,433.00), 2022 Town of Ballston (\$14,200), 2023 Town of Clifton Park (\$7,100.00), 2023 Town of Greenfield (partial payment #2 of \$2,337.09), and 2022 Town of Hadley (\$10,540.00) total \$45,610.09; and

WHEREAS, the grant projects that were approved in 2022 and 2023 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 2024 County budget; and

WHEREAS, our Economic Development Committee and Director of Planning and Economic Development have recommended that \$45,610.09 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 \$45,610.09 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 2024 Saratoga County Budget is amended as follows:

PLANNING:

Increase Appropriations:

A.80.000-8763	Municipal Planning Grant Prof-Econ Dev	\$45,610.09
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Decrease Reserve:

A-0888.ED	Economic Dev Grant Reserve	\$45,610.09
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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 \$45,610.09.

RESOLUTION 160 - 2024

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

AWARDING 2024 FARMLAND AND OPEN SPACE PRESERVATION PROGRAM GRANTS

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

WHEREAS, the 2024 County Budget includes \$400,000 for the Farmland and Open Space Preservation Program; and

WHEREAS, the County Trails & Open Space Committee solicited applications for various land preservation projects in the County; and

WHEREAS, the County Trails & Open Space Committee have reviewed the five applications submitted for funding, and have recommended that funding for two farmland preservation projects as well as one open space acquisition project be approved at a cost of \$604,306; and

WHEREAS, the recommended award of \$604,306 will necessitate the transfer of up to \$204,306 from the Open Space Reserve Fund at a later date to cover the total 2024 approved project funding in the amount of \$604,306; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby authorizes the payment, under the Farmland and Open Space Preservation Program, of the following amounts to the following entities, for the purposes and upon the conditions stated:

1. To the Town of Northumberland, the sum of \$382,771 upon Saratoga PLAN completing a bargain sale, plus in-kind donations, for the purchase of the development rights of an approximately 75-acre parcel in order to place a perpetual conservation easement over the Butler Family Farm (Tax Parcel #117.-1-24). Total project cost is estimated at \$425,301. The balance of the project costs is to be paid by a combination of contributions and in-kind donations from the landowner, Saratoga PLAN and/or the Town.
2. To the Town of Stillwater, the sum of \$183,332 upon successfully entering into the Town's purchase of development rights (PDR) program. The PDR would be used to compensate the landowner for the value of a perpetual conservation easement and pay for the transaction costs for the project. Project consists of protecting approximately 45 acres within two parcels known as the Tanner Ridge Farm (Tax Parcel #220.-1-33.11 and 220.-1-33.12). Total project cost is estimated at \$203,702.00. The balance of the project costs is to be paid by a combination of contributions and in-kind donations from the Town and Town's legal counsel.
3. To the Town of Moreau, the sum of \$38,203 upon Saratoga PLAN completing a sale that includes an award from The Nature Conservancy plus in-kind donations towards an estimated total project cost of \$155,703.00 for the establishment of a perpetual conservation easement on an 81-acre parcel known as the Kropp-Rowson Palmertown Ridge Conservation Easement to permanently protect the terrestrial and aquatic habitats therein (Tax Parcel #89.-1-4).

and it is further

RESOLVED, that the foregoing grant amounts may be increased or decreased by the Open Space and Trails committee by up to 10% of each grant amount provided the requirements of each grant are satisfied and sufficient grant monies are available; and it is further

RESOLVED, that the acreage amounts listed herein may be revised to conform with the acreage as determined by any subsequent survey conducted of one of the foregoing parcels; and it is further

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

RESOLVED, that the Chair of the Board is authorized to execute all agreements and other documents necessary to ensure the fulfillment of said conditions and transfer said funds; and it is further

RESOLVED, that the form and content of such agreements and 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 available in the operating budget and the Open Space Reserve account to cover the awards.

## RESOLUTION 161 - 2024

Introduced by Law and Finance: Supervisors M. Veitch, Edwards, Grasso, Lant, Ostrander, Tollisen, and K. Veitch

**AUTHORIZING THE PAYMENT OF A MONTHLY STIPEND FOR JACQUALINE LOMBARDO, ESQ. UNDER THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, Jacqueline Lombardo was appointed to the position of Social Services Attorney in March 2024 from her previous position of Assistant County Attorney; and

WHEREAS, as a result of ongoing transitions within the Social Services Department, Jacqueline Lombardo's duties will be expanded to include training/mentoring two (2) recently appointed Social Services Attorneys; and

WHEREAS, our Law and Finance Committee and the Director of Human Resources have recommended that Jacqueline Lombardo be provided a stipend in the amount of \$700 per month, from July 1, 2024, through December 31, 2024, assuming her continued employment with the department, to compensate her for the additional duties that she will be performing; and

WHEREAS, each monthly stipend of \$700 will be vested the last day of the month and shall be paid in the first pay check of the following month; and

WHEREAS, Jacqueline Lombardo must remain in the employ of the Saratoga County Department of Social Services through the vesting date to earn the training/mentoring stipend due on that date; and

WHEREAS, Jacqueline Lombardo forfeits any training/mentoring stipend that vests after her last day of employment with the Saratoga County Department of Social Services now, therefore, be it

RESOLVED, that this Board approves the payment to Jacqueline Lombardo, Social Services Attorney, of a stipend in the amount of \$700 per month, from July 1, 2024, through December 31, 2024, to compensate her for the additional duties that she will be performing in the Saratoga County Department of Social Services Department contingent upon her continued employment with the Department; and it is further

RESOLVED, that this Resolution shall take effect July 1, 2024.

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

## RESOLUTION 162 - 2024

Introduced by Law and Finance: Supervisors M. Veitch, Edwards, Grasso, Lant, Ostrander, Tollisen, and K. Veitch

**BOND RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$3,759,250 SERIAL BONDS OF THE COUNTY OF SARATOGA, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF CONSTRUCTION OF UPGRADES TO AMMONIA TREATMENT FACILITIES BY SARATOGA COUNTY SEWER DISTRICT NO. 1.**

WHEREAS, the County Board of Supervisors of the County of Saratoga, New York on August 17, 2021 adopted a Bond Resolution (the “Original Bond Resolution”) entitled “RESOLUTION 240-2021 AUTHORIZING THE ISSUANCE OF \$33,100,000 BONDS OF THE COUNTY OF SARATOGA, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF CONSTRUCTION OF UPGRADES TO AMMONIA TREATMENT FACILITIES BY SARATOGA COUNTY SEWER DISTRICT NO. 1; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$33,100,000, STATING THE PLAN OF FINANCING; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT BY SARATOGA COUNTY SEWER DISTRICT NO. 1 TO SAID COUNTY”; and

WHEREAS, on July 13, 2022, the County Board of Supervisors adopted a Supplemental Bond Resolution (the “Supplemental Bond Resolution”) entitled “RESOLUTION 250 - 2022 BOND RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$11,369,202 SERIAL BONDS OF THE COUNTY OF SARATOGA, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF CONSTRUCTION OF UPGRADES TO AMMONIA TREATMENT FACILITIES BY SARATOGA COUNTY SEWER DISTRICT NO. 1.” (the “Supplemental Bond Resolution”; the Original Bond Resolution and the Supplemental Bond Resolution are jointly referred to as the “Prior Bond Resolutions”); and

WHEREAS, the County Board of Supervisors wishes to (i) authorize the expenditure and appropriation of additional funds in connection with the construction of improvements and upgrades to the Saratoga County Sewer District No. 1 (the “District”) facilities in order to treat ammonia, and the acquisition of land or rights in land and acquisition of original furnishings, equipment, machinery or apparatus required in connection therewith (the “Project”); and (ii) authorize the issuance of additional serial bonds of the County to finance such additional appropriation;

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Board of Supervisors of the County of Saratoga, New York as follows:

Section 1. The County of Saratoga, New York (herein called “County”), is hereby authorized to undertake the Project at an estimated maximum cost not to exceed \$48,228,452, constituting an increase of \$3,759,250 over the amount previously authorized in the Prior Bond Resolutions.

Section 2. The plan for financing such new maximum authorized cost of \$48,228,452 shall be as follows:

(a) By the issuance of \$44,469,202 of Serial Bonds of the County heretofore authorized to be issued pursuant to the Prior Bond Resolutions; and

(b) By the issuance of up to an additional \$3,759,250 of Serial Bonds (the “Bonds”) of the County authorized to be issued pursuant to this Resolution; provided, however, any federal or New York State grant funds received by the County for such objects or purposes shall be applied to pay the principal of and interest on the Bonds or any bond anticipation notes issued in anticipation of the Bonds, or to reduce the amount to be borrowed for such purposes.

Section 3. It is hereby determined that the period of probable usefulness for the specific object or purpose is forty (40) years pursuant to paragraph 4 of Section 11.00(a) of the Local Finance Law;

provided, however, that the maximum maturity of the Bonds authorized shall be computed from the date of issuance of (a) the Bonds or the first bond anticipation note issued in anticipation of the Bonds authorized pursuant to this Resolution or (b) the bonds or bond anticipation notes authorized pursuant to the Prior Bond Resolutions, whichever date is earlier.

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

Section 5. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be assessed and levied upon the real property of users connected to the District's sewer system, in accordance with the District's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and as it will be amended and adopted on an annual basis, an amount sufficient to pay the principal of and interest on such obligations as the same become due and payable, but if not paid from such source, all the taxable real property in the County shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal and interest on such obligations when due. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds, and any bond anticipation notes issued in anticipation of

the Bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the Bonds and bond anticipation notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

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

Section 8. This resolution is intended to constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Regulation Section 1.150-

2. Other than as specified in this resolution, no moneys are reasonably expected to be, received, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

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

Section 10. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of this resolution or a summary hereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

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

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

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

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

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

BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 163 - 2024

Introduced by Law and Finance: Supervisors M. Veitch, Edwards, Grasso, Lant, Ostrander, Tollisen, and K. Veitch

APPROVING THE PROPOSED INCREASE IN THE MAXIMUM ESTIMATED COST OF PROPOSED UPGRADES TO SARATOGA COUNTY SEWER DISTRICT NO. 1 WASTEWATER

TREATMENT PLANT TO PROPERLY TREAT AMMONIA AND MEET NEW LIMITS  
PROPOSED BY NYSDEC

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

WHEREAS, the District operates pursuant to the terms and conditions of a State Pollution Discharge Elimination System (SPDES) Permit issued and regulated by the Department of Environmental Conservation (DEC); and

WHEREAS, the District's SPDES Permit contains limits on the discharge of various pollutants and requirements for the measurement of said pollutants and the reporting of said measurements; and

WHEREAS, the District resolved violations of its SPDES permit by entering into administrative consent order with the DEC approved by Board Resolution 226-2019, and with the United States Environmental Protection Agency (USEPA) by Board Resolution 39-2020 and both consent orders called for the District to upgrade its existing facilities and properly treat ammonia (the "Project"); and

WHEREAS, following a public hearing held on July 13, 2022, the Board of Supervisors previously determined, pursuant to Resolution 251-2022 adopted July 19, 2022, that it is in the public interest of the people of the County of Saratoga residing within the boundaries of the District to undertake the Project at a maximum estimated cost of \$44,469,202, with the annual net cost to the typical property in the District as a result of the Project previously estimated to be \$8.00; and

WHEREAS, the estimated maximum cost of the Project has increased from \$44,469,202 to \$48,228,452; and

WHEREAS, on May 21, 2024 the Board of Supervisors duly adopted Resolution 143 2024, calling a meeting of the Board of Supervisors for the purpose of holding a public hearing regarding the proposal to construct the Project at the increased maximum estimated cost described above; and

WHEREAS, such Resolution authorized and directed the Clerk of said Board of Supervisors to publish the notice of public hearing; and

WHEREAS, said public hearing was duly held in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, in the Village of Ballston Spa, New York, in said County, on June 12, 2024 at approximately 4:30 p.m.; and

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

NOW, THEREFORE BE IT

RESOLVED, that it is hereby found and determined that it is in the public interests of the people of the County of Saratoga residing within the boundaries of the District to proceed with the Project, all as more fully described in the preambles hereof, and such increase and improvement of District facilities is hereby authorized at the increased maximum estimated cost of \$48,228,452; and be it further

RESOLVED, the expense of said increase and improvement of District facilities shall be financed by the issuance of bonds in an amount not to exceed \$48,228,452 of said County and the costs of said increase and improvement of District facilities, including payment of principal of and interest on said bonds, shall be apportioned in accordance with the District's annual scale of charges for the collection, conveyance, treatment and disposal of sewage and wastewater from public corporations, improvement districts, commercial and industrial users and individuals, as such scale of charges currently exists and will be amended and adopted on an annual basis, with the expectation that any funds received by the District from New York State grants shall be used to pay a part of the cost of the project or to pay debt service on bonds issued to finance the project or shall be budgeted as an offset to such assessments to be levied and collected; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BUDGET IMPACT STATEMENT: No Budget Impact.

#### RESOLUTION 164 - 2024

Introduced by Law and Finance: Supervisors M. Veitch, Edwards, Grasso, Lant, Ostrander, Tollisen, and K. Veitch

AMENDING AN AGREEMENT WITH WRIGHT-PIERCE ENGINEERING CONSULTANTS, P.C. FOR ADDITIONAL CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR SARATOGA COUNTY SEWER DISTRICT NO. 1'S SECONDARY CLARIFIER

WHEREAS, Pursuant to Resolution 56-2021 Wright-Pierce Engineering Consultants, P.C. ("Wright-Pierce") was previously awarded a contract by the Board related to the Sewer District No. 1's secondary clarifier and electrical upgrade project totaling \$454,180; and

WHEREAS, pursuant to General Municipal Law §103 the Sewer District approved a change order for the added service of Computational Fluid Dynamics (CFD) in the amount of \$20,400 and thus increasing the total amount of the agreement to \$474,580; and

WHEREAS, pursuant to Resolution 336-2022 the Board approved increasing the amount of the agreement by \$39,500 to cover the cost of additional evaluation and design services and thus increasing the total cost of the agreement to \$514,080; and

WHEREAS, the original agreement included "Administration of Construction" costs in the amount of \$39,000 and "Construction Inspection" costs in the amount of \$56,000 for a total of \$95,000 of the overall total of \$454,180; and

WHEREAS, Wright-Pierce is now requesting that the cost of administration of construction be increased by \$8,000 and construction inspection costs be increased by \$10,000 due the extended time needed to complete the work; and

WHEREAS, Wright-Pierce is now also requesting that the cost of administration of construction be increased by \$9,000 due to additional construction meetings; and

WHEREAS, Wright-Pierce is now also requesting that the cost of administration of construction be increased by \$23,000 due to additional scope items; and



WHEREAS, in sum Wright-Pierce is requesting a total of \$50,000 be added to the agreement increasing the total Construction Inspection and Administration expenses to \$145,000 and the total amount of the agreement with Wright-Pierce to \$564,080; and

WHEREAS, the Law and Finance Committee, Sewer District No.1 Sewer Commission and the Director of the Sewer District have recommended that each of the requests of Wright-Pierce Consultants P.C. of Maine, be approved and granted; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is empowered to execute an agreement with Wright-Pierce Consultants P.C. of Maine, increasing the total Construction Inspection and Administration expenses to an amount not to exceed \$145,000 and the total amount of the entire agreement with Wright-Pierce in an amount not to exceed \$564,080; and it is further

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

RESOLVED, that the Resolution shall take effect immediately.

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

#### RESOLUTION 165 - 2024

Introduced by Law and Finance: Supervisors M. Veitch, Edwards, Grasso, Lant, Ostrander, Tollisen, and K. Veitch

#### AUTHORIZING AN AGREEMENT WITH XYLEM WATER SOLUTIONS U.S.A., INC. FOR MAINTENANCE OF THE UV DISINFECTION SYSTEM AT THE SARATOGA COUNTY SEWER DISTRICT NO. 1'S WASTEWATER TREATMENT PLANT

WHEREAS, Resolution 88-2023 authorized an agreement with Xylem Water Solutions U.S.A., Inc. ("Xylem, Inc.") for annual, preventive maintenance of the WEDECO Ultraviolet Disinfection System ("UV disinfection system") installed at the Saratoga County Sewer District No. 1's wastewater treatment plant after the solicitation of competitive bids; and

WHEREAS, the County has since entered into annual, minor contracts with Xylem, Inc. for the provision of preventive maintenance services of the UV disinfection; and

WHEREAS, the Saratoga County Sewer District No. 1 has received a proposal from Xylem, Inc. for work associated with performing preventive maintenance services for an amount not to exceed \$18,650; and

WHEREAS, Xylem, Inc. is the sole source provider for the components and supplies of the UV disinfection system to meet performance guarantees that are needed to maintain compliance with the wastewater treatment plant's State Pollutant Discharge Elimination System ("SPDES") permit; and

WHEREAS, our Law and Finance Committee, the Saratoga County Sewer District No. 1 Sewer Commission, and the Executive Director of the Sewer District have recommended that the

County accept the proposal of Xylem, Inc., with a principal address of Charlotte, North Carolina, and execute a professional services agreement with Xylem, Inc. for performing preventive maintenance of the wastewater treatment plant’s UV disinfection system, at a cost not to exceed \$18,650; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute a professional services agreement with Xylem, Inc., with a principal address of Charlotte, North Carolina, for the provision of the performance of preventative maintenance services of the wastewater treatment plant’s UV disinfection system at a cost not to exceed \$18,650; 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 166 - 2024

Introduced by Law and Finance: Supervisors M. Veitch, Edwards, Grasso, Lant, Ostrander, Tollisen, and K. Veitch

AMENDING RESOLUTION 181-12, AS LAST AMENDED BY RESOLUTION 114-2024, 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 114-2024, 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 114-2024; now, therefore, be it

RESOLVED, that this Board of Supervisors hereby amends Resolution 114-2024, 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**

Commissioner of Elections	7	Joseph Suhrada	XXXX			2/21/2024 - 12/31/2024	N	24.89	
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BUDGET IMPACT STATEMENT: No Budget Impact.

RESOLUTION 167 - 2024

Introduced by Law and Finance: Supervisors M. Veitch, Edwards, Grasso, Lant, Ostrander, Tollisen, and K. Veitch

REQUESTING CONGRESS AND THE NATIONAL PARK SERVICE RENAME THE SARATOGA NATIONAL HISTORICAL PARK TO THE SARATOGA NATIONAL BATTLEFIELD PARK

WHEREAS, the Saratoga National Historic Park commemorates the Battles of Saratoga, which were pivotal in securing American independence during the Revolutionary War; and

WHEREAS, the term "Battlefield" more accurately reflects the historical significance of the site, emphasizing the crucial military engagements that took place; and

WHEREAS, renaming the park to Saratoga National Battlefield Park will enhance public understanding and appreciation of its historical importance; and

WHEREAS, the proposed name change has been reviewed and supported by community leaders, and stakeholders; now, therefore be it

RESOLVED that the Saratoga County Board of Supervisors hereby supports and endorses the renaming of the Saratoga National Historic Park to the Saratoga National Battlefield Park; and be it further

RESOLVED, that the Saratoga County Board of Supervisors requests that the appropriate federal authorities, including the National Park Service and the United States Congress, take all necessary actions to implement this name change; and

RESOLVED, that a copy of this resolution be transmitted to the Secretary of the Interior, the Director of the National Park Service, and the members of the United States Congress representing the County of Saratoga.

BUDGET IMPACT STATEMENT: No budget impact.

Mr. M. Veitch, requested a separate vote on Resolutions 152, 153, 154, and 155. Mr. M. Veitch stated that he would be recusing himself from the vote on this resolution.

On a motion by Mr. Murray, seconded by Mr. Kinowski, Resolutions #152 through 155 were adopted by the following vote.

AYES (193,497.5): Eric Connolly (11831), Joseph Grasso (4328), Philip C. Barrett (19014.5), Angela Thompson (19014.5), C. Eric Butler (6500), Diana Edwards (819), Jean Raymond (1333), James D. Arnold (3525), Kevin Veitch (8004), Arthur M. Wright (1976), Kevin Tollisen (25662), Cynthia

Young (17130), Scott Ostrander (18800), Jesse Fish (16202), Sandra Winney (2075), Ian Murray (5808), Michele Madigan (14245.5), Edward D. Kinowski (9022), David Ball (8208)

NOES (0):

ABSENT (27,766): Thomas Richardson (5163), Willard H. Peck (5242), John Lant (17361)

RECUSED (14245.5): Matthew E. Veitch

#### RESOLUTION 152 - 2024

Introduced by Public Safety: Supervisors Lant, Butler, Fish, Murray, Ostrander, Wright and Young

#### AMENDING A TOWER LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS, FOR THE UPGRADE OF COMMUNICATIONS EQUIPMENT ON THE COUNTY'S RADIO COMMUNICATIONS TOWER IN THE TOWN OF EDINBURG

WHEREAS, as part of the Saratoga 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, pursuant to Resolution 182-2023, Cellco Partnership, d/b/a Verizon Wireless, ("Verizon Wireless") entered into a Tower License Agreement with the County to license space on the County's Communications Tower in the Town of Edinburg for the 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, this Board's Public Safety Committee and the Director of Emergency Management have recommended that the County amend said Tower License Agreement with Verizon Wireless to upgrade its communications equipment on the County's Communications Tower in the Town of Edinburg, and that such Amended and Restated Tower License Agreement will take effect on the first day of the month after Verizon Wireless begins installation of the upgraded equipment (the "Amendment Commencement Date"), but not in any event later than January 1, 2025. The initial term will be two (2) years 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%) annual increase over the immediately preceding term, such increase to take effect on the anniversary of the Amendment Commencement Date. The payment shall never decrease; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an Amended and Restated Tower License Agreement with Verizon Wireless authorizing the upgrade of communications equipment on the County's Communications Tower in the Town of Edinburg, and that such Amended and Restated Tower License Agreement will take effect on the first day of the month after Verizon

Wireless begins installation of the upgraded equipment (the “Amendment Commencement Date”), but not in any event later than January 1, 2025. The initial term will be two (2) years 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%) annual increase over the immediately preceding term, such increase to take effect on the anniversary of the Amendment Commencement Date. The payment shall never decrease; 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 Verizon Wireless, its successors or assigns, to Roger Scott; and be it further

RESOLVED, that the form and content of such Amended and Restated 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 153 - 2024

Introduced by Public Safety: Supervisors Lant, Butler, Fish, Murray, Ostrander, Wright and Young

#### AMENDING A TOWER LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS, FOR THE UPGRADE OF COMMUNICATIONS EQUIPMENT ON THE COUNTY’S RADIO COMMUNICATIONS TOWER IN THE TOWN OF LAKE LUZERNE

WHEREAS, as part of the Saratoga 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, pursuant to Resolution 182-2023, Cellco Partnership, d/b/a Verizon Wireless (“Verizon Wireless”) entered into a Tower License Agreement with the County to license 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, this Board's Public Safety Committee and the Director of Emergency Management have recommended that the County amend said Tower License Agreement with Verizon Wireless to upgrade its communications equipment on the County's Communications Tower in the Town of Lake Luzerne, and that such Amended and Restated Tower License Agreement will take effect on the first day of the month after Verizon Wireless begins installation of the upgraded equipment (the "Amendment Commencement Date"), but not in any event later than January 1, 2025. The initial term will be two (2) years 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%) annual increase over the immediately preceding term, such increase to take effect on the anniversary of the Amendment Commencement Date. The payment shall never decrease; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an Amended and Restated Tower License Agreement with Verizon Wireless authorizing the upgrade of communications equipment on the County's Communications Tower in the Town of Lake Luzerne, and that such Amended and Restated Tower License Agreement will take effect on the first day of the month after Verizon Wireless begins installation of the upgraded equipment (the "Amendment Commencement Date"), but not in any event later than January 1, 2025. The initial term will be two (2) years 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%) annual increase over the immediately preceding term, such increase to take effect on the anniversary of the Amendment Commencement Date. The payment shall never decrease; 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 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 Amended and Restated 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 154 - 2024

Introduced by Public Safety: Supervisors Lant, Butler, Fish, Murray, Ostrander, Wright and Young

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

WHEREAS, as part of the Saratoga 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, pursuant to Resolution 184-2023, Cellco Partnership, d/b/a Verizon Wireless ("Verizon Wireless") entered into a Tower License Agreement with the County to license 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, this Board's Public Safety Committee and the Director of Emergency Management have recommended that the County amend said Tower License Agreement with Verizon Wireless to upgrade its communications equipment on the County's Communications Tower in the Town of Day, and that such Amended and Restated Tower License Agreement will take effect on the first day of the month after Verizon Wireless begins installation of the upgraded equipment (the "Amendment Commencement Date"), but not in any event later than January 1, 2025. The initial term will be two (2) years 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%) annual increase over the immediately preceding term, such increase to take effect on the anniversary of the Amendment Commencement Date. The payment shall never decrease; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an Amended and Restated Tower License Agreement with Verizon Wireless authorizing the upgrade of communications equipment on the County's Communications Tower in the Town of Day, and that such Amended and Restated Tower License Agreement will take effect on the first day of the month after Verizon Wireless begins installation of the upgraded equipment (the "Amendment Commencement Date"), but not in any event later than January 1, 2025. The initial term will be two (2) years 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%) annual increase over the immediately preceding term, such increase to take effect on the anniversary of the Amendment Commencement Date. The payment shall never decrease; 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 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 Amended and Restated 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 155 - 2024

Introduced by Public Safety: Supervisors Lant, Butler, Fish, Murray, Ostrander, Wright and Young

#### AMENDING A TOWER LICENSE AGREEMENT WITH CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS, FOR THE UPGRADE OF COMMUNICATIONS EQUIPMENT ON THE COUNTY'S RADIO COMMUNICATIONS TOWER IN THE TOWN OF PROVIDENCE

WHEREAS, as part of Saratoga 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, pursuant to Resolution 185-2023, Cellco Partnership, d/b/a Verizon Wireless ("Verizon Wireless") entered into a Tower License Agreement with the County to license 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, this Board's Public Safety Committee and the Director of Emergency Management have recommended that the County amend said Tower License Agreement with Verizon Wireless to upgrade its communications equipment on the County's Communications Tower in the Town of Providence, and that such Amended and Restated Tower License Agreement will take effect on the first day of the month after Verizon Wireless begins installation of the upgraded equipment (the "Amendment Commencement Date"), but not in any event later than January 1, 2025. The initial term will be two (2) years 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%) annual increase over the immediately preceding term, such increase to take effect on the anniversary of the Amendment Commencement Date. The payment shall never decrease; now, therefore, be it

RESOLVED, that the Chair of the Board is hereby authorized to execute an Amended and Restated Tower License Agreement with Verizon Wireless authorizing the upgrade of communications equipment on the County's Communications Tower in the Town of Providence, and that such Amended and Restated Tower License Agreement will take effect on the first day of the month after Verizon Wireless begins installation of the upgraded equipment (the "Amendment Commencement Date"), but not in any event later than January 1, 2025. The initial term will be two (2) years 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%) annual increase over the immediately preceding term, such increase to take effect on the anniversary of the Amendment Commencement Date. The payment shall never decrease; and be it further

RESOLVED, that the form and content of such Amended and Restated 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.

#### OTHER BUSINESS

Mr. M. Veitch thanked everyone involved with the success of the Belmont On Broadway festival.

#### PUBLIC INPUT

There were no requests for public input.

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

Respectfully submitted,

Bridget M. Rider  
Deputy Clerk of the Board